

CITIZEN PARTICIPATION IN POLICY AND PLANNING PROCESS IN  
LOCAL GOVERNMENT IN LESOTHO: A CASE OF QACHA'S NEK

By

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Declaration of Own Work

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I declare that CITIZEN PARTICPATION IN POLICY AND PLANNING PROCESS IN LESOTHO: A CASE OF QACHA'S NEK is my own work and that all the sources that I have used under or quoted have been indicated and acknowledged by means of complete references.

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SIGNATURE

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DATE

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## **Abstract**

The study focuses and explores citizen participation in the policy and planning process in local government in Lesotho. The study argues that citizen participation in the policy and planning process is important. This is because it is through citizen participation that the government is rendered accountable and responsive to the needs of the local community. Secondly, citizen participation is important in that it helps in the deepening of democracy. In Lesotho, citizen participation has been encouraged by the different governments since the era of Moshoeshe to the present regime. Lesotho held the first democratic local government elections in 2005. One of the objectives of introducing local government is to foster citizen participation in policy and planning processes.

The interviews conducted reveal that citizen participation is taking place even though at a minute degree. Several challenges exist in local government that hinder active and effective citizen participation in local government in Lesotho. One of the major challenges impeding citizen participation is the statutory framework regulating citizens' participation in local government. This study has found that there is no direct legal or policy framework regulating or enforcing citizen participation in local government. Coupled with this challenge is another crucial challenge relating to the structure and mechanisms that are used for citizen participation. The study reveals that the structures and mechanisms are not adequate to enhance and encourage citizen participation.

Pursuant to this, the study proposes some reforms with a view to improving citizen participation in Lesotho. Firstly, the study proposes that the policy and legislative frameworks be improved so as to provide enough scope and space for citizen participation. These frameworks should provide for adequate structures, mechanisms as well as processes and areas that can improve citizen participation in local government. Secondly, crucial instruments for community participation in planning such as the IDP, budget process and the performance management in South African context can be designed with specific cognisance of the structures established. Thirdly, the government must encourage, educate and sensitize citizens to actively take part in local government, through capacity building programmes. It can take the advantage of the NGOs already working with the communities and citizens as a strategy to enhance citizen participation

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## List of abbreviations and Acronyms

|                   |   |
|-------------------|---|
| APRM.....         | African Peer Review Mechanisms  |
| BAC.....          | Basutoland African Congress   |
| BCP.....          | Basutoland Congress Party   |
| BPA.....          | Basutoland Progressive Association  |
| BNC.....          | Basutoland National Council   |
| BNP.....          | Basutoland National Party   |
| CC.....           | Community Council   |
| CCC.....          | Community Councils Chairpersons   |
| CL.....           | Commoners League  |
| CS.....           | Council Secretaries   |
| DC.....           | District Chairpersons   |
| DC.....           | District Council  |
| DCS.....          | District Council Secretaries  |
| DDC.....          | District Development Committees   |
| DD.....           | Director Decentralization   |
| DDCC.....         | District Development Coordinating Committee                                 |
| DNPFPF.....       | (2005) Draft National Policy Framework for Public Participation             |
| DPLG.....         | Department of Provincial and Local Government                               |
| DPU.....          | District Planning Unit  |
| FPNDAP.....       | Framework for the Preparation of National Decentralization Action plan      |
| GEOMWC(2005)..... | Guidelines for the Establishment and Operation of Municipal Ward Committees |
| IC.....           | Interim Councils  |
| IDP.....          | Integrated Development Plan   |
| IEC.....          | Independent Electoral Commission  |
| KZN DCPF.....     | Kwazulu Natal Draft for Community Participation Framework                   |
| LC.....           | Local Councillors   |
| LCD.....          | Lesotho Congress for Democracy  |
| LCN.....          | Lesotho Council of Non-governmental organizations                           |
| LLB.....          | Lekhotla la Bafo  |
| MBP.....          | Municipal Budget Processes  |
| MFP.....          | Marematlou Freedom Party  |
| MCC.....          | Maseru City Council   |
| MOLGC.....        | Ministry of Local Government & Chieftainship                                |
| MP.....           | Member of Parliament  |
| NGOs.....         | Non-governmental Organizations  |
| OCM.....          | Open Council Meeting  |
| PMS.....          | Performance Management System   |
| PMU.....          | Police Mobile Unit  |
| PRSP.....         | Poverty Reduction Strategy Paper  |
| PSIRP.....        | Public Sector Improvement and Reform Programme                              |
| TRC.....          | Transformation Resource Centre  |
| UB.....           | Urban Council   |
| VDC.....          | Village Development Committees  |

WDC.....Ward Development Committees

# CHAPTER ONE: INTRODUCTION

## 1.1 Introduction

Citizen participation is seen around the world as important. Van der Waldt (2007:34) writes that, 'globally, there has been an emphasis on the need to promote new forms of interaction among the state, civil society and the private sector'. This is one of the reasons why the government of Lesotho institutionalised the system of local government in 2005 with the view to enhance citizen participation and trigger social development. To this effect two pieces of legislation namely the *Local Government Act 1997* and the *Local Government Elections Act 1998* were passed to facilitate local government. Citizen participation is not clearly spelt out in these Acts even though it is linked to local government. However, in the document Programme for Implementation of Local Government in Lesotho (2003:2) citizen participation is regarded as one of the objectives of local government in Lesotho.

Local government is defined by scholars as one of the means of instituting citizen participation. Reddy (1999:9), for example, defines it as the level of government created to bring government to the local populace and to give citizens a sense of participation in the political processes that influence their lives. Since local government is closer to the people, the chances of interaction between citizens and government are high. Jones (1981:115) agrees by stating that '...citizen participation is much easier in small local governments than in larger local governments where there is a large number of matters which sometimes complicate detail'. Therefore,

citizens can easily participate in policy and planning process because local government is closer to them.

In the document Programme for Implementation of Local Government in Lesotho (2003:2), the objectives of local government in Lesotho are stated. One of the objectives given in this document is the promotion of people's participation in decision-making, planning and implementation of development programmes. In this context, participation in local government is regarded as an important ingredient. This is because, according to Hanekom (1987:34), participation is a means of providing those people whose lives will be affected by proposed policies with the opportunity of expressing their views and of attempting to influence public managers as to the desirability of the suggested policies.

In essence, participation in local government is understood to be involving continuous interaction and communication between local government and citizens in matters of development. In this instance Brynard (1996:2) writes that "to a greater or lesser extent the shaping of public policies is always influenced by public opinion and participation by the public in matters which they believe will affect them directly'. This means participation can be beneficial if information on any matter of development is shared by the local government and the citizens. As Brynard (1996:41) comments 'participation can broadly be divided into two main categories, namely the receiving of information by citizens from authorities about proposed actions and the sharing of power with citizens to shape the final decision'.

Pursuant to the above, the study focuses on citizen participation in the policy and planning process in local government in Lesotho with reference to Qacha's Nek district. Qacha's Nek district has been earmarked for the study because it is one of the districts classified as being in a mountainous area which has a lower population density than other districts of Lesotho and is predominantly rural,(Bureau of Statistics:2006:vi). Moreover, it has been chosen because the local government in Qacha's Nek is perceived to be active in comparison to other mountainous districts such as Thaba Tseka and Mokhotlong.

This chapter provides introduction for the entire research. It is divided into ten sections commencing from the introduction. Secondly, it provides background and rationale for the study. Thirdly, motivation of the research topic is provided. The fourth section is about statement of the problem. This is followed by aims and objectives of the research. The sixth section delineates the conceptual analysis and is followed by preliminary literature review. The eighth section outlines the limitation of the study and is followed by research design and data collection methodology. The last section states the framework for this research.

## **1.2 Background and Rationale for the Study**

Citizen participation has been regarded as such an indispensable component of governance that in various countries such as South Africa, it is formally legislated. Chapter four of the *South Africa Municipal Systems Act 32 of 2000* provides for community participation and outlines mechanisms and structures through which communities can effectively participate in government.

The government of Lesotho has also made some effort to introduce citizen participation in governance. Some aspects that can be linked to citizen participation in Lesotho can be traced from the time before independence. During the colonial regime (1886-1965) some aspects of political activities that could be linked to participation still existed (Nyeko, 2002:163). For example, political parties that demanded that Basotho citizens have a say in the running of government emerged as early as 1901 (Nyeko, 2002:163-165).

Although formal structures to augment participation could be traced, that process was never consistent, effective and predictable. For example, the colonial government introduced district councils in 1960 and swiftly abolished them shortly after independence in 1968 (Kapa, 2010:9-10).

District councils were very important in as far as citizen participation was concerned. According to Mapetla and Rembe (1989:22) district councils served as avenues for popular participation as well as acting in an advisory capacity in matters of local affairs. When they were abolished, citizen participation was severely compromised as they had been the channels through which the majority of citizens participated at local level especially in matters of local planning and administration. According to Mapetla and Rembe (1989:23) 'the abolition of district councils saw an end of participatory institutions at local level, resulting in an increasing centralized administrative and planning machinery'.

In 1980, government introduced District Development Committees (DDC) and Village Development Committees (VDC) as structures in rural areas that were geared

to propel the work of the abolished district councils. According to Mapetla and Rembe, (1989:31) the DDCs and VDCs were envisaged as structures intended to serve as forums for popular participation and execution of bottom-up planning and coordination of development activities. These committees were never active in carrying out the intended roles. They were hindered by a lack of technical capacity to operate, funds and clear channels of communication, (Mapetla & Rembe, 1989:31-32).

In the same way, in 1986 the military government introduced development committees as structures for propelling participation but these became redundant as a result of conflict between the chiefs and the committee members and were later abolished (Mapetla & Rembe 1989:31-32). According to Kapa (2010:11) development committees were replaced with interim councils in 2001. Then in 2005, local government was established formally. One of the objectives of local government in Lesotho is to promote people's participation in decision-making, planning and implementation of developmental programmes (Programme for Implementation of Local Government in Lesotho 2003:2).

Government has from before independence attempted to introduce citizen participation through the establishment of structures such as district councils, district development committees (DDC) and village development committees (VDC), development committees, interim councils and finally local government. This shows that citizen participation in Lesotho is regarded as an indispensable component of governance. In terms of the Programme for Implementation of Local Government in

Lesotho (2003:2) local government is designed to institute and promote citizen participation.

Local government in Lesotho was formally established in 2005 (Kapa 2010:12). Since 2005 local government has had to contend with many challenges that have rendered participation impractical. According to Shale (2010:17) the first challenge concerns the *Local Government Act*. He writes that the *Act* not only fail to articulate how people will participate in the development process but also to institutionalise participation by way of establishing public participation bodies. As Shale (2010:17) has noted, nowhere in the *Local Government Act 1997* is the issue of participation encouraged. This means that citizen participation is an issue of discretion or choice.

Local government was established in terms of section 106 of the *Lesotho Constitution (Government Notice no.28 of 1993)* which states that ‘parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform such functions as may be conferred by an act of parliament’. Pursuant to this, parliament enacted the *Local Government Act No.6 of 1997* and the *Local Government Elections Act of 1998* which provide for an institutional framework and procedures, rules and regulations for the conduct of the local elections process, (Programme for Implementation of Local Government in Lesotho, 2003:2).

Local government is regarded as a means for fostering participation of people in the planning and policy process. According to Brynard (1996:138) ‘... local government should be regarded as an effective means of encouraging popular participation in the

local planning processes'. The government of Lesotho, through local government, aims to achieve development in communities through the participation of people. As Brynard (1996:133) has noted, planning in local government involves two parties, namely local government and the community. It is in this process that the goals of the community are to be reached.

According to Brynard (1996:132) planning should be placed in relation to phenomena such as policy making and policy implementation by using the goal perspective as a guiding factor. Citizen participation is encouraged and promoted by the *Lesotho Constitution and Lesotho Vision 2020*. Section 20 of the *Constitution* provides for participation in government while a *Vision 2020* policy document provides, in relation to participation, that 'Lesotho will have a well-established system of local governance with full ownership and participation of the majority in decision-making and local development'. In order for local government to be effective, citizen in the planning and policy process participation has to be encouraged as this is critical in determining the development in communities. The key question that follows therefore is, has citizen participation in Lesotho's local government taken place since 2005? It is against this background that the study focuses on citizen participation in the planning and policy process in Lesotho with specific reference to Tsoelikana Community Council and Qacha's Nek Urban Council in Qacha's Nek?

### **1.3 MOTIVATION OF THE RESEARCH TOPIC**

Apart from having a personal interest in citizen participation, the researcher selected the topic because of the prominence that it has in local government in Lesotho. To illustrate this point, one of the objectives of local government in Lesotho is to

promote people's participation in decision-making, planning and implementation of developmental programmes (Programme for Implementation of Local Government in Lesotho, 2003:2). Moreover, the government of Lesotho has established four programme areas under the Decentralisation Action Plan for Lesotho. The programme area concerned with citizen participation is Participation and Accountable Local Governance Programme and the core objectives of the programme are: to improve citizen participation in the development process and to promote engagement of councils, NGOs and chiefs in local governance (Decentralisation Action Plan for Lesotho, 2009:25). This shows that citizen participation has taken prominence in local government.

Therefore, following from these discussions, it is important to undertake this research for the following reasons. Firstly, to establish the practical reality in terms of how citizen participation in local government in Lesotho is taking place. It is envisaged that this will reveal practical problems and find solutions inherent in local government as far as citizen participation in Lesotho is concerned. The second reason concerns the academic realm where testing the theoretical assumption behind citizen participation in local government can occur, for example, testing the theory or assumption that citizen participation is important in that it allows citizen to influence the decision of the government and hence development.

## **1.4 PROBLEM STATEMENT**

Using Qacha's Nek district as a focal point, the study attempts to discover if citizen participation in the planning and policy process in local government (post 2005 Local Government Elections) is taking place. Section 20 of the *Constitution of Lesotho (of 1993)* grants every citizen the right to participate in government. Therefore, based on this background, the question can be asked; **does citizen participation at local government in Lesotho really take place with reference to Tsoelikana Community Council and Qacha's Nek Urban Council in Qacha's Nek district?**

Secondary questions that arise from the above question are;

1. What is meant by citizen participation?
2. Why is citizen participation in local government in Lesotho important?
3. What mechanisms are there in place to foster citizen participation in local government in Lesotho?
4. What legislative or policy frameworks exist in Lesotho that support citizen participation in local government?
5. How can citizen participation be improved in local government in Lesotho?

## **1.5 AIMS AND OBJECTIVES OF THE RESEARCH**

For the purposes of logic and sequence, the aims will be looked at before the outlining of the objectives of the research.

### **1.5.1 Aim of the research**

The main aim of this research is to find out if citizen participation in local government in Qacha's Nek is taking place and how it can be improved. The unit of analysis for this research will be local government in Lesotho and the district under study is Qacha's Nek with particular reference to two selected councils, the Urban Council

and the Tsoelikana Community Council. The point of focus will be citizen participation in general and improved citizen participation specifically.

### **1.5.2 Objectives of the research**

The following are the objectives of this research:

- To understand what citizen participation is. This includes getting a better understanding of the concepts, importance and mechanisms of participation and the standards and conditions necessary for citizen participation. An exposition of citizen participation in the planning and policy process will also be done by showing the role of citizens in the planning and policy process.
- To explain why citizen participation in local government in Lesotho is important. This involves providing a comprehensive historical background of citizen participation in Lesotho from the pre-colonial era to the military era. This includes an explanation of the relationship between citizen participation and local government
- To describe and examine the current structures, mechanisms and legislative frameworks that exists for the facilitation of citizen participation in Lesotho.
- To propose strategies and recommendations to improve citizen participation in local government in Lesotho.

## **1.6 CONCEPTUAL ANALYSIS**

Conceptual analysis provides a clarification of the key concepts in the problem statement and research objective, which are as follows; citizen participation, local government, planning process and policy process.

### **1.6.1 Citizen participation**

For the purposes of clarity and conceptual analysis, citizen as a concept will be dealt with separately and citizen participation will be conceptualised thereafter. The next part provides a working definition of a citizen.

#### **1.6.1.1 Definition of a citizen**

The concept citizen is defined differently by different scholars. There are many definitions for a word in academic discourse. For example, the Oxford Advanced Dictionary (1995:201) defines citizen as ‘a person who has full rights as a member of a country, either by birth or by being given such rights’. For example if a person is a Mosotho or South African, such person enjoys the rights as enshrined in the Constitution of that country.

In the same manner, Meyer, Cupido and Theron, (2001:59) write that a citizen refers to:

- those people who stand outside the formal public administration system
- those people who demand certain services from the government,
- those people who supply resources to the government
- those people who interact with the government regarding the allocation of value to society

- the inhabitants of a country or group of countries
- those people who share some form of national identity within a given country.

However, for the purpose of this research, the word citizen will specifically refer to ‘the collective of those persons...without paid office, wealth, special information or other formal power source beyond their own numbers’ (Brynard 1996:40). Simply put, this definition explains a citizen as an ordinary person who is not a public official, elected councillor or parliamentarian.

### **1.6.1.2 Citizen participation**

From the above definition of citizen, it is apparent that the concept citizen is synonymous to concepts such as people, popular, public or community (Van der Molen, Van Rooyen & Van Wyk, 2001:60). Moreover, it is implied that the word citizen can be construed as an individual citizen as well as citizen groups or collectives. Therefore, it is imperative to conceptualise citizen participation. Kouvertaries (1997:136) warns that ‘most definitions of citizen participation emphasise the influence of the citizens on the decision-making process at various levels of local and national government. For example, Paul (1987:2) defines community participation as ‘an active process in which the clients, or those who will benefit, influence the direction and implementation of a development project aimed at improving the welfare of people in terms of income, personal growth, independence and other values regarded as valuable’. In terms of this definition, citizens can be identified as beneficiaries who are expecting something from their participation which will be of value to them. So they take the responsibility of influencing the development to meet their needs.

Different scholars in development management define citizen participation in terms of the involvement of people in determining the outcome of government. For example, Cloete and Meyer (2006:114) define community participation as the involvement of members of the community in developmental activities in the community in order to try to influence the outcomes of those activities and to obtain as many benefits as possible from the results of those activities. This means in the process of involvement citizens are able to take part in development activities as well as to influence the outcome of government action. It can then be deduced that citizens participate to receive benefit from the activities of government.

To conclude, citizen participation is about citizens taking part in government affairs, especially in the policy and planning process, to determine the output of government. Therefore, this study adopts the definition by Van der Molen, Van Rooyen and Van Wyk (2001:60) which defines citizen participation as ‘an active involvement by people who have a sense of belonging to the policy processes and who play an active role in determining the output of governments’. The output of government basically is what the government does to meet the needs of the community. This is normally embedded in the policy that the government pursues. Therefore, involvement in this regard enables citizens’ to play an active role in determining what government ultimately does.

### **1.6.2 Local government**

According to Van der Waldt (2007:4) ‘the term local government is generally used to refer to a decentralized, representative institution with general and specific powers devolved upon it and delegated to it by the central or provincial government, in

respect of a restricted geographical area within a nation or state....'. From the definition, the most important point is that local government is endowed with certain powers to perform certain functions as given by central or provincial government within a certain geographical area.

An important aspect of the definition is that of restricted geographical area within a nation or state. This can be seen as one of the important characteristics of local government because local government is concerned with a particular segment of society and serves a particular locality. This is as Van der Waldt (2007:4) notes when he writes that local government is that sphere of government that directly serve the needs of communities at grassroots level.

This research adopts the definition of local government as given by Ismail, Bayat and Meyer (1998:1-2) which states that local government is 'that level of government which is commonly defined as a decentralized, representative institution with general and specific powers devolved to it by a higher tier of government within a geographically defined area'.

### **1.6.3 Policy process**

Policy is described by various authors as the intention and actions a person or government embarks on to address a particular scenario. According to Anderson (1979:3) policy is a 'purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern'. In terms of this research, policy takes place within the context of the political environment. Policy is meant to address

public problems. Thus, policy specifies the basic principles to be pursued by the community and the government in attaining specific goals (Cloete *et al*, 2006:3).

The policy process denotes the processes followed from the making of public policy to implementation and evaluation. According to Cloete *et al*, (2006:3) policy process has several phases including initiation, design, analysis, formulation, dialogue, advocacy, implementation and evaluation. A policy process is not a once-off process and this implies that the policy process is a complex activity that warrants careful consideration of these processes and stakeholders. Ismail *et al* (1998:149) warn that 'policy making is not a one-dimensional activity. Instead it is part of a very complicated process'.

#### **1.6.4 Planning process**

Literature is about planning is bountiful and authors define planning in many different ways. They nonetheless link planning to goals and objectives geared to meet future societal needs. Van der Waldt (2007:182) sees planning as a process aimed at determining the future circumstances and identifying the measures needed to realise them. Future circumstances include goals, objectives and the direction the institution or government wishes to take. Moreover, Brynard (1996:132) sees planning as consisting of those activities which are aimed at the formulation of a future course of action directed at the achievement of a certain goal or a set of goals by optimum means.

As a process, planning entails the identification of priorities based on societal needs and objectives and means of attaining them in a particular time in consultation with

the public. Therefore, Van der Westuizen (1991:138-139) sees the planning process as 'a systematic and continuous process of identifying the core objectives and determining urgent priorities with a view to finding or matching them with the means to achieve them. This is the definition adopted in this research.

## **1.7 PRELIMINARY LITERATURE REVIEW**

The preliminary literature review includes the consultation of literature on community participation, public participation, citizen participation, democracy and local democracy. The following are some of the documents that were consulted to get a better understanding of the area of study:

1. The *Lesotho Constitution* and other relevant legislation, including statutes of the Kingdom of Lesotho
2. Relevant literature on planning and policy making and implementation
3. Unpublished and published dissertations and theses
4. Articles from journal and newspaper reports
5. Research reports and political speeches
6. Official and unofficial documents from the Ministry of Local Government

The preliminary literature review indicated that this research is not a duplication of any previous research. It is an original study that has been motivated by the author's academic interest in the topic.

## **1.8 LIMITATION OF THE STUDY**

According to Auriacombe (2001:49) the research to be conducted should be outlined and the scope of the topic clearly defined. The following aspects may be taken into

account: time, geographical borders, hierarchical dimensions, age groups and so on. Therefore in terms of this study, the focus in terms of the geographical aspect is on Lesotho with reference to Qacha's Nek. Since the district of Qacha's Nek is large, the study will concentrate on two councils, namely the Qacha's Nek Urban Council and the Tsoelikana Community Council. In terms of time aspects, the study concentrates its focus from 2005 to the year 2012, although aspects before this will also be looked at.

Every study has constraints that the researcher has to acknowledge. According to Auriacombe (2001:49) acknowledging limitations of the study empowers the reader to appreciate what constraints were imposed on the study, and to understand the context in which the research claims are set. An example of limitation to this study was getting officials to participate in this research through interviews.

## **1.9 RESEARCH DESIGN AND DATA COLLECTION METHODOLOGY**

Bearing in mind that the research objective is to understand if citizen participation is currently taking place in Lesotho, it is necessary to select an appropriate research design (either empirical or non-empirical) to conduct the intended research (Mouton, 2001:55).

### **1.9.1 Research design**

The unit of analysis for this research focuses on local government in Lesotho and the appropriate research design for this research is empirical. The research objective implies that the research will focus on citizen participation in Lesotho local government. This objective includes getting a better understanding of what citizen participation is, why citizen participation is important and how to improve citizen

participation. The study is qualitative and will therefore employ a case study and content analysis as the key research design. A combination of these research designs is important because they will enable the researcher to get the relevant information adequately.

### **1.9.1.1 Case study**

Taking into consideration that the study is about citizen participation in Lesotho, particularly looking at the case of Qacha's Nek, the research design is suitable because it will enable the researcher to determine if citizen participation is really taking place in Qacha's Nek. A case study is used to study a particular individual, programme or event in depth for a certain period of time (Leedy & Ormrod, 2001:149). According to Leedy and Ormrod (2001:149) a case study has two advantages that makes it suitable for this study. Firstly, it is suitable for learning more about a little known or poorly understood situation. Secondly, it is useful for investigating how an individual or programme changes over time, perhaps as a result of certain circumstances or intervention. Its major weakness is that, especially when only a single case is studied, one cannot be sure its results are generalisable to other situations (Leedy & Ormrod, 2001:149).

### **1.9.1.2 Content analysis**

Bearing in mind that the units of observation for this research consist predominantly of written material, the other research design that will also be applied can be classified as content analysis. Content analysis according to Babbie (2001:304) is 'the study of recorded human communications'. This research is going to study the available documents as outlined above. Babbie (2001:304) further writes that 'among the forms suitable for study are books, magazines, web pages, poems, newspapers, songs,

paintings, speeches, letters, email messages, bulletin board posting on the internet, laws, and constitution, as well as any components or collection thereof’.

### **1.9.2 Research methodology and data collection strategies**

The unit of observation consist of the following: a considerable portion of the research material will be scholarly literature; a literature survey of the most topical books and journal articles will help provide insights into the importance of citizen participation in local government in Lesotho. This research also makes use of a normative approach. According to Van der Ven and Scherer-Rath (2005:35) the normative approach is used to answer the question ‘what should be?’” for example: ‘what should citizen participation in local government in Lesotho look like?’

Information about local government and citizen participation will also be collected from official documents, for example, policy papers, acts, bills, and research documents. As such reading and analysing of texts and interviews can be seen as the main method of research.

### **1.9.3 Interviews**

Apart from the sources and methods mentioned above, interviews were also conducted with the following categories of people: local councillors (LC-05), community council secretaries (CCS-01), urban council secretary (UCS-1) district council chairperson (DCC-01), district council secretaries (DCS-01), non-governmental organisations (NGOs) the Transformation Resource Centre(TRC-02) and the Development for Peace Education( DPE-2), community councils chairperson (CCC-1),urban council chairperson (UBC-1) district development coordinating

committee (DDCC-5), and ordinary citizens in the community(05) as well as members representing the academic and research based institutions (ARI-2).

These individuals were selected for interviewing because they represent different and diverse groups in Qacha's Nek who can provide valuable information concerning citizen participation in local government. The number of individuals selected is 26 and they represent the population in Qacha's Nek district except for the non-governmental organisations and the members representing the academic and research institutions. All individuals reside and are based in Maseru. The population size ranges between 1 500 and 5 000. From this population size a sample was selected. All the people forming the sample agreed to be interviewed.

Interview questions asked served as the best research method. According to Jegede (1999:134) there are two types of interviews, namely structured and unstructured interviews. With structured interview, the interviewer has questions arranged in a fixed manner which he/she must follow while with the unstructured interview, the questions are mainly meant to guide and remind the researcher (Jegede, 1999:135). This study employs an unstructured interview because it allows the researcher to ask as much as he can to get the information needed for the research and because this type of interview is more flexible.

The interview as a research method has many advantages in terms of data validity and quality of response. According to Babbie (2001:258) with an interview, the interviewer asks the questions orally and records respondents' answers, normally in a face to face encounter. Moreover, an interview has a high response rate since the

presence of the interviewer generally decreases the number of 'don't knows' and 'no' answers (Babbie, 2001:258-259). It also allows for probing and the interviewer can clarify a question for the respondent. This means the interviewer can stand as a guard in cases where the respondent is not clear. In contrast to this, interviews are expensive and time consuming.

The sampling selection and modality is based on the stratified sampling method. According to Babbie (2001:201) 'stratified sampling is a method of ensuring a greater degree of representation by decreasing the probable sampling error'. In terms of the focus of the research, it is imperative to have a sample that is representative so that views from different sectors of society are taken into consideration. This is also acknowledged by Walker and Lev (1953:173) when they argue that stratified sampling 'increases the accuracy of the population estimates of interest. It also ensures adequate sampling from any sub group, which is of paramount interest'.

Finally, the study will predominantly make use of the qualitative method of data analysis. According to Babbie, (2001:358) qualitative analysis is the non-numerical assessment of observations made through participant observation, content analysis, in-depth interviews, and other qualitative research techniques. Qualitative analysis is the most applicable method for this study because the study looks predominantly at the written material (content analysis) and employs interviews (case study). This method allows for data reduction, that is, it allows data to be manipulated and integrated so as to help one to arrive at a meaningful conclusion (Sarantakos, 1998:224).

The study is also explorative and evaluative in nature. It is explorative in the sense that since local government was only established in 2005, the study explores how participation in general is implemented in Lesotho's local government. In other words, the study explores the structures, mechanisms and avenues within which citizens participate. Moreover, it is evaluative in the sense that after exploring, it assesses the effectiveness of citizen participation.

### **1.10 FRAMEWORK FOR THIS RESEARCH REPORT**

Chapter one provides a general introduction to the entire study. It consists of the background to the study, statement of the problem, research objectives, conceptualisation and methodology.

Chapter two is the literature review. It discusses citizen participation in detail and the importance, goals and the conditions needed to effect citizen participation. Standards for participation are also highlighted. Moreover, this chapter discusses the theory upon which citizen participation is based. Local government is also briefly discussed with a view to providing key features for future use.

Chapter three provides the historical background of Lesotho. It discusses the nature, scope and impact of citizen participation in Lesotho. The role of citizen participation in Lesotho is also discussed. Moreover, trends in terms of mechanisms and structures for citizen participation in Lesotho before and after independence up to the military regime are discussed and analysed.

Chapter four looks at citizen participation in the context of the planning and policy process during the inception of local government in 2005. It traces the evolution, rationale and frameworks of local government and citizen participation in Lesotho. Moreover, the prerequisites for enabling citizen participation in Lesotho in terms of the *Constitution* and other sources such as legal frameworks are discussed with a view to gaining an understanding of the current or expected nature of citizen participation in Lesotho.

Chapter five looks at citizen participation in South Africa as an example of how to improve citizen participation in Lesotho. A number of frameworks are discussed, such as legislative frameworks, policy statements and acts, with a view to assessing how they influence citizen participation.

Chapter six provides a presentation and interpretation of the data obtained from the interviews conducted. This chapter include an overview of how the interviews were conducted.

Chapter seven provides the conclusions and recommendations and aims to give further insight into the promotion of citizen participation and local government in Lesotho. Furthermore, proposals for further research are also provided.

## **CHAPTER TWO**

# **THEORETICAL FOUNDATION OF CITIZEN PARTICIPATION**

### **2.1 INTRODUCTION**

The theory of citizen participation postulates the interaction between government and citizens with citizens having the objective of influencing and shaping the decisions of government. Citizen participation in the policy and planning processes has the potential to change the lives of citizens, especially in the defined local area. According to Van der Waldt (1999:115) ‘the main aim of the government is to provide goods and services to the community so as to improve the community’s general welfare’. In realisation of this aim, the government makes policies and plans.

The government should as far as possible make citizens’ part of the process that makes policies and plans. Thus as Van der Waldt (1999:210) states ‘the role of public managers is to involve all role players from the society and encourage public participation in the policy making process. They should constantly make needs analyses in the various communities to improve the general welfare’. This means public managers in government, whether national, provincial or local should work with citizens especially in areas of policy and planning.

Therefore, in this chapter, citizen participation is discussed in general with an overview of citizen participation being provided. Citizen participation is defined followed by the importance of citizen participation. The goals of participation as well

as the necessary conditions for implementing the process of citizen participation are explained. The techniques which can be employed to implement citizen participation will be looked at as well as how citizen can take part in the various steps of the policy and planning process.

This chapter therefore consists of comprehensive literature study.

## **2.2 AN OVERVIEW OF CITIZEN PARTICPATION**

Citizen participation has assumed profound importance in contemporary democratic regimes. According to Bekker (1996:29) ‘the phenomenon of participation in the public affairs of democratic governments is a well-established concept’. The role and significance of citizen participation is not only encouraged at national elections but also is enshrined in many constitutions, thereby making it a constitutional right of every citizen even beyond elections. For example, section 152(1)(e) of the *Constitution of South Africa (108 of 1996)* specifically encourages citizen participation in local government. Section 20 of the *Lesotho Constitution (Notice No. 28 of 1993)* also provides for citizen participation even beyond national elections.

In light of this, citizen participation can be regarded as an important component of democratic government. In democratic governments, people or citizens have a strong say in terms of policies and plans, as well as the running of government. According to Geldenhuys (1996:15) democratic government is a form of rule where citizens exercise political power, either by participating as the policy making authority or through the choices of those making policies on their behalf. This implies that citizen participation is common in democratic government. Brynard (1996:44-45) provides

the objectives of citizen participation in democratic government as consisting of the following;

- it provides information to citizens
- it improves public decisions, programmes, projects and services
- it enhances the acceptance of public decisions, programmes, projects and services.

Citizen participation also has limitations that need to be considered. According to McConnell (1981:120) citizen participation has the effect of slowing down the planning process. Moreover, Langton (1978:48) argues that citizen participation in the planning process can be very costly and time consuming in that one needs to take time to let citizens participate.

Citizen participation is nevertheless important and therefore has to be encouraged. In order to implement it effectively, the benefits and objectives of the process have to be emphasised and the limitations have to be dealt with and minimised. The foundation and origin of citizen participation will be looked at next.

### **2.3 THE FOUNDATION AND ORIGIN OF CITIZEN PARTICIPATION**

As mentioned in the preceding section, citizen participation is related to democracy. It is therefore important to show that citizen participation is as old as some democratic regimes. According to Brynard (1996:39) the concept of citizen participation arises from the classical theory of democracy where it is defined as a form of government organised in accordance with the principles of popular sovereignty, political equality,

popular equality, popular consultation and majority rule (Ranney, 1971:76). As it stands, citizen participation is not explicitly mentioned in this definition; however these principles highlight to some extent the issue of citizen participation. As Clapper (1996:53) indicates, the four principles, namely popular sovereignty, political equality, popular consultation and majority rule are indispensable to citizen participation. In order to highlight this indispensability, it is important to briefly elaborate each of these principles in relation to citizen participation.

### **2.3.1 Popular sovereignty**

According to Clapper (1996:54) the principle of popular sovereignty is the heart of democracy and its objective is to ensure that the power to make popular and basic governmental decisions is in the hands of the public. This means that such power is exercised when citizens participate in the planning and policy process. This translates that without participation, citizens will not have that power as they have no input. The principle of popular sovereignty denotes that citizens are free and have power to make decisions concerning their lives.

### **2.3.2 Political equality**

Political equality is another principle of democracy underlying citizen participation. As Clapper (1996:54) indicates, the principle of political equality demands that all members of the community have equal opportunities to participate in the political process. This principle indicates that participation is not restricted to a certain group of citizens but that all, irrespective of ideological background and without any form of discrimination citizens will participate. According to Jackson and Jackson, (1997:77) democracy demands that all citizens have equal access to public policy and participate therein on a fair basis.

### **2.3.3 Popular consultation**

Popular consultation is another principle of democracy underlying citizen participation. According to Clapper (1996:54) ‘the principle of popular consultation demands that the people, and not party leaders or other influential people, persons or body should ultimately decide which public policies would best serve to advance the common welfare. This includes the notion that public officials consult citizens concerning policies and plans before they can implement them. As participants in the political process, citizens can be consulted on a variety of issues. However, care should be taken not to make citizens rubberstamps for public officials. They must be consulted and their wishes, opinions and ambitions taken into consideration.

### **2.3.4 Majority rule**

Finally, majority rule is yet another principle of democracy underlying citizen participation. The principle of majority rule demands that major decisions be made on the basis of the majority. The majority rule principle dictates that in any controversy, the policy that has the support of the greatest number should generally become the policy of government, (Roskin, Cord, Medeiros & Jones, 2000:75). This principle relates to citizen participation in that it dictates that a policy should become effective only when the majority of citizens have participated in deciding on it. However, the minority feeling should also be considered. This is because in a democratic government issues have to be discussed by various groups and decisions be made on the basis of the majority.

Clapper (1996:55) has rightly indicated, ‘all factors remaining equal, the solution as to which group will win is determined by the principle of majority rule which requires

that, as long as at least fifty per cent plus one of the people determine and approve the procedures taken to arrive at governmental decisions, and as long as the same proportion of the public can revise these procedures, then the principle of majority rule, and hence democracy, has been satisfied’.

From the foregoing discussion on the four principles of democracy, it can be seen that although citizen participation is not clearly spelt out, in terms of these principles, it is implied. Jackson and Jackson (1997:77) conclude that democracy is the only system that allows all individuals to participate in public policy and in determining the orderly succession of rulers. Therefore, in this regard, for the purposes of this research, citizen participation is founded on democracy.

After having established its origin or foundation in democracy, citizen participation will be defined before looking at the importance thereof.

## **2.4 DEFINING CITIZEN PARTICIPATION**

Various definitions of citizen participation were provided in Chapter one of this research. However, for the purposes of logic and precision, it is important to provide a working definition for this research. Citizen participation is about citizens taking part in government affairs, especially in the policy and planning process, to determine the output of government. The study adopts the definition of Van der Molen, Van Rooyen and Van Wyk (2001:60) which defines citizen participation as ‘an active involvement by people who have a sense of belonging to the policy processes and who have an active role in determining the outputs of governments’. From this definition it can be seen that citizen participation is a process in which citizens play a role.

The output of government is what the government does to meet the needs of the community. What government does is normally embedded in the policies and plans the government pursues. It is in these policies and plans that citizens can be involved and hence participate. Involvement in this regard enables citizens to play an active role in influencing and determining what government ultimately does. Therefore, it can be concluded that citizen participation is a process and a tool to promote democracy; it empowers and builds citizenship and balances the power of the elite and the poor (Van der Molen *et al* 2001:63).

Moreover, Smith (2003:5) defines citizen participation as ‘a process in which individuals, groups, and organizations have the opportunity to participate in making decisions that affect them, or in which they have an interest’. In terms of this definition, it becomes clear that different categories of citizens expressed as individuals, groups and organisations have a role to play in the making of decisions affecting them in their communities. This is because in one way or another government decisions affect citizens and as such it is important that citizens be allowed the opportunity to participate. For example, if the government wishes to make a policy on health, it should consult the organisations dealing with health issues as such organisations can play a valuable role in making and implementing the policy.

Cloete and Meyer (2006:114) further define citizen participation as ‘the involvement of members of the community in developmental activities in the community in order to try to influence the outcomes of those activities and to obtain as many benefits as possible from the results of those activities’. This definition highlights the importance of citizens participating in development activities where the citizens aim to obtain as

many benefits as possible. In this regard, citizens participate because they surely anticipate receiving some benefits. This means citizen participation is a process that can be beneficial to citizens and as such citizens should be given as much opportunity as possible to participate.

Citizen participation can thus be summarised as a framework of policies, principles, and techniques which ensures that citizens and communities, individuals, groups, and organisations have the opportunity to be involved in a meaningful way in making decisions that affect them, or in which they have an interest (Smith, 2003:36).

Having explored different definitions of citizen participation, it is necessary to state that citizen participation is important and that it can be instituted by various groups, organisations and individuals found in the community or country. The importance of citizen participation will be looked at next.

## **2.5 IMPORTANCE OF CITIZEN PARTICIPATION**

Many researchers, academics, politicians and public administrators have one thing in common concerning citizen participation. They view it as something important. For example, the United Nations Development Programme (1981:5) states that citizen participation is important because it entails the creation of opportunities that enable all members of a community and the larger society to actively contribute to and influence the development process and to share equitably in the fruits of development. The importance of citizen participation in public management is also highlighted in Brynard (1996:2) by a number of different authors, for example:

- Participation is a means (for local authorities) of obtaining information about local conditions, needs, desires and attitudes. This information may be important to achieve informed and implementable decisions in the policy management cycle (Bryson, 1993:3).
- Participation is a means of providing those people whose lives will be affected by proposed policies with the opportunity of expressing their views and of attempting to influence public managers as to the desirability of the suggested policies (Hanekom, 1987:34).
- Participation is a means of involving and educating the public. The benefit of involvement is that people are more likely to be committed to a project, programme or policy if they are involved in its planning and preparation. They can identify with it and even see it as their plan (Conyers, 1982:102). Studies have indicated that the quality of life is better in a local authority area with a well-developed sense of community (Zimmerman, 1976:65). The benefit of education is the enhancement of the quality of citizenship in that the educated citizen is enabled to exercise his or her judgement, contribute to the debate about planning, and is aware of societal problems and the difficulties of finding solutions to them (Boaden *et al* 1982:167).
- Participation provides a mechanism to ensure the democratisation of the planning process in particular and the public management process in general. In most countries participation in local government is considered a basic democratic right of the people. (Benveniste, 1989:45). This is linked to the

notion of popular sovereignty, in that local government should be a creation of the citizenry rather than a separate entity standing above it (Rosenbaum, 1978:46). Participation should therefore be the norm in any country striving towards a democratic form of government (Davidhoff, 1965:334).

- Participation has creative potential in that the planning process is being linked to the outside world. This has the potential to create a network which could enable a much more divergent form of thinking to take place (Faludi, 1984:249).
- Participation is a means of fostering equality. This is based on the democratic principle that all citizens should have an equal opportunity to exert influence through participation in the planning process in the local authority if they choose to do so (Aktinson, 1992:7).
- Participation is a means of balancing the demands of central control against the demands for concern for the unique requirements of local government and administration. The more distant any form of government is from public accessibility, the more likely the planning of unpopular projects, programmes or policies becomes (Jaakson 1972:18). Participation in public management allows outside participants to play a watchdog role. Openness and participation in public management tend to reduce the possibility of corruption and may help to maintain high standards of behaviour (Benveniste, 1989:43). Participation in the policy management cycle may empower citizens in relation to public officials, which in turn may help to overcome possible

bureaucratic dysfunctions because of citizens' involvement (Atkinson, 1992:48).

Furthermore, Taylor and Fransman (2004:1) provide information about the importance of citizen participation and write that 'citizen participation in governance is regarded by many as having the potential to reduce poverty and social injustice by strengthening citizens' rights and voice, influencing policy making, enhancing local governance, and improving the accountability and responsiveness of institutions'. This is because it is currently acknowledged that people's lives have to be improved and it is through participation that societal ills can be cured. This means citizen participation is important. Cahn and Camper (1968:6) in (Ohio State University (online), 1998:3) solidify this point by arguing that '...Citizen participation provides a source of special insight, information, knowledge and experience, which contributes to the soundness of community solutions'.

From the above, it can be seen that citizen participation is viewed as important by a number of authors. Its importance lies in the fact that it attempts to bring together the citizen and the government along with the needs, wishes and the processes entailed in the working of these groups (government and citizen) together. It is the basis upon which government and citizens formulate the common ground for cooperation and coexistence and aims at a common destiny in dealing with issues that affect both groups.

The goals of citizen participation will be discussed next.

## 2.6 THE GOALS OF CITIZEN PARTICIPATION

Following the importance of citizen participation, the many goals citizen participation will be discussed. A goal is defined as the object of one's effort or the target one wishes to achieve (Oxford Dictionary, 1995:509). Van der Molen *et al* (2001:63) summarises the citizen participation goals by different authors as follows:

- Citizen participation can be used as a strategy to reform governments. According to the Oxford Dictionary (1995:981) to reform means to become or make somebody or something better by correction and improvement. Therefore, if citizen participation is a strategy to reform governments, it means that through the participation of citizens, the government can change and be improved in terms of satisfying the needs of citizens. For example, if a government uses a top-down approach in planning, citizen participation can change this especially if the issues affect them.
- Citizen participation is a worldwide movement away from centralised state control to regional and local governance. Governments are called to respond to the needs of the citizens but it has been found that centralised state control makes this difficult hence in modern times governments are moving to local government. This is the result of citizen participation. For example, through citizen participation, after assessing the needs of the citizen, the government can establish a police station or passport office in areas that are mostly affected by crime hence moving away from centralised state control to local governance.

- Citizen participation facilitates a strong civil society. Civil society refers to the social and economic arrangements that counterbalance the powers of the state by providing an alternative source of power and prestige to services offered by the state, (Jackson & Jackson, 1997:125). When citizens continually participate, they are exposed to information the government may need from them; likewise they also make their needs and expectations of services known to government. Therefore, civil society organisations will be strong because each and every association will strive to make its voice heard by the government. For example, through participation of people in government, gender issues are made visible as a result of the influence of gender activists. This means gender issues are now prominent as a result of participation.
- Citizen participation provides information to citizens. For example, if a citizen participates in a given governmental process in local government, that citizen will have the information concerning the action being taken. If citizens have participated in the planning process in local government, they will have information concerning the plans of the local government in terms of what is going to be done, when and by whom, and they will know of the issues involved. This means they will have information concerning their community.
- Citizen participation improves the public policy process. If citizens have participated in the public policy process, it means the government will have a responsive policy which really addresses the needs of the citizens involved. Citizens are stakeholders in the policy process and as such they can play a pivotal role in making the public policy process a success. For example, if the

government aims to make a policy concerning poverty in communities, if citizens participate, that policy will be realistic as it will include the feelings of the people hence improving the process of public policy.

- Citizen participation supplements public sector work. The work of the public sector is to bring goods and services to citizens. When citizens participate, there are other activities they can volunteer to undertake that supplement the work of the public sector. For example, in the event that local government constructs a road, citizens can collect stones and work as free labour to supplement the work the government may be doing.
- Citizen participation refocuses political power and community dynamics. Sometimes the political office bearers such as the councillors may feel superior to citizens and make decisions without consulting them. However, through participation citizens can make civil servants or officials aware that they should consult citizens, thus refocusing political power and community dynamics.
- Citizen participation defines the societal context in which policies are formulated. Policies are designed to address certain social issues that stand out as problems in society. If citizens participate, a great deal of information that defines the social context in which a particular policy can be made can be placed on the agenda. For example, HIV and Aids and Tuberculosis are a problem in Southern Africa and policies made in terms of this problem can be

meaningful if people have participated because the realities of the disease will have been established.

- Citizen participation can increase but cannot guarantee the chances that programmes and projects will be acceptable. In the past, governments imposed programmes on citizens without considering how the citizens might feel about the programme. However, through citizen participation, citizens can gain information about the programmes and such programmes will be acceptable since people will have taken part in their formulation or would have understood their rationale. This means citizen participation can increase the chances of a project being found acceptable.

As has been indicated above, citizen participation has many goals. Therefore, it is important that it be encouraged because through it, changes can take place that can improve the lives of people and the relationship between citizens and government. In order for citizen participation to have value, there are certain standards or qualities that it has to meet. The next section deals with the standards needed for citizen participation. These standards are important in that they can be used as a yardstick to determine the effectiveness of citizen participation.

## **2.7 STANDARD FOR CITIZEN PARTICIPATION PROCESSES**

According to the Oxford Dictionary (1995:1161) a standard is defined as a level of quality. Therefore, in this research, standards for citizen participation refer to the acceptable level required in order for that exercise to be taken as real, meaning that any exercise or process named citizen participation should satisfy the elements as

specified in the standard. Standards are important because they differentiate between ideal and real citizen participation. Standards dictate what citizen participation is and what it is not. Citizen participation processes are based on the following principles and standards that have to be met. Burgess and Malek (2005:2) list of seven standards as suggested by the international Association for Public Participation and the Co-intelligence Institute.

### **2.7.1 The International Association for Public Participation**

The International Association for Public Participation is the preeminent international organisation advancing the practise of public participation. It also supports international research and offers some professional development training and services on public participation. Besides this, it works with civil society organisations, universities and governments (International Association for Public Participation: online). This association lists the following standards that the practice of citizen participation should meet:

- The public should have a say in decisions about actions that affect their lives.
- Public participation includes the promise that the public's contribution will influence the decision.
- The process communicates the interests and meets the process needs of all participants.
- The process seeks out and facilitates the involvement of people potentially affected by the proposed decision.
- The process involves participants in defining how they will participate\_thus how the process will be structured.

- The public participation process provides participants with the information they need to participate in a meaningful way.
- The public participation process communicates to participants how their input affected the decisions.

### **2.7.2 The Co-Intelligence Institute**

The Co-Intelligence Institute is a non-profit institute that promotes awareness of co-intelligence and of the many existing tools and ideas that can be used to increase citizen participation. It embraces all such ideas and methods and explores the integrated application of democratic renewal, community problems, organisational transformation, national and global crises and the creation of a just, vibrant and sustainable culture (Co-Intelligence – online). In terms of the practice of citizen participation, the institute suggests the following standards:

- Involve all relevant parties.
- Empower people's engagement \_ in other words get them to feel 'involved'.
- Utilise multiple 'forms of knowing'. This includes rational, scientific, narrative (story telling) and intuitive methods.
- Ensure high quality dialogue.
- Establish an on-going participatory process rather than having public hearings after a long time.
- Help people feel fully heard.

All these standards espouse a public participation process where both citizens and government will contribute effectively to the realisation of anticipated goals. The

importance of these standards is that they lay the foundation upon which the government and civil society organisations taking part in the process of citizen participation can include citizen participation in order to make the process more effective.

It is important to consider the conditions necessary for the process of citizen participation to take place next.

## **2.8 THE CONDITIONS UNDER WHICH CITIZENS CAN PARTICIPATE**

Although citizen participation is important, it is not possible in all cases. This means there are certain conditions that have to be met for effective citizen participation to take place. For example, as Hart (2003:9) indicates ‘genuine public participation requires social inclusion, personal security, and freedom of speech and assembly. A strong civil society, civic education and good channels of communication between all levels of society facilitate this process. Only a considerable commitment of time and resources will make genuine participation possible’.

The following are six principles of citizen participation which describe conditions that tend to encourage people to participate. These conditions are adapted from Ohio University (1998:4-8) and include the following:

### **2.8.1 An appropriate organization**

It is not in every case that citizens can participate. It is in an appropriate organisational structure that citizens can freely and willingly participate. According to Ohio University (1998:4) ‘citizens will voluntarily participate in a community activity

when they have an appropriate organisational structure available to them for expressing their interests. If they view the organisation as cumbersome, time consuming, dictatorial, or grossly inefficient, they will not join, will withdraw after joining, or their dissatisfaction may be evidenced by high absenteeism, or a general unwillingness to be supportive or cooperative’.

Therefore it is important to establish the appropriate organizational structure to make citizen participation feasible. The appropriate organizational structure has to reflect the societal norms which people espouse. For example, the organisation should attempt to use language that is known by the majority of participants. If citizens forming part of that organization are Basotho, Sesotho language, dress codes and normative aspects should be taken into consideration.

The organisation can have a strong bearing on, and is one of the important conditions that need to be met before citizen participation is put in place. If not taken into consideration, it can impede the process but if cautiously managed can advance it. Therefore, there is a need to establish the appropriate organisational structure in which the majority of citizens will feel free to participate in.

### **2.8.2 Benefits to be gained**

Another important condition concerning citizen participation relates to the benefits to be gained from it. As Ohio University (1998:5) has noted, citizens voluntarily participate in a community activity when they see there are positive benefits to be gained. The benefits can be of infinite variety, ranging from personal wants to desired

ends sought by a group, economic in nature or an activity to improve the morals of community residents.

Benefits also vary in terms of kind and importance. The paramount issue is that citizens should see the benefit of their participation. For example, a certain community may run short of water for household or agricultural purposes. The community leaders may call for people to participate possibly with the view to decide on a solution to the problem. Citizens will participate if they perceive certain benefits (Ohio University 1998:9-10).

According to Kouvertaries (1997:138), there are three types of benefits citizen look for when they participate, namely material, non-material and purposive benefits. He writes that material benefits include tangible rewards such as government jobs. Non-material benefits are intangible benefits such as friendship, knowledge and recognition. Purposive benefits are intrinsic rewards such as a sense of satisfaction. Actually there are always benefits to be gained in the process of participation. Rosentstone and Hansen (1993:18-19) believe that citizens who have immediate interest in political outcomes are more likely to participate in politics than those who do not. This means that to ensure that majority of citizens participate, benefits need to be stressed. Merely knowing about issues surrounding citizens is a benefit that can be stressed to encourage participation.

### **2.8.3 Way of life threatened**

One of the reasons citizens will participate is because they feel that their way of life is under threat. Sometimes citizens may have little or no interest in participating in

community affairs but the moment they are confronted with a threatening situation, they will be forced to participate. This means that they only participate as a response to a certain threat facing them, such as the construction of a dam, the location of a solid waste facility, or the establishment of zoning ordinances.

Whether citizen's perceptions are accurate or not makes little difference. If they perceive that there is a threat, they often organise volunteer groups to counter efforts to establish change. This is citizen participation, and it is often spontaneous and extensive. Citizen participation can be on either or both sides of an issue. The principle involved is stated as follows: citizens will voluntarily participate in a community activity when they see some aspect of their way-of-life threatened. Threatening issues often seem morally, socially, economically, religiously or in others forms unacceptable to a group. All of these issues are perceived as threatening by local citizens and therefore citizen participation is extensive (Ohio University, 1998:6).

#### **2.8.4 Obligation/Commitment**

Obligation or political commitment is another condition necessary to determine whether or not citizens will participate. Citizens frequently participate because they feel an obligation/commitment to respond either to the situation affecting them or to effect development in the community (Ohio University, 1998:9-10). According to Clapper, (1996:57) in a democratic society, a citizen has a strong obligation to exercise his/her rights of citizens participation. This means citizens will often feel responsible for taking part in political issues affecting them. For example, in Lesotho

every citizen is free to participate in governance and as such every citizen has an obligation to ensure that he or she takes part in issues concerning policy and planning.

### **2.8.5 Better knowledge**

One of the conditions that determine whether or not citizens participate is their knowledge about issue. People are reluctant to participate in community activity when they do not have enough information to act on (Ohio University 1998:9-10). Thus, they will avoid participation as long as possible or until they have what they believe to be sufficient information. If forced, they will usually act negatively. This means citizens will voluntarily participate in a community activity when they have some knowledge of an issue or situation

If they do not understand, citizens act on limited information and opposition will occur. Thus for citizens to participate effectively it is imperative to clarify issues so that they understand the contents, the processes involved and their role in the participation process.

### **2.8.6 Comfortable in the group**

Feeling comfortable with a group is one of the most significant conditions for participation. Participating as a member of a community development group may present a variety of obstacles, normally emanating from the group one belongs to. These obstacles can be visible or invisible in nature. The visible ones are easy to deal with because they can be managed. However, some of the invisible obstacles make potential participants uncomfortable. For example, issues such as mood, attitudes and feelings which do not create common group norms can cause a major blockage and

this can affect participation. These issues need to be controlled because they can cause differences which divide groups and discourage participation. These differences are reflected in values, expectations and life styles and tend to make people uncomfortable. In a nutshell, citizens will voluntarily participate in a community activity when they feel comfortable in the group (Ohio University, 1998:9-10).

It can therefore be concluded that it is important to meet the above\_ mentioned conditions in order to facilitate citizen participation. To summarise, the following points are important factors for facilitating citizen participation (Ohio University, 1998:9-10):

- Citizen participation can be facilitated by stressing the benefits to be gained. This will work only if the benefits become obvious. Not only should the tangible benefits be emphasised but also the intangible one, which are frequently omitted, and yet are true gains of community action.
- Citizen participation can be facilitated by providing an appropriate organisational structure for expressing interest. This may require organising a more neutral group than may be in existence in a community. However, in some situations, existing groups are adequate. Situation judgment is required by persons with appropriate experience and competency.
- Citizen participation can be facilitated by helping citizens find positive ways to respond when their way of life is threatened. Most people want to act

responsibly. These situations can be used to help people find a positive way to deal with threatening predicaments.

- Citizen participation can be facilitated by stressing the obligation each citizen has towards improving the community. However, people will not continue to participate unless the experience is rewarding.
- Crisis situations have long been successfully used as a basis for gaining citizen participation. Crises should not be invented but if they exist, they become powerful motivation. The closing of a major plant, closing of a school, loss of train service or a major drug problem are some examples of threats to a person's way-of-life that have served as rallying points for citizen participation.
- The most positive of all approaches to facilitate greater participation is to provide citizens with better knowledge. Obviously, the knowledge has to be in line with their value systems. When it is, experience shows they usually act accordingly. Adequate time and means of diffusing the new knowledge should be employed for satisfactory results.
- Helping new or potential volunteers feel comfortable with the group probably has the greatest potential for getting and keeping citizens in community development work. This aspect is often overlooked because people are reluctant to say why they are uncomfortable. Reasons often given are that they are too busy or don't have time when they really are uncomfortable with the

group. Careful consideration of these problems can greatly reduce these concerns (Ohio University, 1998:9-10).

Following from these conditions it is now necessary to look at the different categories of citizen that take part in citizen participation processes.

## **2.9 CATEGORIES OF CITIZENS IN CITIZEN PARTICIPATION**

Having discussed conditions necessary for instituting citizen participation, it is important to identify and briefly discuss the categories of citizens that do participate. This part basically outlines and answers the question of who should be involved or what different categories of citizens are involved in the process of citizen participation. According to Cloete and Meyer, (2006:114-115) there are four categories of citizens who involve themselves in citizen participation:

- The first category is the legitimate, democratically elected political representatives, for example, town, city or community councillors or other political representatives at other governmental levels. These people are elected by citizens to act on their behalf and as such they are representatives of the citizens in making decisions in their behalf on matters concerning them. As Cloete and Meyer (2006:114-115) put it, on the one hand, the democratically elected political representatives get policy mandates in elections or ward or constituency meetings and exercise their discretion as elected representatives of the communities. On the other hand, they are expected to regularly report back to their voters to obtain ratification of their decisions on behalf of the communities or to seek new mandates.

- The second category is that of leaders of legitimate organisations in the communities which represent different interests and segments, for example, civic, cultural, religious, welfare, recreational, youth and business. These are the groups in society that advocate change. Certain issues in communities are not dealt with as general issues but are treated as specific thereby requiring special attention from a special group of people. These groups focus on the issue that affects them. According to Cloete and Meyer (2006:114-115), ‘the more substantial the interests that are represented, the more influential will be the involvement of leaders and organizations. These leaders are also expected to give regular feedback to their members or constituents in orders to legitimize their actions’.
- The third category is that of individual opinion leaders in the communities. Some people in communities wield influence because of their profession or speciality in certain areas of life, for example, concerning health issues, doctors and health workers are the people to consult and they have opinions which the majority of citizens can honour. As Cloete *et al* (2006:115) indicate some individuals can influence prevailing opinions because they are held in high regard as individuals by members of the community, irrespective of their position in the community.
- The fourth category consists of ordinary members of the public in mass activities, for example, participating in public meetings, protest marches, consumer boycotts and other types of direct mass action. Depending on the

issue, ordinary members of society can participate as individuals to either propose change or implement the programme in the community.

In some cases where the issue concerns the general public, a combination of these categories of people is required. Following from this, the next part of this research focuses on techniques which can be used to institute the process of citizen participation.

## **2.10 TECHNIQUES OR MECHANISMS OF CITIZEN PARTICIPATION**

Having looked at the different categories of citizens that can participate in the process of citizen participation, it is important to identify and discuss the techniques for implementing citizen participation. These techniques are means implementing the process of citizen participation. There are many such techniques. Smith (2003:40) has divided techniques in terms of the traditional and the emerging. Traditional techniques include print publications, public meetings, open houses, advisory committees, workshops, bilateral meetings, and focus groups. These techniques are adapted from Smith (2003:40-44) and include the following:

### **2.10.1 Publications**

Publications are the recorded documents or materials containing information that can be used to provide citizens with information that enables them to participate in the process. According to Smith (2003:40) publications produce documents or material which may describe the process, define the problem, issue or situation, suggest options or request direct feedback from readers on their views, interests or

alternatives. In this way, citizens can respond based on the suggestions made in the publications.

### **2.10.2 Public hearings and public meetings**

According to Smith (2003:42) a public hearing or meeting is a forum at which stakeholders can make formal statements about the issue at hand. Oral statements are often accompanied by written reports where citizens express their feelings or ideas concerning a particular discussion. A panel representing the government may ask questions about a specific issue to which they expect the public to respond. Sometimes the authorities may attend public hearings personally to get the feelings of citizens and give a response thereto. Moreover, public meetings are sessions open to anyone with an interest in the subject under discussion (Smith, 2003:42).

Public meetings often begin with a technical overview of the situation and process and then provide opportunity for members of the public to speak from the floor regarding their concerns or to ask questions of expert panellists. According to Van der Waldt (2007:38) public hearings and meetings are designed for politicians and officials to meet with, discuss issues with, listen to, accept criticism from, hear complaints and comments and receive compliments from the community. At the end of the session, whether public hearing or meeting, a report is normally written which will then be submitted to the higher authorities for consideration. That report will generally entail findings and recommendations made by the people together with the panellists.

As a result, public hearings and meetings as techniques of implementing citizen participation are important because they facilitate citizen access to information, impel mechanisms of transparency and accountability and create a space for citizens to have a voice on issues that affect them, such as the use of public money (Van der Waldt 2007:38). In this way, a majority of citizens can be involved.

### **2.10.3 Open house**

Smith (2003:44) notes that an open house usually communicates information about a project or proposal through a series of displays. In this process, there are two groups of people involved. These are citizens or their groups and the authorities. Citizens or their groups are presented with the proposal of the project or programme to be implemented and are allowed to have some views about it. The authorities then push the project or programme and are present to answer questions and provide clarification. Participants are asked to register their views before leaving. After the process is over, information or handouts can be made available.

### **2.10.4 Advisory committee/task force**

Groups are selected to represent a cross-section of interests, and may be asked to prioritise, review, make recommendations, develop alternatives, evaluate and assist. Advisory groups tend to be long-term, whereas a task force has a short time horizon. The committee may be composed of citizens from different associations in the community who have special knowledge or background or interests in cross-cutting issues. They may act on behalf of general citizens and periodically or after the completion of a task report to the public.

### **2.10.5 Workshops**

Stakeholders are invited to attend a meeting to review information, define issues, solve problems or plan reviews. Generally, workshops are expected to educate participants and solve a problem or develop a product such as an action plan. Most workshops use facilitation where participants are given general topics under discussion and are given a chance to present their general view and understanding concerning the topic. A workshop is one of the most common techniques used to advance participation. For example, if the government wishes to introduce a policy or project, it can organise a workshop for a certain group in the community. This group can then help disseminate the information or teach the general public about the project.

### **2.10.6 Target briefings**

These are designed to reach specific audiences who may benefit from private and individually tailored presentations. Audiences for targeted briefings could include ministers, municipal officials, media or specific interest groups. These are the groups with special work whose effect or influence can have a strong impact on society or citizens in the community. This technique may be used to get support from prominent people in society. For example, if one wants to implement a programme on issues concerning HIV and Aids, he/she can first brief the media so as to get the programme thoroughly advertised or may present it to ministers who are the executive of government.

### **2.10.7 Focus groups**

Groups of eight or ten people are structured to represent a cross-section of the stakeholders affected by an issue. A moderator leads a discussion of the facts,

exploring participants' feelings, values, interests and concerns. For example, if one wants to get the feeling of business people on the proposed increase of tax, a focus group composed of business people is held to get their input on the proposed move. Focus groups can help the government obtain the legitimacy for its proposed intention, for example, a policy on tax increases. This is because it allows the most affected people to participate in the activity that may affect them. A focus group can thus legitimise the programme or policy of government if properly implemented.

#### **2.10.8 Bilateral meetings**

The government meets directly with stakeholder groups to receive feedback or discuss areas of interest. This can be useful if the issue under discussion is accompanied by a high level of conflict. In bilateral meetings, there are two stakeholders involved, government and citizens of a particular community and an issue to be discussed which needs the attention of both parties. For example, if the government intends to build a dam in a certain area, in some cases the dam might have to be built on protected fields. This means the government will have to engage members of the community whose fields will be affected. In that way the citizens, especially those most affected, will be happy with the decision of government since they will have been consulted concerning the aspect that affects them.

#### **2.10.9 Toll-free phone lines**

These provide an impersonal opportunity for the public to give feedback, provide ideas or identify issues. The phone can be answered by a staff member who discusses the issue directly with the caller, or by a taped message with opportunity to record comments provided.

### **2.10.10 Interviews and surveys**

Interviews and surveys are used to collect information, solicit opinions and build a profile of the groups and individuals involved. They provide information to the public and help focus public attention on specific issues. Individual discussions with the public or representatives of interest groups may allow participants to cover a wider range of information than is solicited on a questionnaire, and thus perhaps to identify new issues or concerns not previously considered.

## **2.11 OTHER (EMERGING) TECHNIQUES OF CITIZEN PARTICIPATION**

According to Smith (2003:40-44) there are six emerging techniques. These are open space technology, future search conferences, E-participation, public policy dialogue, appreciative inquiry and study circles. They are emerging because they tend to adopt modern approach to citizen participation.

### **2.11.1 Open space technology**

This technique uses plenary circles (i.e. participants sit in a circle) and has a few, simple rules. Breakout sessions are organised, led and reported on by self-selected participants. This technique can maximise the creativity, energy, vision and leadership of all participants, and is egalitarian and inclusive. It can be used to set strategic direction, plan or initiate a project, and develop standards, criteria or regulations. It has the ability to maximise teamwork.

### **2.11.2 Future search conferences**

These are workshop conferences at which 40-80 people join forces to visualise a desired future and then design the steps needed to get the issue, process or organisation somewhere. This technique uses a whole system approach and places

emphasis on self-managed and small-group discussions. It can be used when the solution to an issue or problem requires a change in organisational mission, functions or structure.

### **2.11.3 E-participation**

This includes a wide range of specific individual techniques, including e-mail, provision of website information, bulletin boards, chat and news groups, dialogue groups and virtual communities. For example, the South Africa Revenue Services (SARS) has E-filing where citizens submit their tax returns electronically. These low-cost approaches are only available to those who have access to a computer and are useful when the community is spread over a broad geographic area, or where open information-sharing is important. This technique is expensive since it needs technology such as computers as well as the internet, which is not accessible to all citizens. It needs a society that is technologically advanced.

### **2.11.4 Public policy dialogue**

Public policy dialogue involves in-depth, detailed work with a variety of stakeholders in a committee or workshop format, usually to achieve consensus on diverse views, interests and values. In the policy development process, dialogue is especially useful at the value and goal clarification stage and during option selection if trade-offs are required. Dialogue may last from two days to two years, commonly two days per month for three to 12 months. Inclusive representation of key stakeholders, often including the government, is essential.

### **2.11.5 Appreciative inquiry**

Appreciative inquiry focuses on the positive aspects of a situation. It looks at opportunities, strengths, proven capacities, skills and resources and affirms, appreciates and builds on existing strengths. For example, if community members want to fight poverty, they may be asked to identify the things they have in order to deal with the problem of poverty and they might find that they have arable land as one of the factors of production. This means with what they already have they can begin to do away with the problem of poverty. Appreciate inquiry is a very effective way to get people to think about their demonstrated abilities instead of listing and dwelling on problems or challenges (Smith, 2003:44).

### **2.11.6 Study circles**

Study circles explore a critical public issue in a democratic way. They analyse a problem, develop strategies and actions and look at issues from multiple viewpoints. For example, in a particular community, citizens may be confronted with the problem of a high rate of pregnancy and may wish to deal with it. They can divide themselves into groups and come up with strategies for dealing with the problem, which may lead to solutions. Small-group discussions among peers are often facilitated. Study circles have eight to twelve members and meet regularly over a period of weeks or months. According to Smith (2003:43) this technique is especially useful at the problem definition, values and goal clarification, option generation, and selection stages of policy development.

The preceding sections have provided a list of techniques that can be used to effectively implement the process of citizen participation. As has been seen there are a

number of these techniques and the success of the process of citizen participation depends on the careful selection of a combination of these. Choice of any technique is motivated by the issue on hand.

The next section of the research will contextualise citizen participation in the planning and policy process in local government. This section shows what techniques and categories of citizen could be involved in the process of policy and planning in local government.

## **2.12 CITIZEN PARTICIPATION IN THE CONTEXT OF PLANNING AND POLICY PROCESS AT LOCAL GOVERNMENT**

After exploring the different techniques that can be used to effect the process of citizen participation, the next step is to show how citizen participation in the context of the planning and policy process in local government can take place. Therefore this part indicates how citizens can participate in the policy and planning process. For the purpose of being logical, the policy process and planning process are combined as will be seen below. Since the definitions of these concepts were provided in Chapter one, this sections will not repeat them.

### **2.12.1 Policy process**

Citizen participation in the context of the planning and policy process will be explained in this section. However, before embarking on this, the relationship between policy and planning processes is indicated for reasons of logic. According to Brynard (1996:132) planning should be placed in relation to phenomena such as policy making and policy implementation by using goal perspectives as a guiding factor. This means there is a relationship between the two concepts. Even though they

are related, there are differences as well as similarities between the two. As Conyers (1984:15) indicates, 'policy process involves the making of decisions about the direction in which change should occur, while planning is the process of deciding on what courses of action should be followed to bring about these changes, and implementation is the actual execution of these courses of action'.

Therefore in this instance, policy precedes planning because policy depicts the broader direction to be taken to effect change while planning involves a decision or course of action one will take to bring about the change. Moreover, planning is a simplification of policies. This is as Brynard (1996:132) has indicated when he states that 'planning is a way of enabling policies to be translated into practical action programmes which produce visible results – that is, goal achievement'. It is upon this background that, in the context of this research, policy and planning processes are combined. These processes entail a number of consecutive steps which are interrelated and interdependent (Brynard, 1996:133). Therefore, the following section indicates how citizens can take part in the process of planning and policy.

#### **2.12.1.1 The establishment of a need / agenda setting**

According to Cloete and Meyer (2006:105) 'policy agenda setting refers to a deliberate planning process through which policy issues are identified, problems defined and prioritized, support mobilized and decision makers lobbied to take appropriate actions'. Planning processes start by setting the agenda to be considered by citizens and local authorities. This is because local government and citizens should know exactly what it is that they need to achieve. They therefore have to collectively establish the need or set the agenda of things they must achieve.

According to Hogwood and Gunn (1984:67-68) there are certain factors that determine whether or not the policy problem will appear on the policy agenda. Firstly, the problem must have reached crisis proportion. This means it has to be a situation that many people perceive as a crisis and where it has to be remedied collectively by council and citizens. Secondly, it must achieve particularity. This means it should have special attention. Thirdly, the policy problems should have an emotive aspect which attracts media attention. And finally, it should have a wider impact on society. This means it should be an issue that affects a wide spectrum of society.

At this stage, there are three groups involved: citizen, officials and elected councillors, and they are expected to work together to decide on the proper needs or agenda. Each group has its distinct role. According to Ismail *et al.* (2001:151) this stage of the process is where community members identify their problems and needs and where officials and elected councillors decide to put these matters on the agenda of the council's meeting. In terms of the techniques discussed above, this means a meeting or public hearing can be used since it can enable these three groups to effectively discuss the problems facing the community.

#### **2.12.1.2 Policy formulation**

After establishing the need or setting the agenda, the next step is to formulate the objective or policy. This is where citizens, officials and councillors set objectives or formulates policies they want to achieve in order to address problems they are facing (Ismail *et al.* 2001:150). Policy formulation or design is the most important stage in the policy process because it presents the government response towards achieving the

problem identified in the agenda setting. According to Roux (2006:126) policy design or formulation is ‘what government decides to do or not to do in order to counter a perceived policy problem in society. It is therefore the planning and development of policy content’. This is where the active participation of citizens is expected because it is where the real plan of action is predicated.

As Roux (2006:126) indicates, policy design or formulation ‘comprises the conversion of mainly intellectual and financial resources into a plan of action, including goal and objective setting, prioritisation, options generation and assessment’. As can be seen, this is the actual starting point of the policy or planning process and is the most important stage as it determines the whole policy. Therefore, citizens should be allowed to participate for many reasons, firstly, so that they know how the societal problems will be dealt with; secondly, to enable them to be thoroughly informed regarding the plan of actions that has been made; thirdly, so that they know what goals and objectives are in place as well as to have a general assessment of the whole process of the policy and planning framework. As such the government should create an enabling environment that will make citizens feel free to actively participate in policy design. To do this, many techniques for enabling citizen participation can be used, such as public meeting and hearing.

### **2.12.1.3 Policy adoption**

After developing and establishing objectives and goals or after policy adoption, the next step is about policy adoption. Policy adoption is a process whereby the policy recommendations made by officials are brought to the attention of council for amendments, approval and adoption (Ismail *et al.* 2001:152). These recommendations

are brought before council, and it is expected that, since council is elected by the people, it should consult them to ensure that such recommendations have also been adopted by the people. Ismail *et al.* (2001:152) remark that ‘it happens that council can refer a matter back to the officials for further investigations. As that happens, citizens can be informed and be included as the outcome of the recommendations is sure to affect them’.

#### **2.12.1.4 Policy implementation**

Policy implementation is defined by Van Meter and Van Horn (1974:447-448) as encompassing those actions by public and private individuals or groups that are directed at the achievement of objectives set forth in prior policy decisions. This definition highlights the fact that citizens can have a role in the implementation process, especially if they have taken part in the formulation of objectives and plans. This means it is the responsibility of citizens and government to make sure that policy implementation is successful.

According to Brynard and De Coning (2006:180) ‘policy implementation is a multifaceted concept, attempted at various levels of government and pursued in conjunction with the private sector, civil society and non-governmental organizations’. This is one of the most important steps in the policy process as through this that policy is put into practice to determine change in the lives of the people. This is the process where government and citizens can engage in active partnership with a view to making policy implementation a success. As Brynard and De Coning (2006:180) state, ‘in this partnership, strategic generation and planning are vital ingredients in the policy implementation interface, and various implementation

instruments have emerged, such as planning, strategy generation, programme management, project management, operation management, contracting and privatization as well as various forms of public-private partnerships'. As can be seen, policy implementation is not an easy process because it involves many technicalities and arrangements. However, citizens should be involved and be allowed to participate in the process.

In the case of local government, it is the responsibility of officials to implement policies while the role of councillors is limited to the monitoring and overseeing of the implementation process (Ismail, 2001:153). It is during implementation that officials seek public input or involvement in one way or another.

#### **2.12.1.5 Feedback session /policy evaluation**

After implementing the policy, the next step is about policy evaluation or feedback sessions. According to Brynard (1996:133) feedback sessions are held to evaluate the operation and determine whether the envisaged objectives have been met. In this process, citizens and local government or council come together to evaluate whether the outcome of the effort has yielded any expected results. In other words they sit together to evaluate whether the problem facing the community, the processes employed and the objectives have been dealt with or not. As Ismail *et al.* (2001:153) state, 'the council must, during and after the policy implementation phase, evaluate the overall performances of its policies to get an idea of the effectiveness and efficiency aspect of policies and programmes'. This means citizens should be involved to some extent because as the beneficiaries of the policies, they are the ones

to tell if the problem has been dealt with adequately and they will tell where deficiencies exist.

Ismail *et al.* (2001:153) states that ‘the purpose of these evaluations is to take the necessary corrective steps and to ensure public accountability’. This is also an important stage of the policy process because this is where local authority and the community evaluate the success of their efforts. As Brynard (1996:133) indicates, feedback sessions are essential because they ensure that possible deviations do not occur and in the case where they do, that they are acceptable within the confines of the original plan. This means the council and the community are the ones to embark on the process of evaluation. As seen earlier, there are many techniques that can be employed by councillors to encourage citizen participation in the evaluation process. For example, they can establish a task force which will represent the entire public in the process of evaluation. This task force can deal with any shortcoming witnessed in the evaluation process. To conclude, Ismail *et al.* (2001:153) warn that ‘if the policy evaluation reveals any shortcomings or deviations or even the existence of new policy problems, these can be channelled into the policy process and the entire process repeat itself’.

## **2.13 CONCLUSION**

This chapter has firstly provided the theoretical foundation for citizen participation. An overview of citizen participation was provided where it was noted that citizen participation is indispensable especially in governments that are democratic. Moreover, it was noted that the concept of citizen participation emanates from the theory of democracy. Democracy has been defined as a form of government organised

in accordance with the principles of; popular sovereignty, political equality and popular consultation. It was seen that these principles provide the foundation or base for citizen participation in the government process. It was noticed that citizen participation has been entrenched and provided for in the constitution of countries such as Lesotho and South Africa. This is indicative of the fact that citizen participation is important and necessary and therefore should be encouraged.

Various topics that show the importance, goals and conditions necessary for citizen participation were covered. These topics indicated that citizen participation is necessary and as such there is a need for arrangements or conditions to prevail so that citizen participation becomes a reality. Furthermore, categories of citizens to participate in government processes were identified and discussed. The techniques through which these categories can participate were also discussed. It was seen that there are traditional and emerging techniques which can be adopted to foster the idea of citizen participation.

Finally, since the study is about citizen participation in the planning and policy process, concepts such as policy and planning processes were also defined. For the purpose of this study, these processes were combined because, as was seen, policy informs the plan and as such the policy process and planning process are the same.

The last part of this chapter contextualised citizen participation in the planning process by showing how citizens can participate in various policy processes. It was noticed that citizens can participate in all these processes from agenda setting to policy evaluation. In fact, all the steps mentioned are important although some may

entail technicalities in which ordinary citizens cannot participate. It is therefore, important and advisable that certain techniques be used to ensure that citizens have taken part.

In the next chapter, the historical background of citizen participation in Lesotho is discussed.

## **CHAPTER THREE**

### **HISTORICAL BACKGROUND OF CITIZENS**

#### **PARTICIPATION IN LESOTHO**

##### **3.1 INTRODUCTION**

Chapter two provides an overview of the theoretical background of citizen participation by defining citizen participation and showing the standards, importance and conditions necessary for the process of citizen participation to take place.

This chapter provides the historical background to Lesotho and citizen participation from 1824 to 1993 when the country made advances towards democratic rule. This chapter is divided into eight parts. The first part provides an introduction; the second is a geographical overview of Lesotho; the third provides the background during the Moshoeshoe 1's reign, that is, from 1824 to 1868. The fourth part looks at the colonial era, that is, from 1868 to 1965, the fifth looks at the time Lesotho gained independence from Britain, that is, from 1966 to 1970. During that period, the government was in the hands of Basotho elected through a formal election process. The sixth part provides an exposition of the history of Lesotho from 1970 to 1985. This was a period of repressive and undemocratic rule. The seventh part provides the discussion of a historical background under the regime of the military government from 1986 to 1993. The eighth part of this chapter is the conclusion.

Since this chapter provides an overview of the history and development of Lesotho in relation to citizen participation, a comprehensive review of books on history, articles from journals and academic resources both published and unpublished will be considered.

### **3.2 GEOGRAPHIC OVERVIEW OF LESOTHO**

Lesotho is a country located in Southern African. It is wholly surrounded by the Republic of South Africa. According to the Lesotho Review Report (2011:3) Lesotho is bounded by the province of KwaZulu-Natal to the East, the Eastern Cape to the South and the Free State to the North and West. The total area of Lesotho is 30 355 square kilometres. The total land border is 909 kilometres and the maximum length of the country from North to South is 434 kilometres (Lesotho Review Report 2011:3).

According to the 2006 population census conducted by the Lesotho Bureau of Statistics, the current population stands at 1 880 661 with some 24% of the population residing in urban areas. As it stands, more than 90% of this population are Basotho, mingled with small clusters of people of Indian or European descent and of mixed race (Lesotho Review Report, 2011:4). This means the most prominent social setting reflects that of the Basotho where they espouse a common culture and heritage. As such the Basotho are regarded as a homogeneous society in terms of ethnic-linguistic composition and in terms of religion. Christianity is the most prevalent religion in the country (African Peer Review Mechanism Report, 2010:2).

As has been pointed out in the Lesotho Review Report (2011:4) ‘most Basotho still live a rural existence, with scattered villages and clusters of huts to be found in high

lying areas well away from the dangers of river valleys and flash floods. Each village has a chief, or a headman, who falls under the chief for the area. Although many Basotho live and work outside Lesotho, their attachment to their local village and culture is still strong and respect for the elders remains important’.

According to Ellenberger (1992: xvii) ‘the present inhabitants of Lesotho, who have now been in occupation for some centuries, belong to the bantu race. Formerly they lived in their separate septs and clans under the patriarchal rule of their chiefs, but later on they all came under the sway of one man, Moshoeshoe 1, a man of great power and intelligence...’. It was king Moshoeshoe 1 who organised the Basotho into a distinct society with culture and defined territory. According to the Lesotho Review Report (2011:4) ‘It was during the 16th and 17th century that bantu- speaking people from the North began to settle in Southern Africa, with many living in small chiefdoms around present-day western Lesotho. Raising cattle and cultivating the land, members of these Southern Sotho tribes came to make up the Basotho people, speaking the unique Sesotho dialect’.

Lesotho is divided into ten administrative districts each with its own capital. In each district, there are district councils while there is only one municipality which is found in Maseru. The districts are further divided into 80 constituencies and 129 local councils and are responsible for bringing development to the respective communities. These districts are Maseru, Mafeteng, Mohale’s Hoek, Quthing, Qacha’s Nek, Berea, Leribe, Butha Buthe, Mokhotlong and Thaba-Tseka. Qacha’s Nek, the district of interest in this study, was established in 1888 originally as a mission station and was

later transformed into an administrative centre for paying taxes and issuing passes (Lesotho Year Book, 2008:11).

To get a better overview of Lesotho, the next section will focus on the Moshoeshoe 1 era.

### **3.3 THE MOSHOESHOE 1 ERA 1820S TO 1868**

According to the African Peer Review Mechanism Report (2010:2) Lesotho was established by King Moshoeshoe 1 about 200 years ago. This was around 1820 when he emerged to unite the scattered clans which were divided by the *Lifaqane wars*. According to Mothibe (2002:15) the *Lifaqane wars* were violent upheavals that unleashed a train of refugee-chiefdoms attacking and fleeing from one another. King Moshoeshoe 1 united these clans and chiefdoms into the present Basotho nation. In the process of building the Basotho nation, he used different strategies which made him a prominent king.

Mothibe (2002:20) writes that ‘apart from the political strategies such as wars and alliances, Moshoeshoe used economic and social strategies to build the Basotho nation. Central to the forging and consolidation of his rule and the emergence of the Basotho was his control over herds of cattle which were raided from neighbouring chiefdoms and their distribution through a patronage system of mafisa (cattle loan)’.

The combination of these strategies helped Moshoeshoe 1 to build the Basotho nation which was later united amid the incessant and ever-growing political instability and violence of wars (Mothibe, 2002:20-21). In order to contextualise the historical

background for the research, it is essential that the social setting or organisation that existed during the Moshoeshoe 1 period be examined, especially that with relevance to the research. Therefore, the next part examines the social setting under Moshoeshoe 1 and is followed by an overview of citizen participation during this period.

### **3.3.1 Social setting under Moshoeshoe 1 and citizen participation**

In order to understand the nature and extent of citizen participation in Lesotho during the Moshoeshoe era, that is, from 1824 to 1868, it is imperative to examine institutions and systems under Moshoeshoe 1's reign. The social setting during the Moshoeshoe 1 era consisted of many institutions as well as systems which Moshoeshoe 1 used to rule the Basotho. However, for the purpose of this research, the institutions that are considered relevant in this regard are the chieftaincy (kingship) (*borena*) and the councillors (*matona*). Under this social setting, society was stratified in terms of the chiefs on one hand and the citizens or commoners on the other. According to Nyeko (2002:138), the word commoner was used to denote an ordinary person or citizen who was not a chief or a member of the chief's family. In this research, the word commoner will be used to denote the ordinary citizen.

#### **3.3.2.1 The chieftaincy or (*borena*)**

The chieftaincy was the most salient institution at the time of Moshoeshoe 1's rule. As Mothibe (2002:28) indicates, 'central to the political organization of pre-colonial Lesotho was the institution of borena'. Every village had a chief to whom every commoner owed allegiance. The role of the chief was to make sure that there was order in society. Chiefs were not equal in the exercise of their duties. At the top of the hierarchy was the head chief, followed by a territorial chief and the lowest was the headman. The head chief exercised authority over the whole area where people who

recognised his authority were settled and other chiefs below him were to rule in respective places under his authority (Mothibe, 2002:29).

The chief had a special function which he had to exercise in order to ensure unity in society. According to Mothibe (2002:28) the chief was the provider for the community and he was responsible for public safety and welfare. This means he had to make sure that there was stability in society by performing functions such as dealing with conflict and protecting citizens against external attacks. In the governance process, the chief worked in collaboration with bodies such as the councillors who in most cases acted as his advisors.

The responsibilities of the chief were dynamic and overarching. Gill (1993:49) summarises the roles and responsibilities of the chief by noting that ‘the chief was responsible for the welfare of his people and he allocated land, grazing land, reeds and trees. He was responsible for the executive, legislative and judicial functions, and was assisted by elders from leading families as well as by traditional doctors who performed a variety of functions. This institution became the most important and well entrenched and it became well known during the time of Moshoeshoe 1. As Mothibe (2002:28) rightly points out, ‘during Moshoeshoe 1’s rule this institution was considered as a symbol of the nation’s cohesion and identity. In other words, *borena* became centralized into a state system’.

### **3.3.1.2 The councillors or *matona***

The other institution worth considering is the institution of councillors or *matona*. The councillors were the chief’s advisors appointed by him from different age groups;

*liboko*, interests and points of view (Mothibe, 2002:29). They were mostly initiated males who had to advise the chief on a number of aspects and perform many different roles. As Mothibe (2002:29) indicates, the councillors performed the following roles and functions: they were supposed to advise the chief on public affairs and assist in the day- to- day execution of duties; they had to gather intelligence on how people felt about the chief's manner of ruling; they had to be the eyes, ears and arms of the chief; and finally they had to act as check against the chief's despotic tendencies and render crucial information that made for smooth governance of the kingdom '.

There are certain qualities that were needed for appointment as councillor. According to Mothibe (2002:29) councillors were men of substance and very valuable and loyal to the chief. They were not yes-men who agreed with the chief on most issues. As Mothibe (2002:29) puts it, 'it was expected of them to criticize the chief or disagree with him'. In other words, they were the people who had to deliberate national policies and plans extensively so as to help the chief to run the country with utmost consideration. The chief had to carefully consult and listen to them before he could make a final decision, as failure could make governing difficult for him (Thompson, 1975:15).

These qualities were expected at all levels of councillor as they constituted different categories. Mothibe (2002:30) states that councillors were divided into two main categories: the elders and Moshoeshe's age-mates. The category of elders was the most important category as it was responsible for advising and deputising the chief on matters of governance. The category of age-mates was solely responsible for issues of

war and defending the nation and for ensuring the proper application of policies and plans concerning war and the security of the Basotho nation.

For this research, these institutions are regarded as the most important as they were responsible for helping the chief on matters of governance. One observation is that women had no or little role to play in the whole governance process during Moshoeshoe 1's era (Mothibe, 2002:31). Moreover, it is noted that in most cases, in order to act either as chief or councillor, initiation schooling had to be completed.

The next section looks at citizen participation during the Moshoeshoe 1 era as well as mechanism used to foster it.

### **3.3.2 Citizen participation and mechanism to foster it**

From the above, it is clear that some degree of participation by citizens occurred during this time. This section examines citizen participation during Moshoeshoe 1's time by looking at the nature and scope of issues as well as mechanisms used to foster participation. In terms of this research, there were two important mechanisms used during the time of Moshoeshoe 1: public gatherings and the chief court (*khotla*).

#### **3.3.2.1 Public gathering (*pitso*)**

A public gathering is one of the mechanisms used during the Moshoeshoe 1's time to foster citizen participation. According to Mothibe (2002:30) 'the *pitso* was a public assembly which was attended by all initiated adult males, called by the chief to discuss and make decisions on national matters'. Public gatherings were a medium of communication where the government and the people discussed policy and plans. As Thompson (1975:63) notes public gatherings were instruments of communication

both downward from the government to the people and upward from the people to the government.

Probably, during those days, citizen participation was solely done by initiated adult males. This implies that women and the youth had no role to play in the governance process as participation was a matter for men. This is because during the Moshoeshoe 1 era, society was structured in terms of certain rights and obligations. According to Gill (1993:48) ‘the Sotho patriarchal society was based upon an intertwined and complicated pattern of rights and obligation, both within and between various extended family networks. Fulfilling one’s obligation and maintaining social harmony were central to Sotho morality and law. Each sex and age-group had its own rights and responsibilities, and much of the work, which was often communal in nature, was accomplished by a specific sex or age group at a particular time’.

As such, issues of governance were basically the business of men, especially initiated adult men and councillors. Gill (1993:49) confirms this by pointing out that ‘men played a dominant role in matters of government and ownership of wealth’. This is why only men were responsible for participating in national matters such as policy formulation and planning processes. Women were not allowed to participate because of their social standing and their specialised role. As Gill (1993:49) notes, women were legally minors and their role was strictly to prepare food and be engaged in agricultural activities.

Although, the process of citizen participation during the Moshoeshoe 1 era can be regarded as discriminatory in the modern sense, it was regarded as important and

democratic. Mothibe (2002:30-31) notes that ‘a *pitso* was characterised by considerable freedom of speech whereby people expressed their views freely and openly on issues of national importance’. Perhaps this was because participants shared a common agenda and issues discussed were not as diverse and complicated as in modern times. The *pitso* was an important mechanism for fostering citizen participation in matters of government. The other distinguishable importance of *pitso* is that it was the mechanism for disseminating and re-enforcing decisions reached by councillors with the chief on policies and plans. As Gill (1993:49) remarks ‘the *pitso*, though allowing for a free flow of views and even harsh criticisms, was more important as a method of re-enforcing major decisions that had already been arrived at by the inner circle of the councillors’.

It can be concluded that the nature of citizen participation during the Moshoeshoe 1 era was discriminatory as it excluded women but it was also open to every man who was free to raise issues without fear. It was also to some extent democratic and active. This is because according to Mothibe (2002:31) ‘...the Basotho had an open and democratic system of government that Moshoeshoe consolidated during his life’.

Having looked at the public gathering (*pitso*) as a mechanism of fostering citizen participation during the Moshoeshoe time, it is important to look at another mechanism of participation that was used hand-in-hand with the public gathering, the chief court.

### **3.3.2.2 The chief’s court**

Gill (1993:48) defines the chief’s court as a public courtyard of the chief which provided daily face-to-face interaction between chiefs and commoners on a wide

range of subjects. The chief court was the place where major decisions were taken. In fact it was a decision-making place where most legislative, executive and judicial matters were dealt with. The chief's court shared most of the characteristics of the *pitso*. The only difference is that it witnessed the daily interaction of chief and commoners while the *pitso* was attended at certain times.

Two major common characteristic of chief's court and public gatherings are that in both cases, only initiated adult males were allowed to attend. This means men had to ensure that on a daily basis, attended the chief court as this was where issues concerning protection and security were discussed. Chief, councillors as well as other initiated men can be considered the major participants in as far as Moshoeshoe 1 reign were concerned. As such, men had to spend a lot of their time at the chief court to participate and consider issues of policies and plans concerning protection and defence of the community. As Gill (1993:49) puts it 'finally men provided defence and protection of the community's entire wealth under the leadership of the chief. Together with the time spent in the decision making process at the *khotla*, men contributed a good deal of time and resources to the prosperity of the body politic or chieftainship'.

To conclude this part, it is important to show that some degree of participation can be recognised during Moshoeshoe 1 era. Although citizen participation can be argued to have taken place, the following points are highlighted as issues surrounding it. Firstly, during the Moshoeshoe 1 reign, the institution of chieftainship had tremendous influence and was entrenched and accepted by citizens. Secondly, participation in government matters was solely the responsibility of initiated adult men; thirdly

women were legally minors and therefore had no role to play in any process. Fourthly, citizen participation was done frequently, that is, major decisions were reached and the chief and the councillors. Finally, the process of citizen participation was active and democratic, although it was discriminatory as it excluded women.

The next part of the research provides a historical background from colonisation to the formation of political parties in the 1950s. This section traces the historical background of citizen participation in Lesotho from 1868 to 1965.

### **3.4 THE COLONIAL ERA 1868 to 1965**

Literature on the historical background of Lesotho indicates that between 1820 and 1867 Lesotho was faced with challenges of war from other tribes such as boers and Zulus. This later forced Moshoeshe 1 to seek protection from Britain. As Lesotho Review Report (2011:4) indicates ‘further attacks from the boers came in 1867 and with pressure mounting, Moshoeshe 1 appealed to the British for help. In March 1868 the country became a British protectorate known as Basutoland and its present-day borders were established’. Following the formal colonization of Lesotho by Britain, many changes took place and this later affected the political dispensation and certain institutions inherent in the Lesotho governance. The colonial administration introduced colonial laws which the Basotho had to abide by. The next section looks at the institution of chieftainship and how it related to the colonial administration.

#### **3.4.1 Chieftainship and its relationship with colonial administration**

According to the Lesotho Review Report (2011:4) Moshoeshe 1 died in 1870 and after his death, the control of Basutoland was transferred to the Cape Colony. Moshoeshe was succeeded by his first son Letsie who was given the position of

paramount chief. The colonial administration worked hand-in-hand with the paramount chieftaincy and made all possible efforts to strengthen it. As Gill (1993:143) remarks 'during the whole period, the British authorities firmly supported the position of the paramount chief and thus tried to re-establish it as the central institution of government in Lesotho as it had been during the days of Moshoeshoe'. The colonial administration gave the institution of chieftainship some powers as well as responsibilities. Some of these powers and responsibilities were to advance and augment the interests of the colonial administration. The prime responsibility that was given to the chief was that of ensuring that the customary civil code was implemented and obeyed. According to Thabane (2002:104-105), after colonial administration began, the Basotho were allowed to keep their customary civil code and the chiefs were to deal with the customary cases at the chief's court.

The colonial administration entrusted some of the duties emanating from colonial laws to the chiefs. However, before implementing these, it had to see to it that it modified the chieftainship so that it became an integral part of colonial administrative and judiciary machinery. As Thabane (2002:105) points out, 'the colonial government took the place of the chiefs that the people were used to and chiefs could only remain in office on condition that they enjoyed the confidence of the colonial officers'. This meant the institution of chieftainship had changed dramatically from that established during the Moshoeshoe 1 era. As can be seen, during the colonial government, chiefs acted on behalf of and to advance the interests of the colonial government. This is why they were given special tasks by the colonial government. According to Thabane (2002:105) under the colonial government, the chiefs were also given tasks such as

the enforcement of changes required by the colonial government, tax collection, assisting in labour recruitment and many others emerging from time to time.

Chieftainship had changed drastically from what it used to be especially in its relations to commoners. It had become the most useful part of colonial government. As Thabane (2002:121) points out, 'to be a useful part of the colonial state, the chieftainship had to be transformed in three ways. Firstly, its source of legitimacy and power base had to be changed so that chiefs remained in office at the pleasure of the colonial government, a pleasure which depended on their loyalty and support to the colonial government and its policies. Secondly, the colonial government gave the chiefs more power over the commoners than they had enjoyed in pre-colonial times.

However, the colonial government was careful not to empower the chiefs in such a way as to eliminate their dependence on the colonial state and thereby make them feel politically independent and strong enough to challenge the colonial authority. Thirdly, a significant part in securing the chiefs collaboration with the colonial government was played by the colonial government ensuring that the chiefs had a stake in the colonial economy. The commission on tax that the chiefs received from the colonial government became a powerful means of securing their acquiescence as those who did not comply with the colonial instructions or others had their commission withheld from them'.

Despite the colonial government's efforts to modify and strengthen the institution of chieftainship, many chiefs experienced difficulties and challenges in their area of work. Some of these were based on transforming political developments while others

emanated from the changing perception of the people. As Thabane (2002:106) comments, 'In this development, it was the relationship between the people and the chiefs that suffered because the people lost their ability to ensure that the chiefs power was exercised with restraint'. This occurred because in the past, the people used to participate in whatever policies and plans the chief was to implement whereas under colonial rule the chief received the mandate from the colonial government. Some of the tasks the chiefs executed were unfamiliar to the people and this subsequently affected the relationship between the people and the chiefs. Thabane (2002:106) remarks, 'this led to a polarization between the commoners and the chiefs and an increased exploitation of the commoners by the chief'.

To summarise, the institution of chieftainship remained important during the colonial government's time. Despite this, it had to deal with challenges which primarily emanated from the discontent of people as a result of colonial laws which were foreign to them. For example, the issue of tax collection by the colonial government caused a major rift between chief and commoners. According to the Lesotho Review Report (2011:4) this led to a gun war which started in 1880 and ended in 1881. Gill (1993:143) states that 'The paramount chief was central, and yet society had been changing rapidly since the days of Moshoeshoe 1. Some institutions remained outwardly the same, but their inner dynamic changed. Others changed or were superseded while still preserving something of the old spirit'.

One of the aspects that became prevalent was that there was intense hostility among the chiefs themselves. Shortly after the death of Moshoeshoe 1, Letsie, his first son took power. Letsie was different from his father to the extent that he failed to maintain

the institution of chieftainship by controlling the chiefs under him. According to Gill (1993:135) 'Letsie's prestige had suffered greatly during the gun war and was at all times low. His brothers did not follow his leadership nor did some of his own sons.' This led to a division among chiefs. As said earlier, many chiefs looked up to the colonial government for power and legitimacy. There were also chiefs who resisted the colonial government. Gill (1993:135) points out that 'Letsie and certain chiefs were forced to look upwards to the colonial administration for support and not downwards to the people and subordinate chiefs'.

As has been established above, the institution of chieftainship changed dramatically during the colonial era and this somehow affected the mechanisms used to foster the process of citizen participation prevalent during the Moshoeshoe 1 era.

The next section looks at mechanisms to foster citizen participation such as public gatherings and the chief court as well other mechanisms that subsequently emerged during this time.

### **3.4.2 Mechanisms to foster citizen participation**

As has been established, during the Moshoeshoe 1 era there were primarily two mechanisms used to foster citizen participation. The colonial government changed the political and societal structure where, according to Mothibe, (2002:29) the institution of chieftainship was earmarked as 'the symbol of the Basotho nation's cohesion and identity'. It transpired that the chief then owed allegiance to the colonial government not the people as had been the case during the Moshoeshoe 1 era.

### 3.4.2.1 Public gatherings

During the Moshoeshoe 1 era, public gatherings (*pitso*) were central instruments for fostering citizen participation in government. The colonial era came with many changes that severely altered the relationship between chiefs and people: the institution of chieftainship dwindled. In terms of the tradition that had been established during the Moshoeshoe 1 era, public gatherings were called by the chief to let the commoners participate in government. However, during the colonial era, public gatherings were no longer effective as mechanisms of fostering citizen participation (Gill 1993:137). There are two reasons why this occurred

Firstly, the inherent conflict between the chiefs was one of the key factors that rendered public gatherings less effective. In order a for public gathering to have been effective, it had to be organised properly by the chiefs under the paramount chief, but the friction between chiefs made it difficult since in most cases they could not reach consensus. Gill (1993:137) states that ‘with so many splits in the sons of Moshoeshoe, it became difficult to hold a national *pitso* because it was almost impossible to reach a consensus which could be enforced’. The chiefs, it appears, could only unite together when a common threat was posed to them as a ruling class’. This means the critical issues that affected society were no longer discussed and as such the people, the commoners were left with no choice but to seek alternatives.

Secondly, a growing population and transforming society affected public gatherings and conduct. According to Gill (1993:147) the national *pitso* had become very cumbersome as the population grew ever larger. Public gatherings were possible and manageable when the population was small. However, as it grew, the public

gatherings were no longer functional. The Basotho population increased to approximately 350 000 in 1905 from 24 000 during the Moshoeshoe 1's era (Gill 1993:145). Public gathering became too demanding as many aspects had to be considered. For example, society transformed and was gradually socialised into colonial styles but some chiefs were slow to learn new skills of leadership. Some chiefs began drinking alcohol, for example, and their image as leaders deteriorated. According to Gill (1993:137) they became addicted to alcohol, failed to perform their duties and refused to learn the skills necessary to function in the evolving social and economic order of the day. Even at public gatherings chiefs could not exercise their duties as effectively as before.

Where it had been the chief's role to organise public gatherings and to lead discussions with the help of councillors and other chiefs, and as Gill (1993:147) states, 'after hearing the views of all his people, the chief would weigh these opinions and make a final decision', many of them failed to do so as they had become victims of alcohol and were no longer responsive to issues raised by the people at public gatherings.

Pursuant to this, it can be concluded that public gatherings was no longer active and responsible as they had been during the era of Moshoeshoe 1. They did not serve as a strong participation mechanism during the colonial era. As Gill (1993:146) points out public gatherings became unwieldy. The next section looks at the chief's court as one of the mechanisms for instituting citizen participation during this time.

### 3.4.2.2 The chief's court

The other instrument used to foster citizen participation was chief's court or *khotla*. It was an occasion that initiated males attended every day to participate in national affairs with the chief. However, the chief's court was affected by the same developments that affected public gatherings, as the chief was responsible for ensuring that discussions took place. One of the developments that greatly affected the conduct of business at the chief's court was the introduction of a tax by the colonial government. This forced many Basotho men to migrate to South Africa in search of jobs to enable them to pay tax. This destroyed the chief's court. According to Weisfelder (1974:95) 'massive, regularized migration of Basotho to jobs in South Africa eventually destroyed the everyday, face-to-face communication and sense of communal participation in the *lekhotla* (local chief's court).'

Therefore, the chief's court gradually dwindled, greatly affecting the prospects for citizen participation as most men migrated to South Africa and only a few were available for the chief's court. The other impeding factor was that the chiefs were also not active as they no longer served the interests of the people since they were then advancing the interests of the colonial government (Gill1993:146).

It can be concluded that the traditional mechanisms of instituting citizen participation, namely public gatherings and the chief's court were no longer as effective as they used to be during the Moshoeshoe 1 era. The chieftainship, which played a pivotal role in ensuring that there was strong participation by commoners in these institutions or mechanisms, changed drastically with the advent of the colonial government.

The next section identifies and analyses the newly emerged mechanisms that came into force for instituting citizen participation under the colonial government.

### **3.4.3 Participatory organizations that emerged during colonial period**

During this time, when public gatherings became unwieldy and cumbersome, other mechanisms and organisations for instituting citizen participation emerged. Mechanisms such as national council were established by the colonial government while other participatory mechanisms were established by the citizens at the realization that the *pitso* or the then participatory mechanisms were not allowing them enough of a platforms for participation. These mechanisms will be identified and analysed and the nature of citizen participation that ensued will be determined.

#### **3.4.3.1 The Basutoland National Council (BNC)**

After Lesotho was colonised by Britain in 1868, the indigenous institutions of government in Lesotho no longer functioned effectively (Gill 1993:146). As such the colonial government had to come up with several reforms to stabilise the country. Many political as well as administrative reform measures were developed and put into operation. According to Nyeko (2002:133), ‘the British administration had begun the process of streamlining the system of government by introducing a series of administrative reforms to rationalise the position of chiefs and to incorporate them into the colonial hierarchy. One of the most significant reform measures the British introduced at the turn of the century was the establishment of the Basutoland National Council’.

Although the National Council was initiated in the late nineteenth century, it held its first meeting in 1903 (Nyeko, 2002:133). This can be regarded as the time the council

became functional. As the country had been initially run under a chieftainship system, the colonial government had to establish mechanisms through which it could run the country. This is why the colonial government saw it prudent to seek ways of incorporating chiefs' as well as the people's opinions on their government. This is reflected in the nature of the membership of the people forming the council, which consisted from people of different backgrounds (Nyeko 2002:133).

According to Nyeko (2002:133), the membership of the council consisted of the Resident Commissioner and his five appointees, the Paramount Chief along with ninety-four chiefs and headmen chosen by him and a handful of commoners appointed by the resident commissioner or identified by some chiefs as their representatives. Basically, the National Council was intended to resemble a public gathering system where chief and people met to discuss national issues. As Gill (1993:146) states, the National Council was also meant to replace the national *pitso* and was regarded as a forum in which where people could participate.

The National Council was formed to perform the following functions. Firstly, according to Nyeko (2002:133), it was a vehicle for advancing and maintaining chiefly and colonial powers. Secondly, it was a gathering at which important advice could be given to the Resident Commissioner by Lesotho's leaders (Gill 1993:147). Thirdly, it was meant to represent the opinions of all Basotho (Gill 1993:147).

The National Council did not work as smoothly as had been envisaged by the colonial government. One of the factors that impeded the smooth operation was the inherent conflict among chiefs. This conflict was further witnessed even in the deliberations of

the work of the National Council. For example, Nyeko (2002:133) states that 'Lerotholi had wanted the National Council to be a law-making body but Jonathan Molapo, his most powerful rival, refused to accept such a proposal lest it be used to curb his own power'. The other area of conflict was caused by those chiefs who were against the administration of the colonial government.

However, there is one remarkable function that the National Council performed during the time of its operation. As Machobane (1990:76) has stated, the council's only major contribution to law-making was the drawing up of the *laws of Lerotholi*, which were a set of rules and customary practices touching the various aspects of Basotho social organisations. Despite its success in drawing these laws, it later experienced difficulties and challenges from commoners' organisations. This is because these laws were meant to regulate and hence were directed against the commoners. Henceforth, the national council endured through a volatile political environment filled with tensions (Nyeko 2002:134).

The contribution of people was very limited during this early stage of colonial government. The Basotho people had been accustomed to frequent participation either at the pitso or chief's court but this practice gradually diminished as the colonial government took over (Gill, 1993:146). It was generally believed that the National Council was replacing the public gatherings as public gathering was the mechanism through which many Basotho commoners participated and aired their opinions. As stated in Gill (1993:147), the National Council was intended to represent the opinions of all Basotho. Practically, it did not because, looking at the membership of the council, there were few people representing the interests of the common people. As

such it can be argued that it did not truly represent Basotho people. As Nyeko (2002:133) argues, 'it could hardly claim to stand for the interest of most Basotho'. This was in contrast to the times of Moshoeshoe, where large numbers of people would have a chance to participate in public gatherings.

To summarise, the National Council was no longer an important mechanism for ensuring the wider participation of the Basotho people. As Nyeko (2002:133) states, 'this Council was essentially a consultative body with limited powers'. Its mandate and objectives were purely to foster the interests of the colonial government. This is why it became inactive both as a participation mechanism and law-making body. The institution of chieftainship was sick and divided, hence the national council could not work effectively because many chiefs were not in harmony and as such they foiled the smooth running of the body (Nyeko, 2002:133).

While the National Council was very weak of making sure that citizens played a role in shaping the political development, the commoners started organising themselves to have a say in the affairs of government. The commoners complained that their views were not represented in the National Council. Gill (1993:148) notes, 'a rising generation of educated commoners complained as the council was composed entirely of the chiefs while the views of the commoners were not taken into account by the rulers'. This led to the development of organisations formed exclusively by the commoners. The next section scrutinises the motives behind the establishment of associations and analyses them as a mechanism for participation.

### **3.4.3.2 The commoners' organizations and citizen participation**

Being aware that the indigenous institutions of government in Lesotho were no longer functioning and that the national council had left them out, the commoners resorted to organising themselves (Gill1993:148). Many Basotho commoners had attended missionary schools while some Basotho were keeping strong ties with the traditional chieftainship structure. The commoners who had enrolled in missionary schools later became teachers, clerks in the civil service and traders. These groups later became aware of the situation in which they existed and so developed ways to oppose the colonial government. As Nyeko (2002:131) states, 'the first group of Africans to recognise this were the newly educated elites or the middle class, the product of mission schools, who began to seek other possible methods of opposing European domination'.

Subsequently, this group established associations where they demanded that certain aspects of life change. Apparently, they were aware that commoners had been totally ignored and left out of the national council by the colonial government. As a result they saw it as important to seek ways through which they could participate and improve their living condition. As Nyeko (2002:131) points out, 'during these years, the concerns of the African elite were to attain better education, improved agriculture, more health services and greater opportunity for domestic employment of Africans'. In other words, they wanted the colonial government to change and improve the wellbeing of Basotho people. They wanted to have a say in the way government operated.

As a result of this, this group established organisations through which they could advance their needs and aspirations. It is in this context that the next part of this research examines these organisations and analyses them in relation to citizen participation. There are three main organisations that emerged during the early days of colonialism. However, for the purposes of this research only two of them are identified and analysed. These are the Basutoland Progressive Association (BPA) the *Lekhotla la Bafo* (LLB). The third organisation it did not survive as it was formed without being able to make any input.

**(i)The Basutoland Progressive Association (BPA)**

The Basutoland Progressive Association (BPA) was formed in 1907 by a group of mission-educated Basotho commoners against a background of political tension and uncertainty in Southern Africa as a whole (Nyeko, 2002:134). After the colonial government came into power in Lesotho, many developments, changes and reforms took place. For example, the colonial government introduced laws which the Basotho had to abide by. One of these was the issue of tax which was to be collected by the chiefs, as was seen earlier. Some, if not most, of the colonial reforms and laws were not embraced by the Basotho commoners. As Nyeko (2002:135) remarks ‘the immediate stimulus to the organisation’s birth was resentment over the British colonial government’s actions in consolidating chiefly power’.

The Basutoland Progressive Association was mainly composed of the elite who had received education and wanted to see change in the lives of Basotho people. According to Gill (1993:164) ‘this elite, which was known locally as the *bahlalefi* (the educated ones) or *matsoelopele* (the progressive ones), was composed mainly of

teachers, government clerks and interpreters, ministers of religion, writers and businessmen'. The major goal with the formation of the association was to oppose the colonial government's actions which were discriminatory and not beneficial to the Basotho and to fight for the participation of the Basotho in national affairs. As Nyeko (2002:135) indicates, the organisation's goals were summed up in the motto 'not for us, but for our country and humanity', which embraced both socio-economic and political objectives.

The socio-economic objectives of the association were:

- the introduction of modern agricultural practices
- assistance in the creation of small-scale industrial ventures
- local employment for Basotho people
- the provision of basic social services in areas such as medical care, education and transport
- assistance in the development of traders
- the institution of a system of private property and inheritable land ownership

The political objectives of the association were:

- the elimination of racial discrimination
- the involvement of more Basotho commoners in administrative decisions
- to provide greater representation for commoners, especially the *bahlalefi* (the educated ones) in the processes of national decision making
- to prevent the chiefly abuse of power in judicial decisions and land allocation

It can be seen from these objectives that the formation of the Basutoland Progressive Association was a total attack on the colonial government and that it wanted to see improvement in Lesotho. They wanted to participate in national matters like during the time of Moshoeshoe 1. The association saw that in order to advance the interests of the Basotho people, they needed the colonial government to allow them the opportunity to participate. They wanted to see progress and they equated it with participation. As Nyeko (2002:135) writes in this regard, 'according to its constitution, the BPA's other objectives included its members' debates and discussions on matters that contributed to progress'. This point indicates that citizen participation in government was considered indispensable and the BPA realised that Basutoland would be a better place to live in if people's needs were taken into consideration.

Although the Basutoland Progressive Association experienced some problems with the colonial government, it was recognised at a later stage. The colonial government granted it membership in the National Council and welcomed its participation. As Nyeko (2002:136) points out 'by 1919 the British colonial government had granted the BPA their request for representation in the BNC and their support to the organization had become stronger and more explicit.' Apparently, the BPA was able to some extent to participate in the national affairs of the country through its membership in the National Council.

The next organisation that will be looked at is the *Lekhotla la bafo*.

**(ii) *Lekhotla la bafo* (LLB) / the commoners' league**

According to Nyeko (2002:138) the *lekhotla la bafo* was formed in Mapoteng in 1919 by the two Lefela brothers, Josiel and Maphutseng, both of whom represented the newly emergent class of self-educated Basotho commoners. The commoners' league was totally different from the Basutoland Progressives Association in the way that it approached the colonial government and organised its business. As Nyeko (2002:138) points out, the *lekhotla la bafo* was launched as a reaction to its more conservative predecessor the BPA and radically different in that it appeared 'fiercely anti-imperialist and uncompromising' in its opposition to the colonial government. The commoners' league was open to and spoke for all Basotho peasants from the outset and emerged as the bigger organisation in comparison to the BPA. According to Machobane (1990:181) the followers of the commoners league was composed of disaffected and poorer Basotho people, the landless, the migrant labourers, small shopkeepers, members of independent African Churches, some disgruntled junior Basotho chiefs, Basotho women and some Indian residents of Lesotho.

Apparently, the commoners' league drew its membership from different segments of society. Unlike its predecessor, it was the first organisation that allowed women to participate. According to Nyeko (2002; 138) the organisation had two principal immediate demands. The first one was the ending of chiefly abuse of power, especially in the operation of the *matsema*. The second was the need for the Basotho commoners to be represented in the National Council. Apparently, these demands were directed at the two major institutions that were predominant during this era, namely the chieftainship and the colonial government.

The organisation, through its leader, Josiel Lefela, embarked on a series of activities which could be regarded as mechanisms for meeting their demands. These demands could be regarded as objectives that they were pursuing. In order to meet their demands and implement their objectives, the commoner league used petitions, correspondence with colonial officials, newspaper propaganda, delegations, boycotts and strikes to fight the colonial government and chieftainship (Gore, 1979:17). The first demand was the ending of the chiefly abuse of power particularly the *matsema* (commoners' labour for cultivation in chief's land). On this note, the league criticised the chiefs in that the *matsema* only benefited the chief and not the general population as the chiefs resorted to selling the produce for their own gain (Nyeko, 2002:142).

Their demand was not the total abolition of the chieftainship as they cherished it, but against the way it operated. As Nyeko (2002:143) remarks, they preferred to have it returned to the pre-colonial ideal of chieftainship before it was tarnished by British colonial rule. According to Gill (1993:171) 'The LLB strove to restore the old equilibrium of rights and responsibilities between chiefs and commoners'.

The second demand of the league was the need that the Basotho be represented in the National Council. The argument of the commoners' league was that the interests and ambitions of commoners were not heard as the council consisted mainly of chiefs. The league, through its leader Lefela, instituted a series of attacks on the national council claiming that it was not advancing the interest of the common Basotho. As Nyeko (2002:140) comments, Lefela and the league 'condemned the council for being undemocratic and merely representing and perpetuating the interest of the chief'. For the LLB, the National Council had to be democratic in the sense that many

commoners should be represented so that their interests could be voiced. As Nyeko (2002:140) states, for Lefela and the league, 'the commoners' voice was being totally neglected'.

Meanwhile, the commoners' league remained the strongest force through which the majority of commoners participated in resisting some of the policies of the colonial government. During the 1920s and 1930s, Britain and the Union of South Africa conducted protracted negotiations about the future of the protectorates where the objective had been to incorporate Lesotho and other protectorates into South Africa. The commoners' league sternly objected to the move. As Nyeko (2002:144) states 'in the case of Lesotho the LLB played a critical role in spearheading the growing African opposition to this prospect and to the Union's African policies more generally during that period'. Consequently, the LLB remained the strongest force during the colonial era in ensuring that the interests of the commoners were being taken into consideration and as such allowing participation of many commoners.

Indeed, the LLB incited participation of many commoners during the colonial era. Despite the fact that it was heavily attacked by the colonial government, its diversity of membership and most of the activities it embarked on, show that it was the organisation that led the majority of Basotho to take part in the national affairs of Basutoland during the colonial era. This coincides with the remark made by Gill (1993:172) that 'although the league largely failed in its objectives, it nurtured a tradition of resisting all compromises with the West which undermined local institutions while at the same time affirming the excellence of Basotho cultural institutions and philosophy to guide the nation forward by its own internal dynamic'.

Therefore, it is concluded that the LLB served as a mechanism for ensuring wider participation of commoners during the colonial era.

Due to the LLB, the colonial government weakened and rendered most of the indigenous institutions of government in Lesotho futile. The traditional set up and relationship established during the Moshoeshoe 1 era were drastically transformed after the colonial government had taken power (Gill 1993:173). Not understanding how Moshoeshoe 1 had structured his kingdom, the colonial government transformed it by putting in place many reforms, two of the most prominent being the establishment of the National Council and introduction of colonial laws.

To summarise, citizen participation did take place during the colonial era. Participation was motivated by, on the one hand, the colonial government through the National Council and on the other hand, the commoners association. The most important participation was that which was instituted by the commoners because it reflected that the Basotho were willing and able to influence and shape the decisions of the colonial government. Therefore, based on the above, participation was arguably voluntary and was driven by the desire to effect change in Basutoland.

After this look at the commoners' organisations that emerged during the colonial era, namely the Basutoland Progressive Association and the *Lekhotla la Bafo*, the research focus on the developments that occurred in the later part of the colonial period and the early period of independence (1950 - 1970).

### **3.5 THE TRANSITION TO INDEPENDENCE: THE PRE AND POST-INDEPENDENCE ERA 1950-1970**

In the late 1940s, massive changes took place in Africa, especially in countries that had been colonised. As Gill (1993:202) states 'calls for self-determination and equality were heard across Africa and in Lesotho as well'. This state of affairs changed the political feelings and ambitions of commoners and chiefs. Likewise, the colonial government was affected by the political environment of the time. According to Gill (1993:203) 'the spirit of change was in the air'. However, in this new context, the colonial administration could no longer stand up well against the new expectations of Basotho leaders, chiefs or commoners.

Massive changes occurred in the political landscape of Lesotho. Change was not instituted by the commoners' movements alone but with the support of many institutions and stakeholders. As Gill (1993:186) states 'during that time tremendous change occurred. These changes were largely instituted through the efforts of the National Council, the Resident Commissioner and the emerging nationalist movements'. The influx of change was inclusive and addressed many aspects of life. The nature of citizen participation also changed. At this time citizen participation was instituted through formal structures different from the one discussed earlier. The colonial government created district councils with the purpose of instituting citizen participation.

#### **3.5.1 The formation of the district council (DC)**

As early as 1950, it was proposed and accepted that district councils be established with the view to bring government closer to the people (Gill, 1993:187). However, the

government was aware that these could not effectively be implemented without proper legislation. In 1959 the Colonial Government (British) enacted the Local Government Proclamation, 1959 No 52 as a legal base for the establishment of district councils. According to Mapetla and Rembe (1989:22) district council were established as statutory bodies to perform the following functions:

- To act as an avenue for popular participation
- To serve as an electoral college for representation in the National Council
- To act in an advisory capacity to the National Council in matters concerning local affairs
- Finally, as local authorities, they were vested with extensive powers to make by-laws, manage local finances and carry out various responsibilities related to agriculture, livestock, and maintenance of bridle paths and selected roads, fisheries, public order, health and trade (Wallies, 1984:66).

As the first function of the district council indicates, they were created to act as an avenue for popular participation. As has been seen before, the colonial government had deprived many Basotho commoners of the chance to participate as it had weakened the renowned institutions that were acting as mechanism for participation. The corollary effect was that formal participation by the majority of citizens was discouraged. However, with the establishment of district council the commoners were once again able to participate. The establishment of district councils took up the earlier interest of the commoners' league and the BPA who had demanded greater participation and representation of commoners in the National Council. During the early days of district council, Lesotho experienced improved participation by

commoners in national affairs. Indeed, it can be argued that through the establishment of district council, many Basotho were able to participate in government issues. Therefore, district council became strong mechanisms through which citizen participation was instituted during the time before independence.

The second and the third functions of district council were that they served as an electoral college for representation to the National Council and acted in an advisory capacity to the National Council in matters concerning local affairs. These two functions relate to the issue of participation in that many Basotho were able to participate in the National Council which was improved to include more commoners and commoner professional groups (Gill, 1993:187). The National Council was developed in such a way that every district would have a council whose members would be represented in it. As Gill (1993:187) states 'four members from each of the nine district councils would be sent to the National Council'. As a result, the National Council was improved and made fairly representative.

Professional organisations and groups of commoners were also represented on the National Council. According to Gill (1993:188) 'further representation would be given to six recognised associations, one each for teachers, farmers, Basotho traders, lepers, Basotho ex-servicemen, and the BPA. The commoners' league was not granted any representation'. In terms of these diverse groups being granted representation, it can be argued that the National Council had been modified to involve and improve the process of citizen participation.

The district councils were the channels through which the majority of citizens at local level participated, especially in matters of local planning and administration. District councils had five years tenure. After the lapse of tenure, fresh elections for district councils were supposed to have been held in 1965. However, instead of going for local government elections in 1965, Lesotho held the first national election that led the country to independence. Finally, Lesotho received independence on the 4th of October 1966, under the rule of the Basotho National Party (BNP) (Pule, 2002:173). Therefore, it can be concluded that the formation of district councils in Lesotho had a positive effect in ensuring that the process of citizen participation took place.

Besides the informal participation of the commoners' groups and associations the colonial government viewed it imperative to establish other mechanism that would allow more commoners the opportunity to participate in government. Perhaps the colonial government acted in this way as a response to the mounting pressure from the commoners' groups and associations as citizen participation increased dramatically in the period after the establishment of district councils (Mapetla & Rembe 1989:23). The commoners associations and groups had been transformed largely into political parties as the prospect of independence became imminent.

It is worth pointing out that when the country held its independence elections in 1965, many Basotho participated through political parties that had emerged in 1952. As Nyeko (2002:152) comments, 'the independence movement in Lesotho manifested itself through the various political parties that emerged during the period. These included the Basutoland African Congress (BAC), which was later renamed the Basutoland Congress Party (BCP), the Basotho National Party (BNP), the

Marematlou Freedom Party (MFP)'. Many Basotho participated in the political process by voting for the government they wanted. Therefore, beside the district councils, political parties were then the mechanisms through which participation had been instituted.

### **3.5.2 The abolishment of district councils**

Major changes occurred swiftly after independence which greatly changed the colonial setup. One of the first things the government did was to suspend local government structures that were known as district councils and were finally abolished in 1968 (Pule, 2002:174). District councils were dismantled by *Government Notice 8 of 1966* and the *Local Government Repeal Act of 1968* respectively (Kapa 2010:10). The literature consulted points to the fact that they were dismantled due to administrative as well as political considerations as they were alleged to be complicating the lines of communication between the central government and the districts (Mapetla & Rembe, 1989: 23).

Moreover, another aspect relating to the abolition of district councils was the issue of maintaining them. As Kapa (2010:10) indicates 'the arrangement was too costly for the BNP government especially with regard to payment of staff salaries and wages'. The central government was not prepared to deal with the payments of staff that already existed. Since the BNP had only come into power, the abolition of district council seemed to be the best option for political motives. According to Mapetla and Rembe (1989:23) 'these councils were largely dominated by the opposition party, the Basutoland Congress Party, and as such, they were seen as an alternative source of political loyalty and therefore a threat to the government of the Basotho National

Party'. The BNP government felt threatened by that state of affairs as it could not control district council as these had been largely dominated by the Basutoland Congress Party. As Kapa (2010:10) indicates 'the DCs were dominated by the opposition BCP which had won the 1960 male-only elections, winning 32 of the 40 contested DC seats, while the BNP and the Marema-Tlou Party shared the remaining eight seats'.

District councils had been the avenue for participation at local level and as they were dismantled, participation was severely curtailed. According to Mapetla and Rembe (1989:23) 'the abolition of district councils saw an end of participatory institutions at local level, resulting in an increasing centralized administrative and planning machinery'. However, the BNP government still viewed the decentralised structure as important since they were aware that it was an important structure through which people could participate. Kapa (2010:10) states that 'even as the BNP regime abolished the DCs, it did not doubt the value of local government; it merely found the system too costly at the time. It was clear that Lesotho would, at later stage, need a decentralized system'. This also resulted in the creation of alternative systems and structures as mechanisms for sustaining citizen participation. Linking to this, the next section will focus on 1970-1986, paying attention to the nature and mechanisms for citizen participation in Lesotho during this time.

### **3.6 THE ERA OF REPRESIVE AND UNDEMOCRATIC RULE 1970-1986**

In 1970, another change in Lesotho took place which greatly influenced and shaped public participation. On the 4th of January 1970 the second general elections was held (Pule, 2002:174). The outcome of this election was different from the elections of

1965 since Basotho people, voted for the opposition party in large numbers. According to Gill (1997:220) 'the large swing vote of pragmatic voters went over to the BCP, ensuring them a resounding victory. The BCP won 36 seats, the BNP won 23 and the MFP just 1 seat'. These results surprised many people especially the members of the ruling party because they had expected to win.

Notably, the Prime Minister and his Cabinet were surprised by the results. The Prime Minister resorted to embarking on something that exposed Basotho people to a new system. Gill (1993:221) writes that 'although the Prime Minister was shaken by this election defeat, he took the initial step to hand over power. After receiving some strong words from his Minister, 'Maseribana Peete, however, he suspended the Constitution and declared a state of emergency on 30th of January 1970'. Following this, the political system in Lesotho changed dramatically. According to Kabemba (2003:5) this marked the beginning of a one-party government which was characterised by repressive and undemocratic rule, whereby the BNP government maintained control of the state from 1970 to 1986. However, for the benefit of this research, there are only two aspects that are looked at. These are the suspension of the Constitution and the declaration of a state of emergency.

Due to these occurrences, many aspects of citizens' lives changed, including their ability to participate in government. Citizen participation was undermined to the extent that some citizens, especially of the opposition parties, were imprisoned when they attempted to exercise their freedom of expression. According to Gill (1993:221) 'hundreds of BCP supporters were arrested, and in the months which followed the Police Mobile Unit (PMU) and BNP party fanatics made life extremely painful for

anyone who protested'. The result of this was that people were not able to participate in government freely or protest against the government.

The constitution of any country is an embodiment of the rights and responsibilities of its citizens. Since the Constitution of Lesotho had been suspended, it meant that people were no longer at liberty to exercise any of the rights entrenched in it, including citizen participation. According to Pule (2002:180) the Constitution was suspended because, according to the Prime Minister, it was ill-suited to Basotho culture and customs. The Prime Minister announced that there was a need to draw up a new constitution that would be suitable and in line with Basotho customs and culture. As a result, in 1973 an Interim National Assembly was created with the purpose of writing a new Constitution for Lesotho.

Subsequently, participation in national affairs was formally discouraged by the BNP government. Gill (1993:221) states that 'Leabua Jonathan declared a five year moratorium on politics, stating that the Westminster system was not in line with Lesotho's tradition and would need, therefore, to be adapted and modified to meet Lesotho's special requirements'. Lesotho was ruled by an authoritarian regime that lasted until 1985. During this time, political activities were totally banned and as such participation was minimal. Despite this, several futile attempts to overthrow the government were made. The Prime Minister became the only point of reference for all decisions the government took. Policy issues and planning were solely the responsibility of the Prime Minister. Gill (1993:222) points out that 'during this whole period, an increasing amount of power was concentrated in the hands of the Prime

Minister. The party appointees and chiefs became more and more dependent upon him’.

### **3.6.1 The establishment of development committees for participation**

Although Lesotho was ruled by an authoritarian regime from 1970, the government still made attempts to instigate participation in communities. As a result, local structures that encouraged and demanded citizen participation were created. Pursuant to this, in 1970 the government created the first village development committees and the district development committees (Lesotho Year Book, 2005:56). They were created in terms of the *Local Government Repeal Act of 1968*. These structures were very important in stimulating local planning and citizen participation in rural areas even though they were not predicated on any legal framework. Mapetla and Rembe (1989:31) state that ‘the most important rural structures have been the District Development Committees (DDCs), the Village Development Committees (VDCs) and Chieftainship’. According to Mapetla and Rembe, (1989:31) the district development committees and village development committees were envisaged as structures intended to perform the following functions:

- To serve as forums for popular participation
- To execute bottom-up planning
- To coordinate development activities in local areas

It is important to examine these structures separately so as to determine their effectiveness and the degree of citizen participation that they encouraged. However, the general picture was that they never really became effective as structures and

institutions for local planning. As Mapetla and Rembe (1989:31) state ‘the general finding is that these bodies were incapable of being effective local planning institutions. Despite this, it is still important to give an overview of each institution.

### **3.6.1.1 The district development committees (DDCs)**

According to Mapetla and Rembe (1989:32) the district development committees (DDCs) were supposed to play a very important role in national development. They were regarded as the principal mechanisms for the expression of a district’s needs and aspirations. In practice, they were supposed to be the instruments enabling citizens to participate in planning processes in their district. This view is clearly pointed out by Mapetla and Rembe (1989:32) when they argue that, ‘theoretically, they were responsible for the overall district planning, implementation, coordination, monitoring and evaluation of all district development projects, including self-help activities’.

However, the district development councils never delivered and worked according to plan. A number of factors impeded the smooth functioning of these councils. Mapetla and Rembe (1989:32) give the following reasons as to why they did not function properly:

- They lacked expertise and funds to plan, thus in practice, their role was that of making suggestions to central government on the needs of the district
- They lacked the technical and managerial capability necessary for effective coordination and the government did little to strengthen their status
- They depended on central government for operations and other logistics

- They were largely dominated by public officials, whose views overshadowed those of the local people
- There was an absence of official guidelines by way of set rules and regulations governing the composition, mode of elections and functions of these institutions

Therefore, it can be deduced that in most cases, the District Development Committees were never active and did not work properly. As Mapetla and Rembe (1989:32) state, there was no actual district planning undertaken by the district development committees. In practice, they were supposed to derive a mandate, proposals and issues of concern from the village development committees but the findings were that these bodies never interacted. For example, it was found that in 1984 84% of the VDC members knew nothing about the existence of the district development committees (Thoahlane 1984:2). Therefore, it can be concluded that in terms of citizen participation, the DDCs never really became instrumental. After looking at the functioning of the DDCs, the next committee that will be examined is the village development committees.

### **3.6.1.2 The village development committees (VDCs)**

According to Mapetla and Rembe (1989:33) the village development committees (VDCs) were supposed to be grassroots representative institutions for expression of popular demands as well as channels for mobilisation. The VDCs were made to ensure that citizens residing in a particular village participated in the planning process within their area of jurisdiction. As a matter of procedure, the VDCs were supposed to suggest possible projects for consideration by the DDC at district level as well as to

provide information on the country's resource allocation base (Mapetla & Rembe 1989; 33). However, the VDCs also struggled to fulfil their functions. Mapetla and Rembe (1989:33-34) state the following as some of the reasons contributing to their failure:

- Firstly, it was found that in reality, these bodies were non-existent in some cases or varied in their areas of activity. Where they were established, they were largely playing an advisory role to DDCs.
- Secondly, the VDCs largely served as institutions for mobilising political support since they tended to be dominated by members of the ruling party. This discouraged the members of opposition party from participating in such committees. This rendered the VDCs weak and sometimes unrepresented, particularly in those villages where there was a concentration of opposition members who boycotted their activities.
- Thirdly, in some villages, the VDCs were found to consist largely of women as a result of the migrant labour system and the fact that men remaining in the villages were often too sick or too old to be interested in such organisations.

It can be deduced that although village development committees had the potential to effectively foster the process of citizen participation, these factors impeded and discouraged participation of the larger population. In theory, the VDCs had great potential for serving as the mechanism for citizen participation because participation is easier in a small village than in a district.

The BNP government made a commendable effort in creating the DDCs and the VDCs. In terms of their functions, they were largely mechanisms for fostering citizen participation. However, as has been shown, they never became the strong and effective instruments for instituting citizen participation because they became the mere appendages to the ruling party (Mapetla & Rembe, 1989:34-35).

Chieftainship is another institution that should be looked at with regard to citizen participation.

### **3.6.2 Chieftainship**

Chieftainship is an institution of governance which has survived since the pre-colonial era. It is a system of rule that depends on continuous consensus, consultation and accommodation for its survival (Lesotho Year Book, 2005:52). It is an institution that has historically been known to ensure greater participation of citizens in national affairs. Chieftainship is established in terms of the *Chieftainship Act of 1968*. According to Setsabi (2010:45) ‘one of the primary objectives of the *Chieftainship Act 1968* was to subordinate the chiefs to central government through entrusting their discipline to the Minister of the Interior who not only had the powers to discipline the chiefs but also to dismiss them’. This is one of the primary areas that caused the institution to gradually lose power and responsibility. According to Mapetla and Rembe (1989:34) ‘traditionally, this institution played a vital role in policy and decision making. At this level, it enabled participation through *Pitsos* (public meetings)’.

The duties and functions of chieftainship (chiefs) are clearly stipulated in section 6 and 7 of *the Chieftainship Act 1968*. The list of functions for chieftainship is endless, but those that are relevant to this research include:

- To serve the people in the area of his (the chief) authority
- To promote the welfare and lawful interest of people within his jurisdiction
- To perform all lawful duties of his office impartially, efficiently and quickly according to the law.
- To maintain public safety and order.
- To calling of public gatherings (*lipitso*) for the dispersal of public information

Since the colonial era, as in the BNP regime, this institution had been under incessant attacks. As a result, it was no longer as effective as it was during the time of Moshoeshoe 1. It remained, however, one of the mechanisms through which citizen participation was instituted, especially at public meetings and at *khoila*. During the BNP government this institution was rendered ineffective for the following reasons as stated by Mapetla and Rembe (1989:34-35):

- Firstly, the chiefs had been continuously losing their leadership powers to modern local institutions, although support for the chieftainship as an institution was still evident in some areas.
- Secondly, this situation led to conflict between these committees and the chiefs. Party politics played a central role in the affairs of local administration. This was particularly true in those villages where the chief and the VDCs belonged to opposing political parties.

- Thirdly, chiefs were not accorded the necessary training on development administration
- Fourthly, their relationship with other structures remained problematic
- Finally, Chiefs were denied first-hand information on development matters which left them ignorant and often accused of non-involvement or even sabotage of the development efforts.

Although the institution of chieftainship continued to weaken as it was undermined by the development committees, it remained largely acknowledged and important to most Basotho people (Mapetla & Rembe, 1989:35). Nevertheless, the political development and dispensation in Lesotho in late 1985 remained intolerable, repressive and violent. Consequent to this, a lot of pressure was mounted on the BNP government from both locally, abroad and especially South Africa. As Pule (2002:188) states, ‘on 1 January 1986 South Africa put in place a massive border blockade which allowed little traffic to move between it and Lesotho’. This state of affairs was followed by the rising of political unrest, tensions and violence coupled with harsh conditions for the Basotho people. Finally, on 20 January 1986 Radio Lesotho announced that there had been a military takeover (Pule 2002:189). The military takeover that followed will be looked at next.

### **3.7 THE ERA OF MILITARY RULE 1986- 1993**

During the military regime, two important developments regarding the creation of enabling structures for participation were instituted. According to Kapa (2010:10) the Maseru City Council (MCC) was established under the *Urban Government Act of 1983* and development committees under the *Development Committees Order No. 9 of*

1986. This part of the research will concentrate on the Development Committees Order No. 9 of 1986, specifically the latter part of the order, which deals with local institutions and chiefs as they bear implications for citizen participation. The most important components of this Order in terms of this research were the bodies that it established. These are the village development committees, the ward committees and the district development committees. These committees are briefly explained next.

### **3.7.1 The village development committees (VDC)**

Article 2(1) of the Order No. 9 of 1986 provides for the establishment of village development committees in each village that falls under every chief gazetted before the 1st of January 1986. The membership and composition of these bodies are provided in Article 3(2) of the order. This article provides that the committees should be composed of seven members and should be elected by the inhabitants of an area at a *pitso* (public gathering). Moreover, in terms of this article, the chief remained an ex-officio member and the chairman of the VDCs.

Section 4 of this order provides for the functions and duties of the VDC. In terms of this section, each VDC shall:

- be responsible, in consultation with the government, for the planning, implementation and maintenance of development activities and social services in the area of its jurisdiction
- represent and lead the local community in its efforts to identify village development needs
- raise funds for its local development purposes

- stimulate local participation in development activities
- make government aware of local development priorities through the DDC

The ward development committees and their roles and functions follow next.

### **3.7.2 The ward development committees (WDCs)**

This committee was established by article 8 of the *Order No. 9 of 1986*. The composition of this committee is provided for in terms of article 9(1) which provides that the committee should consist of twelve members in each area that falls under a principal or ward chief. Unlike the VDC the members of the WDC are elected from the VDC (article 9(3)). In the same manner, the committee is chaired by the principal or ward chief who is also an ex-officio member of the committee (Article 10(9)).

The WDC had two duties and functions established by the order. The first duty in terms of article 10(9) was that of collating the duties of VDC for scrutiny and implementation. The second duty in terms of article 10(b) was that WDC were also tasked with the responsibility of monitoring the implementation of development projects at village level. The ward committees were tasked with ensuring that citizens within the ward participated in development projects. According to Setsabi (2010:46) the ward committees were able to carry out their functions properly thereby allowing citizens to participate, but the functioning of these committees soon waned due to several factors. One such factor was the protracted conflict between the chiefs and the committee members (Setsabi 2010:46).

Having looked at the WDC, the DDC and their duties follow.

### **3.7.3 The district development committees (DDCs)**

These committees were established in terms of Article 12 of *Order No. 9 of 1986*. They were to consist of 15 members elected at a meeting of the various WDC. In this committee the principal or ward chief in that district acted as an ex-officio member as well as chairman. The article further stipulated that in a case where there were more than one principal chief, the chairmanship of the DDC should circulate among them (Article 13(3) of the *Order No. 9 of 1986*). According to Article 14 of the Order, the duties of DDC were:

- to promote socio-economic development at local level
- to formulate and implement development projects in the district
- to ensure that the projects in the district are in line with the national plan
- to monitor the implementation of national projects
- to raise funds for implementation of national projects
- to consult through its secretary with the Central Planning and Development office and the appropriate ministry on matters relating to development planning
- to utilise all district resources economically for the betterment of the lives of the people in the district.

In terms of Article 18 of the *Order No. 9 of 1986*, the principal chief had special duties to perform as he acted as an official representative of the district.

Generally, the military government made commendable strides with these structures or committees as they became the better mechanisms for allowing citizen

participation. As Kapa (2009:9) commends, ‘because every village in Lesotho had its own VDC, hence offering scope for the people to have a better and direct input in issues affecting their lives. The Lesotho local government structure under the military regime was a better popular participation maximization...’. The VDCs were the grassroots mechanisms that could enable the participation of ordinary citizens in development activities and notably in planning processes. The VDC had the potential to stimulate and allow for broader mass participation as every adult inhabitant could attend. According to Kapa (2009:8) the attendance was open to all adults in the village.

Therefore, the military structure was simple and probably feasible as it ensured that citizens took part from the level of the village where the chief would chair the meeting. This system resembled the traditional form of authority that Basotho people has known and respected from pre-colonial times because the institution of chieftainship is historically regarded as a symbol of unity (Mothibe. 2002:28). As such the military junta saw it fit to reinforce it since the modern governance institution had failed to sustain government and develop the country.

Another important impetus with the military government local structural pattern was that they were predicated on a legal framework. In this respect, citizen participation was not an issue of discretion but was mandatory as the village development committee had the legal mandate to stimulate local participation. During the BNP regime, participation was a matter of discretion because such structures did not have a precise legal base and this resulted in constant conflicts and tension (Kabemba, 2003:24).

The role of the chiefs also needs special emphasis. As Setsabi (2010:45) comments, the VDC, WDC and the DDC were organised around the chieftainship as a system of local administration. Therefore, chieftainship became the central institution in ensuring that the development efforts in the villages, wards and districts were implemented. Indeed, the role of the chief was not only clarified but was defined the role of chiefs in terms of their levels of responsibility. This is an important element because as seen, during the colonial era, chiefs were often at loggerheads.

In conclusion, the military government made a commendable effort to introduce local government structures which enabled broader citizen participation. Unlike the colonial government and the BNP government, the military government established structures that amalgamated the traditional institutions of governance (chieftainship) and modern institutions (committees). This is the situation the Basotho people had been accustomed to since the start of the colonial period. In this regard, the Lesotho African Peer Review Mechanism Report (2010:44) states that, ‘the Basotho have a long-standing traditional system of governance that is based on their historical values and customs. The customary system of governance has deep roots and is highly respected everywhere in the country. The Basotho recognize and accept that their traditional form of governance must coexist with the colonially-bequeathed system of governance’.

The military government tasked the chiefs with leading the development process in Lesotho while also recognising the urgent need for citizens to participate in the planning process. Public gatherings (*pitsos*) were the inherent institutions for participation during the Moshoeshoe 1 era. *Pitsos* gained prominence and remained

the central institution and mechanism allowing wider participation. One important facet of the military government is that it provided a legal framework for local government structures thereby limiting the chances of conflict. Finally, these structures can be regarded as the best mechanism for instituting the process of citizen participation.

As time passed, many developments ensued that later transformed the smooth operation of the development committees. Although the Development Committees Order had clearly stipulated the duties and functions of chiefs and councillors, conflict erupted between the two bodies. The corollary effect of this was that the committees were subsequently made redundant. The military government passed *Order No. 15* in 1991, which replaced the committees with councils. Despite this change in name, they remained the same in terms of structure, composition and functions.

### **3.8 CONCLUSION**

This chapter set out to trace the historical background in relation to citizen participation in Lesotho since 1820 when the present Basotho nation was formed. This exposition of the historical overview shows that the Basotho are a people with a long history of participating in government. As has been shown, there has been some form of participation between all the governments and citizens that have been in existence in Lesotho since the era of Moshoeshe 1 up until the military regime. This research also shows that various structures, namely *khotla*, *pitsos*, committees and later councils had been established since the era of Moshoeshe 1 to the military regime which also promoted citizen participation, although some councils or structures were more successful in this regard than others. At times, citizen

participation was severely compromised; however, it was reinforced during the military government.

The next chapter looks at citizen participation in the context of the planning and policy process during the inception of local government in 2005. The prerequisites for enabling citizen participation in Lesotho in terms of the *Constitution* and legal frameworks are discussed to gain an understanding of the current or expected nature of citizen participation in Lesotho.

## CHAPTER FOUR

# CITIZEN PARTICIPATION IN THE PLANNING AND POLICY PROCESS DURING THE INCEPTION OF LOCAL GOVERNMENT IN 2005

### 4.1 INTRODUCTION

Chapter three looked at the historical background of Lesotho. It provides a comprehensive overview of the historical background of citizen participation in Lesotho since the era of the King Moshoeshoe 1 to the era of military regime which ended in the 1990s. It is during the beginning of the 1990s that many developments and changes occurred. These shaped and heralded many changes in the way government was run. One such development was the enactment of the new Constitution for Lesotho commonly known as the *1993 Constitution*.

Pursuant to this *Constitution*, many developments in Lesotho took place. The most relevant one in term of this study is the enactment of the *Local Government Act of 1997*. This Act paved the way for the establishment of a system of local government. Arrangements and preparations for local government took place gradually until 2005 when the first democratic local government elections were held. Finally, Lesotho established a system of local government in April 2005.

This chapter traces the evolution, rationale and legal as well as policy frameworks for local government as established in Lesotho in 2005. As discussed in the previous

chapters, there is a relationship between local government and citizen participation. Therefore, in this chapter citizen participation is analysed in the context of the local government as established in 2005.

The chapter is structured in terms of sequential sections. The first section provides a general overview of the Lesotho governance structure in terms of the new constitution. The second section looks at the evolution of local government, the third expounds on the rationale of local government, the fourth provides an exposition of the legal, institutional and the policy frameworks guiding local government in Lesotho and the fifth provides an exposition of local government and citizen participation as well as the challenges and critics related thereto. The last section concludes the chapter.

Since this chapter traces citizen participation in the planning and policy process during the inception of local government in 2005, a comprehensive review of the literature and government or official reports on local government and citizen participation in local government in Lesotho will be considered. Having provided this introduction, the next section provides a general overview of the structure of governance in Lesotho.

#### **4.2 OVERVIEW OF THE STRUCTURE OF GOVERNANCE**

The present structure of governance is founded on the *1993 Constitution*. In order to understand contemporary citizen participation, it is necessary to examine the modern governance structure. As has been seen in previous chapters, citizen participation processes were largely influenced by the institutions of which the governance

structure consisted. For example, during the Moshoeshoe 1 era, governance was solely built on the institution of chieftainship and there were certain characteristics that could be used to gauge citizen participation. Similarly, it was noticed in Chapter one that citizen participation is one of the components of democracy and hence it can easily flourish in a democratic regime.

The governance structure in Lesotho is built on a dual system consisting of monarchy or chieftainship and democratically elected representatives. In this dualism, the king is the head of state while the prime minister is the head of the government (APRM Report, 2010:40). The position of the king is hereditary and accession to the throne is governed by the *Office of the King Order No. 14 of 1990*. The prime minister as the head of government is appointed by the king in terms of section 87, subsection 2, of the constitution. For analysis purposes, a brief explanation of this dual system follows.

The first tier of this dualism is the institution of chieftainship. According to the Lesotho Year Book (2008:66) Lesotho is a constitutional monarchy. The monarch is a king who is a descendent of Moshoeshoe I and represents the institution of chieftainship. This institution is regulated by the *Chieftainship Act of 1986*. Traditionally, chieftainship was regarded as the institution that unites the Basotho people. This feeling seems to have continued even in contemporary times. The finding of the APRM Report (2010:44) reveals that ‘the king is central to the governance of the nation state, and he is also the unifier of the Basotho nation. The king serves as the point of interface and unification of the functions of the executive, legislature and judiciary’. The chieftainship is hierarchically structured with at the top the king

followed by the principal chiefs, area chiefs and finally headmen. Currently there are 22 principal chiefs as gazetted (Lesotho Year Book, 2008:66). This implies that every village or area has a chief to whom the citizens owe allegiance. Historically, citizen participation took place when the chief called the citizens to take part in deliberations about developmental issues of their communities.

The other tier of the dual system is the modern structure. This is the system that was introduced by the colonial administration (Lesotho Year Book, 2008:66). This tier is headed by the prime minister as the head of government. It is made up of the three branches of government namely; the legislature, the executive and the judiciary. As has been stated in the Lesotho Year Book (2008:66), this tier is regarded as universal. The legislature consists of two houses. The first is the National Assembly, which has 80 elected members and 40 proportional representatives. The second is the Senate which is composed of 33 members, 22 of whom are hereditary principal chiefs, with eleven ordinary citizens appointed by the king on the advice of the council of state (APRM Report, 2010:40).

Under this tier, there were also local government structures, established in 2005 in terms of section 106(1) of the Constitution. This section stipulates that 'Parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform such functions as may be conferred by an Act of Parliament'. Moreover, local government is governed by two pieces of legislation, namely the *Local Government Act* No. 6 of 1997 and the *Local Government Elections Act of 1998*. Both these acts of Parliament were amended in 2004 by the *Local Government Amendment*

*Act of 2004*. The act established the three-tiered local government structure. These are community councils, district councils and the municipal councils. Since 2005 there have been 128 community councils, 10 district councils and 1 municipal council in Maseru. Both local government and the chieftainship are stewardships of the Ministry of Local Government and Chieftainship.

The two predominant institutions are well entrenched in Lesotho and having long existed, are no longer foreign to most Basotho. As discussed in previous chapters on the one hand, chieftainship is the traditional institution that can be traced from when the Basotho nation was founded by King Moshoeshoe 1. On the other hand, the modern democratic system or institution was introduced by the colonial administration, although it has been modified and improved since. As such, these two institutions coexist. The relationship of these institutions is widely captured in the report by the African Peer Review Mechanism (2010:44) that reads:

‘The Basotho recognize and accept that their traditional form of governance must coexist with the colonially bequeathed system of governance. This is the basis for the adoption of the constitutional monarchy that complements, rather than competes with, the modern state. They cite the coexistence of a traditional monarchical system of governance with the elected government as an example of how their culture and traditions are complementary to an imported form of democracy. The respect of the traditional authority and the overwhelming desire for its perpetuation are at the root of the establishment of the constitutional monarchy. The Basotho generally perceive that there is a general rule in as far as their institutional arrangements and practices are guided by the 1993 constitution’ (African Peer Review Mechanism 2010:44).

The next section looks at evolution of the local government in Lesotho as established in 2005.

### **4.3 THE ESTABLISHMENT OF LOCAL GOVERNMENT IN 2005**

A modern local government system is not a new phenomenon in the historical development of Lesotho. It is the culmination of efforts by the previous governments. In Chapter three, it was seen that local structures that could be equated to local government were created in 1960, when the first district councils were created until 1986 when the development councils were established. The modern local government structures borrowed much from past structures. This part of the chapter examines evolution of the modern local government in Lesotho.

Shortly after the introduction of multiparty politics in 1993, the BCP government introduced several reforms. One was the abolition of development councils which had been created by the military junta. Despite this move, the BCP government had earlier in its political manifesto indicated its intention to introduce local government. This point is illustrated by the following excerpt from the manifesto which states that ‘the BCP is convinced that true development and good governance require grassroots involvement in both planning and decision-making. To that extent the BCP government shall a) ensure the establishment of councils at districts, constituency and village levels and (b) facilitate a democratic relationship between the central and local governments (The Basotho Congress Party, 1993:7).

The BCP government was faced with a myriad of political conflicts after it took over the government. This led to some delays in the full implementation and permanent local government. However, the BCP remained adamant in establishing the local government structure. In 1997 preparatory developments for local government were made. Subsequently, parliament enacted the *Local Government Act No. 6 of 1997*.

According to the Lesotho Year Book (2005:58), this law served to provide for proper local government.

In 1998, another change in government occurred. The government was run by the Lesotho Congress for Democracy (LCD) after it had won the elections. The LCD was a break-away party from the BCP and as a result, it continued with the original plan of putting local government in place. After the LCD came into power, the country faced political instability and violence that were linked to the election. As Sekatle (1999:31) states 'the elections were declared free and fair. However, some of the political parties opposed the elections outcome and resorted to violent measures thus rendering the country ungovernable gravitating obviously to the brink of a civil war'.

Despite this political crisis the LCD government continued to pursue the introduction of democratic local government. As Kapa (2010:11) points 'the LCD government has made repeated promises to implement the Local Government Act even though it has displayed less enthusiasm and optimism regarding the issue than its predecessor'. As a result of this, it instituted certain developments which directly affected the local government. Finally, two important developments took place. The first one was that the LCD government enacted Local Government Elections Act of 1998. This act provided for the manner in which local government elections would be held in terms of the electoral model as well as other issues related to local government elections.

The second development according to Kapa (2010:11) was that the 'LCD government abolished the development committees that were established by military regime and replaced them with its own appointed interim councils in 2001'. These were supposed

to be an interim arrangement while the government would be preparing for a well-established local government.

Coupled with these developments, two important institutions were responsible for ensuring that local government became a reality were established. These are the Ministry of Local Government and Chieftainship and the Independent Electoral Commission. These two institutions were given the task of implementing the two pieces of legislation meant for local government. According to the Lesotho Year Book (2008:76) the Ministry of Local Government was responsible for the administration of the *Local Government Act 1997* while the Independent Electoral Commission (IEC) was largely responsible for the administration of the *Local Government Elections Act 1998*. One notable point is that unlike in the past local government, the 2005 local government was implemented through formal election processes under the leadership of the Independent Electoral Commission.

As time passed, prospects for holding local government elections were imminent. Meanwhile, another development specifically with regard to elections took place. The *Local Government Elections Act* was amended through the *Local Government (Amendment) Act of 2004*. This act was amended to cater for the reservation of one third of all council seats for women. Later, in April 2005, local government elections were held and a new democratic local government was established formally in April 2005. Therefore, the new local government (2005) replaced the Interim Development Council. Unlike the previous local government, the current local government was arguably well established in a democratic sense because it had a legal basis and was conducted freely and fairly.

After the 2005 local government elections, the structure of the local government consisted of 128 community councils, one municipal council, the Maseru City council, as well as 10 district councils (Lesotho Year Book, 2008:76). In terms of the *Local Government Act*, community councils membership is composed of not less than 9 elected members but not exceeding 15 members and not exceeding 2 gazetted chiefs (other than principal chiefs) who shall be elected (Section 4(a)). The membership of the municipal council is composed of not less than 8 elected members but not exceeding 15 including not more than 2 gazetted chiefs who shall also be elected. Lastly, the district council consists of members representing community councils and includes at least 2 members from each community council nominated by other councillors and 2 gazetted chiefs nominated from among the chiefs who are members of the community council (Government of Lesotho, 2003:12).

Therefore, it is concluded that the present local government evolved from the efforts of previous governments to put in place local or grassroots structures. Although the local government process has been implemented differently by governments since 1960 to the present, the starting point has always been that, in order for development to take place public participation was needed (Mapetla & Rembe, 1989). Again, even though local government evolved from political tension and instability, its organisation and implementation differed greatly in terms of structure, mode of elections and government preparedness. After exploring the evolution of local government in Lesotho, the section below examines the rationale behind local government.

#### **4.4 THE RATIONALE FOR LOCAL GOVERNMENT IN LESOTHO**

This section of the chapter pays specific attention to the rationale for introducing local government in Lesotho. It attempts to answer the question of why local government was established. What are the specific functions it has to perform? In order to deal with this section correctly, it is important to consider why, in the past, local authorities such as district councils in 1960, village and district committees in 1970, the village, ward and district councils during the military era as well as the present new local government were established. A brief overview of why local government was established follows which traces local government from 1960 to 1986 when the military government took power. The essence of this is to show the drive for the establishment of local government by different governments.

In 1960, the colonial government introduced local government structures named district councils. As Mapetla and Rembe (1989:22) states, district council were established as statutory bodies for the following reasons: firstly, to act as avenue for popular participation; secondly, to serve as electoral college for representation to the National Council; thirdly, to act in an advisory capacity to the National Council in matters concerning local affairs and finally, as local authorities, they were vested with extensive powers to make by-laws, manage local finances and carry out various responsibilities related to agriculture, livestock, maintenance of bridle paths and selected roads, fisheries, public order, health and regulation of trade (Wallies, 1984:66).

After 1970, the BNP government established the two-tier local structures that were known as district development committees and the village development committees.

According to Mapetla and Rembe (1989:31) these committees were envisaged as local government structures intended to serve as forums for popular participation, to execute bottom-up planning and to coordinate development activities in local areas.

Then during the military regime, in terms of the Order No. 9 local government structures known as village development councils were established. They were responsible, in consultation with the government, firstly, for the planning, implementation and maintenance of development activities and social services in their area of jurisdiction; secondly, to represent and lead the local community in its efforts to identify village development needs; thirdly, to raise funds for its local development purposes; fourthly, to stimulate local participation in development activities; and finally to make government aware of local development priorities through the district development committee.

This section looked at the rationale for local government during previous times; the next section looks at the objectives of local government as established in 2005. These objectives provide the reason why the present local government was established.

#### **4.5 THE OBJECTIVES OF NEWLY ESTABLISHED LOCAL GOVERNMENT (2005)**

As has been seen, since 1960, local government had been established for many different reasons. In like manner, local government established in the democratic regime was created to achieve certain objectives and purposes. According to the Government of Lesotho (2003:2) these include the following purposes:

- to deepen and widen public access to the structures of government
- to bring services to the people thereby improving service delivery
- to promote people's participation in decision-making, planning and implementation of development programmes. This gives the electorate greater control over development process
- to promote equitable development in all parts of the country through the distribution of human, institutional and infrastructural resources

In terms of these objectives, local government is meant to bring government closer to the people, thereby allowing them to develop their communities themselves. In this process the people are expected to participate in decisions concerning plans and to take part in the implementation of development projects and programmes. This should ensure equitable development across the country. These objectives briefly inform the rationale for introducing local government in Lesotho.

As a conclusion, this section of the chapter has provided the rationale for local government which has been explained in terms of the objectives and the key functions the 2005 local government is expected to perform. The main purpose of local government is to bring government closer to the people so that people can develop their communities through participating in the processes of planning and implementation of plans and development projects. The next section looks at the structures of local government in Lesotho.

## **4.6 STRUCTURE OF LOCAL GOVERNMENT IN LESOTHO WITH REFERENCE TO QACHA'S NEK**

In order for local governments to achieve these broad-based objectives, they have to perform certain functions. These functions are supposed to be performed by the different structures of local government namely councils established in terms of the *Local Government Act No. 6 of 1997*. These are the community councils, the district councils, the urban councils and the municipal council. The municipal council is not going to be dealt with in this research because it has not yet been established in Qacha's Nek. These functions are outlined in the *Local Government Act No. 6 of 1997* and in an official document named 'Programme for implementation of local government in Lesotho (2003:12-13).

### **4.6.1 The community council**

In terms of the Local Government Act of 1997, community councils represent the lowest tier of the structure of local government. It is the structure that is closest to people in the community. In terms of the Local Government Act 1997, the community Council is composed of not less than 9 elected members but not exceeding 15 elected members and not exceeding 2 gazetted chiefs (other than principal chiefs ) who shall also be elected. The functions of the community councils are provided for in terms of section 5(2) of the Local Government Act 1997 and are stated in the second schedule of the act follows:

- Control of natural resources (e.g. sand, stones) and environmental protection (e.g. dongas, pollution)
- Land/ site allocation

- Minor roads (also bridle-paths)
- Grazing control
- Water supply in villages (maintenance)
- Markets (provision and regulation)
- Burial grounds

The other functions of community councils are stipulated in the official document the 'Programme for implementation of local government in Lesotho: Concepts, structures and role' (2003:12-13). They are to:

- identify and discuss local opportunities and needs
- formulate, implement, monitor and evaluate community-based plans; and through the technical assistance of the district council, solicit the assistance of donor and other development agencies to implement self-help initiatives or community-based plans
- provide a forum of contact between and among community representatives, local leaders, and politicians to enhance the flow of development information
- represent the community in development matters and acts as reference point in matters pertaining to community development
- coordinate development activities of participating voluntary organisations and local agencies to enhance smooth planning and implementation
- coordinate national activities in their respective areas
- any other function delegated by the district council outlined in schedule 2 of the *Local Government Act 1997*

The roles and functions of the district council follow after this look at community councils.

#### **4.6.2 The district council**

District councils are yet another kind structure of local government operating at the district level. In terms of the *Local Government Act of 1997*, district councils are responsible for the development of the entire district. The district council members are elected from the community councils. District council functions are as follows.

They are expected to:

- manage functions outlined in Schedule 1 of the *Local Government Act 1997*
- monitor performance of community councils in the provision of services
- assist and support community councils in the provision of services. The envisaged support may be technical, financial etc
- monitor the performance of line ministries and other service providers within the district
- coordinate activities of service providers within the district
- monitor the implementation of the district plan
- converge all sources of funding as per the emerging priorities of community councils

From the above, it can be seen that the district councils are tasked with the overall development of the district. They are central to ensuring that the community councils operate smoothly to bring services and development. The next council to be examined is the urban council.

### **4.6.3 The urban council**

The urban council is another structure of local government that, in terms of the *Local Government Act of 1997*, is established in the areas that are legally declared by the minister to be urban areas. In terms of the *Local Government Act of 1997* the urban councils consist of not less than 9 elected members but not exceeding 13 elected members and not exceeding 2 gazetted chiefs (other than principal chiefs) who shall be elected.

The functions of the urban council are stated in the first schedule of the *Local Government Act of 1997*. These include:

- control of natural resources (e.g. sand, stones) and environmental protection (e.g. dongas, pollution) as well as omnibus terminals
- public health (e.g. food inspection, refuse collection and disposal) and education
- physical planning and recreation and culture, laundries, and fencing
- land/site allocation, fire and minor roads (also bridle-paths) and roads and traffic
- grazing control and agricultural: services for the improvement of agriculture
- water supply in villages (maintenance) and markets (provision and regulation)
- promotion of economic development (e.g. attraction of investment)
- streets and public places, burial grounds, parks, gardens and fencing
- control of building permits, local administration of central regulations and licences

- care of mothers, young children, the aged and integration of people with disabilities
- public decency and offences against public order
- forestry: preservation, improving and control of designated forest in local authority areas.

These are the local government structures in which citizen participation in Lesotho is expected to take place. As stated in the 'programme for implementation of local government in Lesotho' (2003:16) the building block for participation in local government is the electoral division from which the councils are built up. The electoral division are provided in terms of section 6 of the Local Government Act of 1997. For example:

- a community council shall consist of not less than 9 electoral divisions but not exceeding 15 which shall be constituted only within the jurisdiction of a rural area
- an urban council shall consist of not less than 9 electoral divisions but not exceeding 13
- a municipal council shall consist of not less than 11 electoral divisions but not exceeding 15

It is in these councils that citizen participation is expected to take place, especially in electoral divisions. In Qacha's Nek, there are three community councils namely, Tsoelikana, Nts'upe and Qanya. There is a Qacha's Nek district council and a Qacha's Nek urban council. The study was conducted in one community council and one urban council since these councils are representative of the four councils in

Qacha's Nek. These are Tsoelikana community council and Qacha's Nek urban council. They were also selected on the basis of accessibility.

This section looked at the structure of local government and identified the number of councils present in Qacha's Nek. The next section looks at legal, policy and institutional frameworks guiding local government.

#### **4.7 LEGAL, POLICY AND INSTITUTIONAL FRAMEWORKS GUIDING LOCAL GOVERNMENT**

Local government is guided by and predicated upon three sets of frameworks: the legal, policy and institutional. The legal frameworks that are going to be discussed are the *Constitution of Lesotho (1993)* and the *Local Government Act of 1997*. The policy frameworks that are explored herein are Vision 2020 and the Poverty Reduction Strategy Paper as well as the Public Sector Improvement and the Reform Programme. The institutional framework looks exclusively at the Ministry of Local Government. These sets of frameworks have a special role to play in guiding local government in Lesotho.

##### **4.7.1 The legal framework**

Local government in Lesotho is guided by three major pieces of legislation namely the *Constitution of Lesotho*, the *Local Government Act, 1997* and the *Local Government Elections Act, 1998*. For the purposes of this research, only two legislative frameworks are explored. These are the first two while the latter is left not because it is not important but due to the fact that its impact did not attract popular attention in terms of citizen participation in the planning and policy process.

#### **4.7.1.1 *The Constitution of Lesotho Act 108 of 1993***

According to the APRM report (2010:60) ‘the 1993 *Constitution of Lesotho* is the supreme law of the country and it stipulates that all laws should be consistent with it’. Local government is premised on section 106 of the Constitution. This section provides that;

‘Parliament shall establish such local authorities as it deems necessary to enable urban and rural communities to determine their affairs and to develop themselves. Such authorities shall perform functions as may be conferred by an act of parliament’.

Although the *Constitution* speaks of local authorities while the practice speaks of local government, it is generally believed that local authorities represent local government. This is because according to the document Programme for implementation of local government in Lesotho (2003:2), this section 106 obliges the government to establish local government. Therefore, local government is established in terms of that section that deals with the establishment of local authorities.

However, this parlance has produced political as well as academic debates. For example ‘Nyane (2010:4) holds the view that local government does not have constitutional support and that it remains the discretion of parliament to establish local authorities. He puts forward two important contentions worthy of consideration. Firstly, he contends that the section does not make any mention of local government. It refers to local authorities. Indeed, the *Constitution* speaks of local authorities not the local government as stipulated in the act. He argues that local authorities and local government are two distinct features of a constitutional scheme. The second contention concerns the issue of discretion on the part of parliament. He argues that

the section empowers parliament to form local authorities 'as it deems necessary'. He further argues that 'the section as a constitutional clause itself does not talk about local authorities or local government. It leaves it to parliament (central government) thereby leaving local governance largely a creature of central government-in a typical Westminster style.

Despite this debate, the Constitution continues to be the legitimate and supreme law governing and is considered the base of the present local government. It is upon this section that the *Local Government Act No: 6 of 1997* and the *Local Government Elections Act of 1998* were enacted to provide for the structure and elections of local government in Lesotho.

#### **4.7.1.2 The *Local Government Act No. 6 of 1997***

The *Local Government Act of 1997* was established in terms of Section 106 (1) of the constitution. According to the document 'Programme for implementation of local government in Lesotho' (2003:2) 'the *Local Government Act of 1997* outlines the institutional framework for the envisaged local government system'. The act establishes the three-tier structure as being the community councils, the urban council and the municipality council. These structures are the local government structures. The Act makes provision for local government, covering issues such as composition of councils, functions, tenure of councillors and the various committees of local government.

Briefly, the act provides for general guidelines on how local government is to be implemented and administered. Notably, the functions of the councils are listed in

both schedule 1 and 2 of the act. There are various committees established by the act for various responsibilities. This brief look at the *Local Government Act of 1997* is followed by the policy frameworks guiding local government.

#### **4.7.2 The policy frameworks**

The following policy documents are regarded as policy frameworks underlying local government in Lesotho. These are the Vision 2020, the National Poverty Strategy Paper and the Public Sector Improvement Reform (PSIRP). According to the APRM Report (2010:61), Vision 2020 and the National Poverty Strategy provide the basic principles of decentralisation (local government) for the purpose of national development. The Lesotho Vision 2020 will first be looked at, followed by the analysis of the paper and the programme.

##### **4.7.2.1 The Lesotho Vision 2020**

The Lesotho Vision 2020 is a national long-term development framework. The government of Lesotho through this vision states that:

By the year 2020, Lesotho shall be a stable democracy, a united and prosperous nation at peace with itself and its neighbours. It shall have a healthy and well developed Human Resources base. Its economy will be strong, its environment well managed and its technology well established. In addition, Lesotho will have a well-established system of local government with full ownership and participation of the majority in decision making and local development. The country will have a clear direction in policy development, strategic thinking and foresight and programme planning. Lesotho will be known for good governance driven by effective and visionary leadership (Lesotho vision 2020)

The vision identifies local government as one of the strategies the country will use to realise national development. According to the Programme for implementation of

local government in Lesotho (2003:4) Vision 2020 identifies and proposes the following strategic actions:

- decentralise service delivery and empower communities
- promote popular participation in national affairs
- implement the *Local Government Act, 1997*
- strengthen the chieftainship institution as an institution of governance.

#### **4.7.2.2 The Poverty Reduction Strategy Paper (PRSP) and the Public Sector**

##### **Improvement Reform Programme**

The Poverty Reduction Strategy Paper (PRSP) and the Public Sector Improvement Reform Programme (PSIRP) are the other important policy documents behind local government in Lesotho. According to the Programme for the Implementation of Local Government in Lesotho' (2003:1) these policy documents deal with the government's strategy towards poverty reduction and service delivery improvement.

Therefore, these documents remain influential in realising the development of Lesotho. Of the two documents, the PSIRP provides the stronger foundation for local government. As the Framework for the Preparation of National Decentralization Action Plan (2009:3) states 'the PSIRP provides the framework for the improvement and reform of the public sector with the first two components out of three being of key importance to decentralization':

- Component one addresses the issues of strengthening financial management and accounting by focusing on areas such as integrated planning and

budgeting processes, modern procurement systems and modern integrated accounting, revenue and expenditure management systems. Outputs of these reforms are designed so as to accommodate the effective and efficient operation of local authorities.

- Component two focuses on improving service delivery through decentralisation. This is linked to the implementation of the *Local Government Act* and the *Local Government Service Act 2008*, as it is envisaged that through this process councils will deliver improved services to people.

As a result, these policy documents play a pivotal role in guiding the local government system in Lesotho as they link the whole process with the general objectives of national development. As stated in the Programme for Implementation of Local Government in Lesotho (2003:1) ‘central to the implementation of these policies or programmes is the government recognition that human development is about the people and expanding their choices to lead the lives they want. This includes the creation of an environment that enables a participatory approach to development policy formulation, implementation and monitoring. It is for this reason that the Government of Lesotho remains committed to introducing local government as a pivotal strategy to implementing the PSIRP and the PRSP and thus realization of the National Vision’.

After this discussion of policy documents, the next section of this chapter looks at the institution specifically mandated to guide the local government system in Lesotho. This is the Ministry of Local Government.

#### **4.8 THE INSTITUTION GUIDING LOCAL GOVERNMENT-THE MINISTRY OF LOCAL GOVERNMENT AND CHIEFTAINSHIP**

The Ministry of Local Government and Chieftainship was created in 1993 after the introduction of democratic government to replace the former Ministry of the Interior, Chieftainship and Rural Development (Lesotho Year Book, 2005:58). This is the ministry responsible for local government in terms of guidance and administration. In order to deliver upon its commitment, the ministry has created a vision, mission statement and objectives which guide and direct its course of action (Ministry of Local Government and Chieftainship, 2009:13-14). The vision of the Ministry is

‘to establish a deeply rooted democracy with well-functioning local authorities that endeavour to improve service delivery, promote people’s participation in development and improve the living conditions of the people’.

Following from the vision is the mission statement which states the purpose of the Ministry as

‘to promote, deepen and consolidate a sustainable and effective system of local government for improved service delivery’.

In order to realise the vision and the mission statement, the Ministry of Local Government came up with the following objectives:

- to support and strengthen councils in the provision of quality service to the nation through a well-defined policy framework and adherence to laws and regulations of local government
- to monitor operations of councils in relation to their powers, functions, duties, service delivery standards and general performance
- to promote effective and sustainable land management and administration, rural and urban development in Lesotho as provided for under relevant legislation and national land policies
- to facilitate the delivery of affordable quality houses to Basotho within properly planned housing settlements
- to support a service-oriented Chieftainship institution that is adaptive to decentralisation and local governance
- to contribute towards prevention, treatment and mitigating the impact of HIV and Aids
- to ensure adequate human and institutional capacity for policy formulation and decentralised planning and implementation.

Pursuant to this, in 2009 the Ministry formulated three documents namely the Decentralisation Action Plan for Lesotho 2009/10-2010/11, the Framework for the Preparation of National Decentralisation Action Plan and the Strategic Plan of the Ministry of Local Government and Chieftainship. These documents entail the ministry's overarching and concerted strategies and action plans towards administering and coordinating the local government system in Lesotho. The *Local Government Act of 1997* also empowers the Minister of Local Government to make and amend the system of local government where necessary. The Ministry of Local

Government remains the only institution mandated to see to it that the system of local government in Lesotho becomes operational, functional and active in meeting the prescriptions of the *Local Government Act No: 6 of 1997* and other acts related thereto.

This section of the chapter has discussed the legislative, policy and institutional frameworks guiding the system of local government in Lesotho. As has been seen, the legislative frameworks under discussion were the *1993 Constitution of Lesotho* and the *Local Government Act No. 6 of 1997*. The policy frameworks discussed include vision 2020, the PRSP and the PSIRP. These are the national development documents. Lastly, the Ministry of Local Government was identified and discussed as the major institution mandated to administer and coordinate the system of local government in Lesotho.

These frameworks are regarded as indispensable tools that have played a significant role in ensuring and guiding the system of local government in Lesotho. The next section evaluates citizen participation in local government in Lesotho.

#### **4.9 CITIZEN PARTICIPATION IN LOCAL GOVERNMENT: PROSPECTS AND CHALLENGES**

Local government is lauded for its potential to enable citizen participation especially in the planning and policy process. Brynard (1996:138) argues that 'local government should be regarded as an effective means of encouraging popular participation in the local planning processes'. As such, this part of the research attempts to investigate whether citizen participation is possible and encouraged in the local government

system in Lesotho. This section attempts to answer the following questions: can citizen participation take place in Lesotho's local government system; and does the government embrace citizen participation, especially in local government? What legislative and policy frameworks support and endorse citizen participation in government? The last part examines the challenges and criticisms levelled at local government which hamper citizen participation in Lesotho.

#### **4.9.1 Citizen participation in local government in Lesotho**

The Lesotho local government has the potential to act as an effective means for allowing the process of citizen participation to take place. This is because as has been argued in Chapter two, it is feasible for citizens to participate since the government is close to them. One of the rationales the government of Lesotho has stated for introducing local government in Lesotho is to promote people's participation in decision-making, planning and the implementation of development programmes (Programme for Implementation of Local Government in Lesotho, 2003:2).

Therefore, citizen participation can take place in three different ways in local government structures in Lesotho. Firstly, citizens can easily participate in local structures, namely the community council as the council nearest to them. Citizens can easily participate in this council as ordinary individuals, through their organised associations as well as members of non-government organisations.

Secondly, citizen participation can take place at the *pitso* either organised by the councillor or chief. *Pitsos* are considered the best places at which citizens can participate and enhance proper functioning of local government. As stated in the

Programme for Implementation of Local Government in Lesotho (2003:16), the local area's chief boundaries offer the best units of contiguous accessible villages which have and continue to gather as a *pitso* or general house'. Since one of the individual roles a councillor is expected to engage in is frequent interaction with citizens, it is in such meetings at *pitso* that citizen participation can occur. The councillor is also expected to share and mobilise final plans with the citizens at the *pitso*s as well as provide citizens with feedback on whatever progress is being made on the implementation of plans (Programme for Implementation of Local Government in Lesotho, 2003:18). Therefore, it is in such gatherings that citizen participation can take place.

Thirdly, citizen participation can take place in local government through various committees established in local government. In these committees, citizen participation is expected in terms of providing input and making suggestions. For example, there is the District Development Coordinating Committee, whose main purpose is to coordinate and integrate all the district development plans from the councils and the line ministries, and to review progress on implementation of council plans (Government of Lesotho, 2003:20). Citizens are also represented in this committee, especially in groups and through non-governmental organisations.

From the above, it can be concluded that citizen participation in local government in Lesotho can occur within the local government structure, namely the community councils and the district councils. Prospects in terms of the possibility that enables citizen participation to take place are present and citizens have the opportunity to participate. Citizens can participate as ordinary citizens and in organised groups such

as non-governmental organisation and specialised associations. The next section analyses the government support of citizen participation.

#### **4.9.2 The role of government in embracing citizen participation**

The government of Lesotho has embraced the notion of citizen participation in local government. The basis for this assertion is derived from the fact that the government has earmarked citizen participation as one of the objectives of establishing local government. In the Programme for Implementation of Local Government (2003:2) the government outlines one of the objectives of local government in Lesotho as ‘to promote people’s participation in decision-making, planning and implementation of development programmes’.

From this objective, it can be deduced that the government has observed that general development can occur if the citizens take part in the whole process of governance. Local government in this regard is nothing but an effort of government to bring government closer to the people for participation and service delivery. This point is validated by the APRM (2010) report which states that the principal objectives of decentralisation are to promote participatory democracy and efficient service delivery.

Moreover, the embracing of citizen participation in local government is further expressed in various official documents which are frameworks for the preparation of the National Decentralisation Action Plan. Citizen participation is one of the core areas which the actual plan has to address. Following this framework, the government, through the Ministry of Local Government, came up with an official document called the Strategic Plan of the Ministry of Local Government and

Chieftainship. In this plan, the government's vision rates citizen participation as one of the most important areas for consideration. The vision as stated in the strategic plan reads 'to establish a deeply rooted democracy with well-functioning local authorities that endeavour to improve service delivery, promote people's participation in development and improve living conditions of the people'. The plan also indicates that government should take the notion of citizen participation seriously.

Therefore it was upon this strategic plan that the government, through the Ministry of Local Government established the Decentralisation Action Plan for Lesotho in 2009. In this document, the government further reinforced the notion of citizen participation by making it one of the programme areas worthy of special attention. This document is summarised in terms of four programme areas. Programme area four looks at citizen participation and accountable local governance. The objectives and the expected outcomes of this programme outline the broad government approach to citizen participation. The following are the objectives of the programme (Ministry of Local Government and Chieftainship 2009:25):

- to improve citizen participation in the development process
  - to promote engagement of councils, NGOs and chiefs in local governance
- (Ministry of Local Government, 2009:25).

With these two objectives in mind, the government attempts to achieve the following outputs:

- improved public awareness on decentralisation
- improved and increased citizen participation in development processes

- systems for regular engagement, information flow and feedback improved at local level

This programme illuminates the government position towards citizen participation in local government. The government of Lesotho embraces citizen participation in local government and is committed to making it effective and hence improving it. This is expressly stated in the following excerpt from the Programme for Implementation of Local Government in Lesotho (2003: 15-16):

‘people’s participation in the decision-making and governance processes has the advantage of facilitating accountable local governance in the development process. To improve people’s participation in the decision making, the public will need to understand the decentralization system and what is required of them as citizens. This calls for awareness creation which can be achieved partly through educating the people through the media and providing the necessary documented information to their understanding’ (Programme for Implementation of Local Government in Lesotho, 2003: 15-16)

The government of Lesotho supports and embraces citizen participation in local government as has been seen above. The next part looks at the mechanisms for fostering citizen participation as envisaged by the government of Lesotho.

#### **4.9.3 The envisaged participation mechanisms in local government**

As stated in the Programme for Implementation of Local Government in Lesotho (2003:16) there are two mechanisms that can be used to foster citizen participation in local government, namely the general house and the sectoral sub-committee.

#### 4.9.3.1 General house

The general house (*pitso*) can effectively be used as a mechanism for fostering citizen participation in local government. The local chief boundaries offer adequate space for fostering citizen participation. According to the Programme for Implementation of Local Government in Lesotho (2003: 16), 'to enhance the proper functioning of local authorities, the most crucial aspect is to link them effectively with the communities at the village level. The local area chief boundaries offer best units of contiguous accessible villages which have and continue to gather as a *pitso* or general house'. This can enable the majority of citizens to actively participate in local government, especially in the policy and planning process. The structure and composition of the *pitso* can offer an inclusive format that allows for wider citizen participation. The Programme for Implementation of Local Government in Lesotho (2003:17) provides the envisaged composition of the *pitso* which is:

- the general house consists of eligible voters residing in the electoral division
- at least 33% of the quorum present should be women
- the meeting of the general house is chaired by the councillor and convened by the local area chief
- records and attendance of general house meetings will be maintained by a designated local area committee member and the local area chief
- the minutes are read out to people by the chief and councillor. After necessary corrections, they are endorsed by the general house by a show of hands
- the register of minutes is kept with the councillor and the local chief

The *pitso* has a specific role to play in as far as ensuring citizen participation in the planning process is concerned. This is captured in the roles the *pitso* is expected to perform. According to the Programme for Implementation of Local Government in Lesotho (2003:17) the roles of the *pitso* are to:

- discuss and approve the draft local area plan prepared at local level
- identify and prioritise beneficiaries for different government and council schemes
- consider annual progress reports and annual statements of accounts presented by the councillor and approve such report
- make a review of the proposed plan (annual plan of operation) for the next year, approve it and send it to council
- approve and advise on by-laws developed by the council

It can be deduced from these roles that the *pitso* can foster citizen participation in local government. This is because in terms of the composition of the *pitso*, every citizen is allowed to take part in the planning process in his or her village. This means in terms of this envisaged mechanism, citizen participation in policy and planning processes in local government in Lesotho can take place. The next mechanism that will be examined is the sectoral sub-committees.

#### **4.9.3.2 Various sub-committees**

In order to foster citizen participation, the community council can establish various sub-committees for dealing with various issues and plans. It is the responsibility of the community council and the councillors themselves to ensure that citizens take part in

community issues such as in the formulation and implementation of plans. One of the ways in which citizen participation can be instituted is through sub-committees. According to the Programme for Implementation of Local Government in Lesotho (2003: 19) 'it is the role and responsibility of the community council to establish the planning sub-committees and sectoral sub-sectoral committee'. The planning sub-committees may work with the members of the District Planning Unit while the sectoral sub-committee may co-opt non-governmental organisations working on specific issues (Programme for Implementation of Local Government in Lesotho (2003: 19).

The *pitso* and sub-committees can play a pivotal role in fostering citizen participation in local government. These mechanisms are the simplest mechanism which can be used especially in the context of the community council as the lower tier of local government.

Since the study attempts to find out if citizen participation in policy and planning in local government takes place, the following section looks at the bodies facilitating this.

#### **4.10 BODIES FACILITATING PARTICIPATION IN THE POLICY AND PLANNING PROCESS**

The preceding section has shown that citizen participation can take place through different forms. This section examines the two important bodies through which citizen participation in the policy and planning process can take place. These bodies are the

District Planning Unit (DPU) and the District Development Coordinating Committee (DDCC).

#### **4.10.1 The district planning unit (DPU)**

Section 28 of the *Local Government Act of 1997* stipulates that ‘there is established a district planning unit for each administrative district’. The composition of the district planning unit is provided for in section 29 of the act. It provides that ‘a district planning unit shall consist of planning officers and such other public officers of any ministry, who are engaged in performing their functions or carrying out any work within the administrative district in respect of their ministries’. These officers are the officer-bearers who constantly engage with the communities in terms of the service delivery of their respective ministries and departments. In other words, they must consult with and allow citizens the chance to participate.

The district planning unit has specific functions that it must perform. These functions are provided for in section 30 of the *Local Government Act of 1997*. These functions are:

- to provide planning services for councils within its district;
- to consider draft development proposals submitted by council
- to prepare an annual district development plan incorporating all or any such proposals
- to submit such plans to the district development coordinating committee
- to finalise the district development plan having regard to the recommendations made by the district development coordinating committee and submit such plan to the ministry;

- to ensure that the district development plan conforms reasonably to the overall national development plan formulated by the ministry responsible for economic planning.

The District Planning Unit (DPU) is expected to work with various stakeholders in the communities when formulating the district plans. These stakeholders include the community council, non-governmental organisations and the citizens or members of the community. It is thus expected that this unit can foster citizen participation in the communities. According to the Programme for Implementation of Local Government in Lesotho (2003: 7) ‘the type of planning envisaged will be based on the principles of empowerment and community participation. In order to uphold the aforementioned principle, an appropriate community based planning methodology and an integrated planning methodology that links local and central planning will have to be developed. This will also require the development of a planning and budgeting framework that would ensure that allocations of resources are based on development plans initiated by respective communities’.

Therefore, the District Planning Unit is supposed to consult community members in formulating the district plan. This means during that process, citizen participation will take place. This is why the District Planning Unit is regarded as one of the bodies capable of facilitating citizen participation in local government especially in the planning process. The other body that can facilitate citizen participation in the policy and planning processes in local government is the district development coordinating committee. The next part looks at this committee.

#### **4.10.2 The district development coordinating committee (DDCC)**

This is another body established in terms of section 78 the *Local Government Act of 1997*. It consists of a wide range of stakeholders. It is the statutory committee tasked primarily with the consideration and approval of district plans from the District Planning Unit. The composition of the committee is provided for in section 78(2). In terms of this section, the committee shall consist of:

- the Mayor and two elected members representing a municipal council
- the chairman and two elected members representing an urban council
- the chairman, two elected members, and three chiefs representing a rural council

The following public officers (hereinafter referred to as ‘the ex-officio members’) are also included in the committee:

- the district administrator who shall be the secretary of the committee
- an officer representing the District Planning Unit
- such other public officers as may be determined by the minister, to represent ministries that are operating within the administrative district
- representatives nominated by the forum of Non Governmental Organizations operating in the district
- nominees from the council of churches in the district.

Section 81 of the *Local Government Act of 1997* provides for the functions of the committee. These functions include:

- to consider draft development plans for the district prepared by each council
- to co-ordinate such plans into a composite district development plan and to approve such plan.

In this committee, citizen participation can take place because citizens are included in terms of non-governmental organisation and community-based organisations and councils. This means the presence of these community organisations ensures participation. The next part looks at the legal and policy frameworks supporting citizen participation in local government.

#### **4.11 LEGISLATIVE AND POLICY FRAMEWORKS SUPPORTING CITIZEN PARTICIPATION**

It has been established that with the above-mentioned bodies the government of Lesotho is committed to citizen participation through local government. This commitment shows that the idea of citizen participation is not a matter emanating from nowhere. It is founded on law and remains a right and responsibility of the citizens and government. This section is an attempt to illustrate that citizen participation is embedded in the legal and policy documents of the country. These include the *Constitution of Lesotho* and the Vision 2020 document.

Section 20 of the *Constitution of Lesotho* provides for the right to participate in government. In term of section 20(1), every citizen of Lesotho shall enjoy the right:

- to take part in the conduct of public affairs, directly or through freely chosen representatives

- to vote or stand for elections at periodic elections under this constitution under a system of universal and equal suffrage and secret ballot
- to have access, on general terms of equality, to the public service

The first and the third bullet above have a bearing on citizen participation. In terms of the first bullet, the *Constitution of Lesotho* empowers citizens to take part in the conduct of public affairs. The conduct of public affairs entails many things which in terms of this research may be taken to include the planning and policy process. Therefore, citizens are empowered to take part in the planning and policy process. Concerning the third bullet, the Constitution empowers the citizens to have access to the public service. One of the objectives of local government in Lesotho is to bring the government closer to the people. These sections of the Constitution have a great bearing for citizen participation in local government. Therefore, citizen participation in local government has the legal back-up of the *Constitution of Lesotho*.

Vision 2020 is another policy document which supports the process of citizen participation in local government. For example it provides that:

‘By the year 2020, Lesotho shall be a stable democracy, a united and prosperous nation at peace with itself and its neighbours. It shall have a healthy and well developed human resources base. Its economy will be strong, its environment well managed and its technology well established. In addition, Lesotho will have a well-established system of local government with full ownership and participation of the majority in decision making and local development. The country will have a clear direction in policy development, strategic thinking and foresight and programme planning. Lesotho will be known for good governance driven by effective and visionary leadership’ (vision 2020)

It is in terms of this excerpt that Vision 2020 is regarded as one of the policy documents upon which citizen participation in local government is predicated. This is

because Vision 2020 outlines the long term development of the country and as such in order to reach its goal, the Vision recognises the fact that there is a need for citizens to participate in local government. According to Vision 2020, 'Lesotho will have a well-established system of local government with full ownership and participation of the majority in decision making and local development'. This is why the government is so committed to local government.

From the above it can be seen that citizen participation in local government in Lesotho is supported by the *Constitution of Lesotho* and Vision 2020 as the legislative and policy frameworks. It is upon these frameworks that the government is committed to ensuring that citizen participation in local government takes place. Moreover, in order to show this commitment, the government through the Ministry of Local Government and Chieftainship established a special programme in an attempt to promote citizen participation in local government. While the government has showed great commitment towards promoting citizen participation in Lesotho, there are challenges as well as criticisms levelled. The next section looks at the challenges and criticisms the government faces concerning citizen participation in local government.

#### **4.12 CHALLENGES FACING LOCAL GOVERNMENT AND CITIZEN PARTICIPATION**

Local government in Lesotho has since 2005 been faced with many challenges that render citizen participation ineffective. According to Shale (2010:17) the first challenge concerns the *Local Government Act*. He writes that the Act not only runs short of articulating how people will participate in the development process but also fails to institutionalise participation by way of establishing public participation bodies

as does the *South African Municipalities Act 1998*. As Shale (2010:17) has noted, there is nowhere in the *Local Government Act 1997* where the issue of participation is encouraged. Therefore it remains an issue of discretion or choice despite the government commitment towards it.

According to Shale (2010:17) ‘the *South African Municipal Structure Act 117 of 1998* provides for the ward committees to be constituted by representatives of various interest groupings within the ward excluding politicians by virtue of being elected representatives that already serve in the municipal council’. This excerpt provides insights into Lesotho’s case in that for participation to occur and be improved, it should have a base. There has to be provision for structures, mechanisms and stakeholders in the legislation. In other words, citizens have to feel empowered and have an obligation to participate as is the case provided for in the *South African Municipal Structure Act 117 of 1998*.

Currently, Lesotho’s *Local Government Act of 1997* is silent and does not have such provision on citizen participation. Secondly, Shale (2010:17) contends that lack of a mechanism to foster public participation in Lesotho is another crucial problem. According to Shale (2010:17) citizen participation is legally implied through the formulation of the *Local Government Act No. 6 of 1997* but not legally stated in the same act. Thus participation becomes an issue of discretion rather than mandatory (Shale, 2010: 17). The same arguments were echoed by Kapa (2010:15-17).

#### **4.13 GENERAL ARGUMENT AND SYNTHESIS**

Despite these challenges, local government is regarded as a means to foster participation of people in the planning and policy process. According to Brynard (1996:138) 'local government should be regarded as an effective means of encouraging popular participation in the local planning process'. The government of Lesotho, through local government aims to achieve development in communities through the participation of people in the policy and planning process. As Brynard (1996:133) notes, planning in local government involves two parties, namely local government and the community. It is in this process that the goals and plans of the community are to be reached.

According to Brynard (1996:132) planning should be placed in relation to phenomena such as policy making and policy implementation by using the goal perspective as a guiding factor. Participation is encouraged and promoted by the *Lesotho Constitution* and Lesotho Vision 2020. Section 20 of the *Constitution of Lesotho* provides for participation in government while the Vision 2020 policy document provides, in relation to participation, that 'Lesotho will have a well-established system of local governance with full ownership and participation of the majority in decision-making and local development'. In order for local government to be effective, citizen participation has to be encouraged, especially in the planning and policy process as they are critical in determining the development in communities. The key question that follows therefore is has citizen participation in Lesotho's local government taken place since 2005? It is therefore, against this background that the study focuses on citizen participation in the planning and policy process in local government in Lesotho with reference to selected councils in Qacha's Nek

#### **4.14 CONCLUSION**

This chapter discuss documents and legislation that have promoted local government and citizen participation since the post-2005 local government elections. The post-2005 local government is said to be the first democratic local government system in Lesotho. The present local government consist of the elected councillors on the one hand and the chiefs on the other. The local government structure in Lesotho consists of the community council, the urban council, the district council and the municipal council. Participation in such structures is supposed to take place within the electoral division. Mechanisms that can be used in local government to foster citizen participation have been identified. As has been seen, each council consists of electoral divisions where citizens can easily participate in the policy and planning processes in local government.

In Qacha's Nek there are only three councils, namely the community, urban and the district council. The Ministry of Local Government remains the only institution for implementing the local government system in Lesotho. Apart from this, local government and citizen participation in Lesotho is supported by a set of laws and policies.

Since its inception in 2005, local government has had to contend with challenges that hamper citizen participation. The major challenge concerns the lack of legal framework supporting citizen participation in local government. These are some of the challenges that should and can be overcome. In order to get an in-depth understanding of citizen participation in local government, a study of citizen participation in other countries was considered.

The next chapter will look at citizen participation in South African local government with a view to forming a clear understanding of how citizen participation takes place and is promoted in South Africa.

## **CHAPTER FIVE**

# **CITIZEN PARTICIPATION IN LOCAL GOVERNMENT IN SOUTH AFRICA**

### **5.1 INTRODUCTION**

According to Buccus, Hemson, Hicks and Piper (2007:9) 'South Africa is a multiparty, representative democracy, under a constitution which is sovereign and which entrenches human rights'. Citizen participation in local government is one of the entrenched issues in South Africa. Since 1994 the government has shown its commitment towards citizen participation through the enactment of many laws and policy frameworks. In this regard Smith (2008:3) points out that 'since 1994 there has been a widely observed commitment in South Africa to participatory governance within both government and civil society, which has been given legal standing and encouragement through the country's constitution and other pieces of progressive legislative'.

In South Africa, citizen participation in local government is provided for in terms of section 152 of the *Constitution of South Africa (1996)*. This section stipulates that the local authorities should 'encourage the involvement of communities and community organizations in the matters of local government'. This means local government or the municipalities are legally-bound to ensure that citizens participation takes place. According to Buccus *et al.* (2007:3) 'Public participation is receiving increasing attention in South Africa, especially in local government. This is because in terms of the constitution, municipalities are mandated to bring development to communities.

The government also has shown commitment to ensuring that citizen participation becomes a reality. This is reflected in many laws and policies such as the *Municipal Structures Act (No. 117 of 1998)*, the *Municipal System Act (No. 32 of 2000)* and a comprehensive policy document the 2005 Draft National Policy Framework for Public Participation of the Department of Provincial and Local Government (DPLG).

This chapter discusses citizen participation in local government in South Africa as an example of how citizen participation can be improved in Lesotho. South Africa has been chosen for this study because it introduced the notion of citizen participation in local government before Lesotho. As Van der Molen *et al* (2001:70) observe ‘South Africa has gone a long way in promoting citizen participation in public administration’. This chapter will provide an overview of citizen participation in South Africa as well as the rationale for local government in South Africa. Local government in terms of the *South African Constitution (1996)* will also be looked at as well as the ways that can be used to promote citizen participation in South Africa. This is followed by looking at the statutory frameworks guiding citizen participation and the structures through which citizen participation takes place in local government. Lastly, the instruments, mechanisms and categories that can be used to enhance citizen participation and the mechanisms and categories that can be used to enhance citizen participation will be examined.

In order to arrive at a clear understanding of citizen participation in South Africa, the following literature and sources were consulted; books on democracy, public participation and local government in South Africa, articles of citizen participation in local government in South Africa, policy documents, legal frameworks in South

Africa relevant to the study, research both published and unpublished, journals and official papers.

## **5.2 AN OVERVIEW OF LOCAL GOVERNMENT AND CITIZEN PARTICIPATION IN SOUTH AFRICA**

In modern democratic regimes, local governments are established with a view to enable the process of citizen participation to take place. This is the requirement of a democratic regime and in most respects emphasises the concerted relationship between the government and the citizen. Clapper (1996:56) remarks that ‘for democratic government to exist, the public (or the people) must govern or at the very least be actively involved in government. Without citizen participation a democratic government will cease to function as a democracy. Vibrant democracy insists, therefore, that citizen participation be positively encouraged by those in power’. Local governments are embedded in modern democratic systems and responsible for addressing the needs of the local people. In this respect, local government is expected to work with the citizens to allow citizen participation to take place.

Local government can easily foster citizen participation. According to Reddy (1999:9) local government is that level of government created to bring government to the local populace and to give citizens a sense of participation in the political processes that influences their lives. Citizens can easily participate in local government because it is close to them. They can consult councillors because they are easily available. There are salient features of local government that make it more feasible for citizen participation to take place. Reddy (1999:10) and Brenner (2004:17) explain the salient features of local government as follows:

- Locality:

This refers to a relatively small geographical area in which a sense of community is evident. It is in this locality that citizens can easily participate because the government is closer to them and they can place their demands or get feedback from local government because it is within their locality. For example, if there is a need for water or health services, citizens can easily meet the local government and it can easily understand since that concern is close to them.

- Legal personality:

This refers to constitutional arrangements, legislation and regulations that define the power of local government. It dictates that local governments are legally established with certain powers to carry out certain objectives as provided for in the *Constitution of South Africa, 1996* as set out in section 152. As such, citizens have the legitimate expectation that the government has to provide them with such services. This means citizens can participate by lodging complaints or making demands knowing that the local government is legally mandated to meet them.

- Autonomy:

This refers to the ability of local government to make binding decisions and policy choices within a legally stipulated framework and to allocate resources and provide locally specific services (Van der Waldt, 2007:4) Local government can make decisions concerning the services to be offered in terms of policy, plans and programmes. Citizens can participate in such policies and

planning processes so that they are part of the decisions reached by their local authority. In this way, the local authority will be providing goods and services for the particular geographical area based on its distinct needs and considerations.

- Government powers:

This refers to the authority to carry out formal governmental functions such as revenue collection, the allocation of resources and the making of political choices. Local government therefore possesses certain powers and is expected to perform functions similar to those of central government. According to Van der Waldt (2001:4) local government is regarded as a distinct sphere, as opposed to a tier of government and is thus equal to central and provincial government. It is in this regard that local government performs functions such as revenue collection and bringing services to local citizens.

- Participation and representation:

This refers to the way in which community representatives are elected or appointed to serve people as well as the way in which people have the opportunity to participate in government affairs. The community representatives are citizens elected by citizens to represent them in the local government or municipality. These are the people who are expected to help the local area to determine and promote the welfare of the community in such local area. It is in this context that they should continually interact with the citizens to identify and determine the local area needs and problems.

These features of local government are the foundation upon which the process of citizen participation can take place. They reflect the possibilities that local government has to foster citizen participation. Therefore, it is concluded that it is possible that through local government, citizen participation can occur.

In the South African context, local government consists of municipalities that are instituted for each demarcated area or municipality established for the whole territory of South Africa (Van Der Waldt, 2001:4). This design is provided for in terms of section 151(1) of the South African Constitution. Local government in South Africa is expected to bring development in different municipal areas. This is why it is regarded as 'developmental' in nature. According to the White Paper on Local Government (1998:17) developmental local government is 'local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve their quality of life'. Therefore, the municipalities or local government in South Africa is expected to work with the citizens in bringing development.

As a result, the municipalities are expected to be developmental in approach in the implementation of their mandate. In this regard, the *Constitution of South Africa* outlines the developmental duties of municipalities. Section 153 of the *Constitution of South Africa* provides for the developmental duties of municipality and it states that a municipality must:

- structure and manage its administration, and budgeting and planning process to give priority to the basic needs of the community, and to promote the social and economic development of the country

- participate in national and provincial development programmes.

These duties are indicative of the fact that the municipalities should strive to bring development in their communities. This developmental approach is rooted in the philosophy of a people-centred approach. Roodt (2001:469-481) and Meyer and Theron (2000:1-6) provide a framework for a people-centred approach for developmental local government that includes the following:

- a bottom up planning strategy
- a basic needs orientation to poverty alleviation
- a process of capacity building and community empowerment
- sustainability
- strategies that facilitate self-sufficiency
- a participatory action-research intervention
- a learning organisation which promotes the human dignity of people

The above points are indicative of the fact that local governments are supposed to be developmental in that they should address people's needs and problems. These points also illuminate the most important element that relates to citizen involvement or participation where the community takes part in local government processes. This calls for municipalities to cooperate with citizens in the development of their respective areas. As Buccus *et al* (2007:3) indicate, participation in local government has the potential to enhance development and service delivery, make governance more effective and deepen democracy. This section has looked at an overview of

citizen participation and local government. The next section looks at the rationale for local government in South Africa.

### **5.3 THE RATIONALE FOR LOCAL GOVERNMENT IN SOUTH AFRICA**

Local government can be established for many reasons. There are both theoretical and constitutional reasons why local government has been established in South Africa. Most democratic countries have established local governments. This section discusses the rationale for local government as it applies to most countries. Therefore, these reasons also apply to South Africa. Hilliard (1996:3-10) states reasons why local government exist.

- Essential service supplier:

The basic theory of local government is premised on the assumption that local government is a sphere of government established with a view to bringing services to the people (Van Der Waldt, 2001:4). As such the type of services the local government or the municipality is expected to provide are normally essential services. This includes the provision of water, infrastructure and security. According to Hilliard (1996:3) one of the main reasons why local government exists is to supply inhabitants with those services that private enterprise is either unwilling or unable to provide because the services may have to be delivered on a non-profit or break-even basis. Therefore, it means the local government will provide such services without discrimination in terms of wealth and the ability of the citizens in a particular community.

A municipality is supposed to know the essential services the community may need and to do this, it has to consult its citizens. As Hilliard (1996:3)

comments ‘it is only through consultation and negotiation with the affected communities that the authorities will be able to ascertain the real needs and the justified expectations of the inhabitants’. This requires a great deal of commitment from the municipality because in countries such as South Africa, where there is a heterogeneous society, assessing the essential services may be difficult to the extent that what is essential for one particular community may not be for another. This process of establishing the essential services in a particular municipality requires sound knowledge of the municipality and the people being served. As Hilliard (1996:3) states, ‘this sort of deliberation requires good negotiation skills and knowledge of a complexity of the South Africa population’.

- Communal- needs satisfier:

Another reason why municipalities exist in South Africa is that they have to make sure that communal needs are satisfied. In the same way, communal needs differ from one municipality to another. For example, one municipality may need provision of footbridges while another may need railways and electricity. This means there are specific needs for the particular municipality and these should be rendered for that area only. A municipality may levy charges in order to provide such needs and regulate their usage. According to Hilliard (1996:3) ‘such services can be provided on an area-wide basis- that is, bulk provision is feasible. Therefore, most local authorities can standardize the provision of such services and charge the consumer a fixed rate, or use some sort of mechanical or electrical metering device to calculate consumption.

Moreover, if services are standardized, the minimum quality of the goods or services can be set, monitored and maintained’.

The municipality will still have to know exactly what these communal needs of an area are. Hilliard (1996:4) maintains that ‘to ascertain what these communal needs are requires concerted consultation with community-based organizations’. Such consultations can help the municipality to understand if there is a communal need since community based-organisations are widely known in communities and always deal with societal needs. Along with communal needs, there are unique needs the municipality or local government has to satisfy.

- Unique needs suppliers:

Local government or municipalities are tasked with the provision of unique needs to communities. This is because most communities in South Africa are not equal in terms of development. Cloete (1989:51) states that ‘because some urban areas could differ both physically and demographically, local authorities are usually forced to cater for the unique requirements of such urban areas—that is, a few of the essential services that cannot be classified as routine or general and will not therefore be standardized’. There are many causes for certain communities to have unique needs. Hilliard (1996:4) provides a summary of examples that dictate unique needs in South Africa. For example:

‘...coastal cities usually have needs that are different from those of the inland towns or rural communities. Furthermore, climatic conditions prevailing in the inland areas may differ markedly from those of the coast. Because South Africa has these vastly

contrasting types of climates, the building regulations and the municipal by-laws may differ substantially from one area to another. Some towns and cities may be plagued by high humidity, dry rot and white ants, while in other areas lightning and hail pose problems. Coastal resorts usually cater for the tourist trade which could be perennial while inland towns may only have seasonal or sporadic tourist appeal' (Hilliard, 1996:4).

In order for the municipality to know what their unique need is, it has to consult the citizens living in those areas that have such needs. There are some citizens who can help either with the provision of such needs or with the ideas as to how the municipality could best address them. This could be done by the area chiefs, academics or researchers.

- Urbanisation regulator:

According to Hilliard (1996:5) in South Africa rapid urbanisation has become a major source of concern. Normally rapid urbanisation is caused by factors such as a lack of employment opportunities, basic amenities and service delivery in the rural areas. This situation presents both challenges and difficulties to the citizens so that they are forced to migrate to urban areas in search of better life opportunities. For Hilliard (1996:5) local authorities are usually those institutions which have to address the difficulties posed by unrestrained urbanisation because the central and regional/provincial tiers of government are either precluded from \_ or unable to handle –those issues peculiar only to the local level. This means the municipalities are bound to bring services and general development to the rural areas in order to discourage people in rural areas from migrating to urban areas.

- Democracy developer:

One of the reasons why local government exists is to foster democracy. In terms of Section 152(1) of the *Constitution of South Africa*, local governments are to provide democratic and accountable government. This means that in democracy can be fostered through local government. Local government can enable citizens to have an opportunity to govern: it can foster democracy in two intertwined ways. Firstly, it is through the process of free and fair elections where citizens are given power to elect their councillors or representatives (Ismail, 1998:4). These councillors are expected to serve the interests of the citizens in particular areas or municipality. This means if the councillors do not serve the citizens, they can be voted out of office. As Hilliard (1996:4) demonstrates, should the councillors 'not keep their electioneering promises, the inhabitants would be able to oust such persons from office in the next municipal election'.

The second way through which democracy is fostered in local government is through the process of citizen participation, especially in the policy and planning process. According to Cloete (1993:180) 'to entrench democratic principles at the local level will require a vast array of citizens participating in the democratic process; however, this process of participation will simultaneously have to be accompanied by tolerance and mutual respect for, without political tolerance, democracy cannot thrive'. Local government can foster democracy through the process of elections and by making use of citizen participation in the policy and planning process. For Geldenhuys (1996:17) 'democracy at local government is concerned with the political

system based on aspects such as citizen participation, majority rule, consultation and discussions, as well as the responsibility of leaders to give guidance’.

- Responsiveness and accessibility enhancer:

Local government has the potential of ensuring that there is interaction between citizens and the councillors. This is one of the reasons why local government is established in contrast to central government where there is little or no interaction between citizens and members of parliament (MP). For Hilliard (1996:8) ‘a strong system of local government endears these representatives to the electorate; it may even be possible for the Member of Parliament (MP) personally to visit the voter’. This means local government can make councillors accessible to the electorate since they live in the community, making it possible for councillors to respond quickly to people’s needs. Hilliard (1996:8) supports this view by stating that ‘because the local authority is in close contact with the citizens, there are not only increased expectations, but also visible results that prove that the matter has been attended to promptly’.

Hilliard (1996:8) also states that ‘it is thus essential for all local authorities to keep abreast of the actual needs of the local inhabitants so that they do not govern by surmise, but base their governing function on the day – to – day realities at the local level. This is why local authorities should always strive to maintain cordial relations with - and be accessible to the community, so as not to become unsympathetic towards local needs’.

From the above it can be seen that there should be close consultation between citizens and local government. Citizen participation as highlighted by Hilliard (1996:7) should constantly be encouraged either in the form of consultation or involvement.

The next section will look at the constitutional consideration for local government in South Africa

#### **5.4 LOCAL GOVERNMENT IN TERMS OF THE *CONSTITUTION OF SOUTH AFRICA***

Local government in South Africa is well entrenched in the *Constitution of South Africa* and in other of legislation. Chapter seven of the Constitution provides specifically for local government in South Africa and matters connected to it. Section 152(1) of the Constitution lists the objects of local government as:

- to provide democratic and accountable government for local communities
- to ensure the provision of services to communities in a sustainable manner
- to promote social and economic development
- to promote a safe and healthy environment
- to encourage the involvement of communities and community organisations in matters of local government

The gist of these objectives of local government is to promote development in municipalities. In this research these objectives are summarised in terms of service delivery and democracy with emphasis on citizen participation. The point covering the issue of democracy and hence citizen participation in local government in South

Africa is point (e) in section 152(1) of the *Constitution* which states ‘to encourage the involvement of communities and community organizations in matters of local government’. This point provides the basis for citizen participation in local government in South Africa. It is upon this point that subsequent legislative frameworks and policies were enacted to further provide for citizen participation in local government. As Van der Molen *et al* (2001:71) state, ‘South Africa has formally institutionalized citizen participation in local government through the Integrated Development Plan’. The role and function of the Integrated Development Plan will be discussed in detail later in this chapter. Next an overview will be provided of how citizen participation is promoted in local government through the different legislative frameworks that exist.

## **5.5 LEGISLATIVE FRAMEWORKS FOR CITIZEN PARTICIPATION IN LOCAL GOVERNMENT**

The legislative frameworks for example, the *Constitution of South Africa*, the *Municipal Systems Act* No: 32 of 2000 and the Draft National Policy Framework for Public Participation, 2005 are meant to make sure that citizen participation in local government becomes mandatory and a constitutional right of citizens. As Van der Waldt (2007:40) writes ‘in order to regulate interactions between the state and the civil society, national government has created policies and legislation and put mechanisms in place to create an enabling environment for meaningful participation’. The absence of these frameworks could impede the proper implementation of citizen participation in municipal government. Therefore they are pertinent for ensuring that citizen participation in local government is well regulated. The *Constitution of South Africa* provides the foundation for citizen participation and local government. There

are other legislative frameworks that make important reference for citizen participation in local government including those that follow.

### **5.5.1 White Paper on Transforming Public Service Delivery (1997)**

The White paper on the Transformation of Public Service Delivery, the *Batho Pele* White Paper, is one of the legislative frameworks for citizen participation in local government. This white paper provides mechanisms which enable state machinery to optimise the provision of services to all citizens.

*Batho Pele* is defined as an initiative to make public servants service orientated, to strive for excellence in service delivery and to commit to continuous service delivery improvement (*Batho Pele* handbook, 2002:8). This white paper contains eight principles central to transforming public service delivery. These principles contain a strong connotation with citizen participation in local government. However, the first principle which is ‘consultation with the public as client’ specifically relates to citizen participation. This principle demands that the municipality should consult the public on a number of issues. For example, the municipality may consult citizens on the services required, and the levels and quality of services required. It also means that the municipality should give citizens a say on goods and services required. This principle generally proposes that citizens be consulted by the municipality in terms of services to be delivered for them.

Having looked at the principles enshrined in the *Batho Pele* or White Paper on Transforming Service Delivery, the study looks at White Paper on Local Government of 1998 next.

### **5.5.2 White Paper on Local Government, 1998**

The White Paper on Local Government was promulgated in 1998. Van der Waldt (2007:41) writes that ‘a significant step forward was taken when the White Paper on Local Government was published, since it provided a new vision of a developmental local government system’. The new vision being encapsulated by this White Paper recognises the working relationship between local government and local communities in finding sustainable ways to meet their needs and improve their quality of life. In realising this vision, the white paper provides three approaches to assist municipalities to become development-oriented. These are:

- Integrated development planning and budgeting
- Performance management
- Working together with local citizens and partners.

Of these approaches, the last emphasises that the municipality should strive to work together with local citizens and partners. Put differently, this White Paper calls for the municipalities to allow citizen participation in development endeavours. It gives effect to section 152(1)(e) of the *Constitution of South Africa* which provides for the object of local government. This is because in order for a municipality to bring development to communities, it must work together with local citizens and partners because they are affected by the policies of the municipalities and are the users of services provided.

The White Paper further suggests the ways in which the municipalities can engage citizens and community groups in the affairs of the municipalities namely with ward committees, budget consultations and integrated development planning forums.

The next legislative framework considered is the *Municipal Structure Act of 1998*.

### **5.5.3 *Municipal Structure Act 117 of 1998***

The *Municipal Structure Act* covers aspects relating to citizen participation in local government. It was established with the purpose of regulating the internal systems, structures and office-bearers of municipalities. The most important aspect of this act is that it provides for the establishment of a distinctive committee that can act as avenue for citizen participation in local government.

Finally, the act allows the Municipality to establish other committees as it deems necessary. According to Section 79(1)(a) of the *Municipal Structures Act, 1998* 'the municipal Council may establish one or more committees necessary for effective and efficient performance of any of its functions or the exercise of any of its powers'. This means there can be as many committees as possible depending on the consideration of the council. The net - effect of this is that whenever such committees are established, it creates and broadens the scope for citizen participation in municipal affairs.

The *Local Government: Municipal Systems Act 32 of 2000* will be looked at next.

### **5.5.4 *Municipal Systems Act 32 of 2000***

The general gist of this act provides for effective systems of local government with a view to establishing an enabling legal framework to regulate the behaviour of the

municipalities and local communities. For the purpose of this research, the aspects that are most relevant to citizen participation and local government are expressed in the *Municipal Systems Act 2000* and include the following:

- to provide for core principles, mechanisms and processes that are necessary to enable the municipalities to move progressively towards social and economic upliftment of local communities, and to ensure universal access to essential services that are affordable to all
- to define the legal nature of a municipality as including the local community within the municipal area, working in partnership with the municipality's political and administrative structures
- to provide for the manner in which the municipal functions are performed and exercised; to provide for community participation
- to establish a simple and enabling framework for the core processes of planning, performance management, resource mobilisation and organisational change that underpins the notion of the developmental local government.

The *Municipal Systems Act 2000* outlines community (citizen) participation as one of the focal areas. The act stipulates that there is a need for active participation of the community in the affairs of the municipality, especially in planning processes and service delivery. This is expressed in one of the preambles to the act which states that 'whereas a fundamental aspect of the new local government system is the active engagement of communities in the affairs of the municipalities of which they are an integral part, and in particular to planning service delivery and performance management'. The act further defines the rights and duties of the municipalities in Chapter 2 section 4(2), which gives the financial and administrative capacity of the

municipality. In terms of this section, the municipality should strive to encourage the involvement of the local community and consult the local community in terms of the level, quality and range of services offered by the municipality.

Furthermore, the *Municipal Systems Act, 2000* outlines the rights and duties of the members of the local community. In terms of section 5(1) of Chapter 2 of the act, the members of the community have the right and duty to, through mechanisms and in accordance with the processes and procedures stipulated in the act, 'contribute to the decision making process of the municipality and to submit written or oral recommendations, representations and complaints to the municipal council, or to another political structure or a political office bearer or the administration of the municipality'. This is an indication that citizen participation is not an issue of discretion but is something citizens should exercise as provided in the act.

Chapter 4 section 16(1) of the act specifically deals with community participation and provides that the 'municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance'. Pursuant to this, section 16(1)(a) of the act provides that the municipality must encourage and create conditions for the local community to participate in the affairs of the municipality. Section 16(1)(b) of the act provides for the municipality to build capacity for the local community to enable it to participate in the affairs of the municipality and for councillors and staff to foster community participation. Moreover, the act, in terms of this chapter, identifies mechanisms, processes and procedures for community participation and communication of

information between the municipality and the local community with regard to community participation.

The act provides the necessary framework for making the community actively participate in local government. The *Promotion of Access to Information Act* of 2000 will be looked at next.

#### **5.5.5 *Promotion of Access to Information Act 2 of 2000***

This act was promulgated to give effect to section 32 of the *Constitution of South Africa* which stipulates the right of citizens to access any information held by the state. The purpose of the *Promotion of Access to Information Act* 2000 is to foster a culture of transparency and accountability in public institutions and in any municipality in the local sphere of government. The second purpose of the act is to promote a society in which citizens have access to information in order to empower themselves to exercise and protect their democratic rights. The right to information is one of the indispensable rights that help the individual citizen have knowledge about his/her community. This act binds the municipality to ensure that citizens are well informed about issues concerning their community. Citizens can meaningfully participate if they have enough information regarding the local, economic, administrative and the developmental issues concerning their local municipality.

In putting this act into effect, the municipality should make provision for the availability of documentation and records. This calls for the municipalities to have a specialised person known as an Information Officer. This is provided for in Chapter 1 part 2 of the *Promotion of Access to Information Act* (2000) which states that

information officers should develop guidelines to assist citizens who request information, and should also make provision to deny access to restricted or private information. Although it is the constitutional right of every citizen to obtain information that can help him or her to make an informed choice, not all information can be divulged to citizens. Citizens should therefore understand that there is information that they cannot and will not easily access and such information is normally treated as restricted.

#### **5.5.6 Draft Policy Framework for Public Participation of the Department of Provincial Local Government (DPLG) (2005)**

This policy framework has been developed by the Department of Provincial and Local Government to deal with matters related to citizen participation in local government. As contained in the summary of the policy, ‘this document provides a policy framework for public participation in South Africa. This builds on the commitment of the democratic government to deepen democracy, which is embedded in the *Constitution of South Africa* and above all in the concept of local government as comprising the municipality and the community’ (Draft Policy Framework for Public Participation, 2005:1). This policy document provides two interrelated definitions of citizen participation: it defines participation as ‘an open accountable process through which individuals and groups within selected communities can exchange views and influence decision making’. It further defines participation as ‘a democratic process of engaging people, deciding, planning and playing an active part in development and operation of services that affect their lives’ (Draft Policy Framework for Public Participation, 2005:2).

The policy document further lists the basic assumptions underlying participation in local government. These assumptions are as follows:

- Public participation is designed to promote values of good governance and human rights.
- Public participation acknowledges a fundamental right of all people to participate in the governance system.
- Public participation is designed to narrow the social distance between the electorate and the elected institutions.
- Public participation requires recognising the intrinsic value of all people and investing in their ability to contribute to governance processes.
- People can participate in a number of ways, for example, as individuals, interest groups or communities.
- In South Africa, in the context of public participation, the community is defined as a ward, with elected ward committees
- hence ward committees play a central role in linking elected institutions, the people, and other forums of communication such the *izimbizo*, road shows and through the *makgotla* system reinforce these linkages with communities (Draft Policy Framework for Public Participation 2005:2-3)

Apart from these assumptions about public participation, the policy further provides the basic principles that should guide public participation in South Africa in order to make it a reality. These principles include the following aspects (Draft Policy Framework for Public Participation 2005:6-7):

- Inclusivity - embracing all views and opinions in the process of community participation.
- Diversity - during a community participation process it is important to understand the differences associated with race, gender, religion, ethnicity, language, age, economic status and sexual orientation. These differences should be allowed to emerge and where appropriate, ways sought to develop a consensus. Planning processes must build on this diversity.
- Building community participation – capacity-building is the active empowerment of role players so that they clearly and fully understand the objective of public participation and may in turn take such actions or conduct themselves in ways that are calculated to achieve or lead to the delivery of the objectives.
- Transparency - promoting openness, sincerity and honesty among all the role players in a participation process.
- Flexibility - the ability to make room for change for the benefit of the participatory process. Flexibility is often required in respect of timing and methodology. If built into the participatory processes upfront, this principle allows for adequate public involvement, realistic management of costs and better ability to manage the quality of the output.
- Accessibility – at both mental and physical levels - collectively aimed at ensuring that participants in a public participation process fully and clearly understand the aim, objectives, issues and methodologies of the process, and are empowered to participate effectively. Accessibility ensures not only that the role players can relate to the process and the issues at hand, but also that they are, at the practical level, able to make their input into the process.

- Accountability - the assumption by all the participants in a participatory process of full responsibility for their individual actions and conduct as well as a willingness and commitment to implement, abide by and communicate as necessary all measures and decisions in the course of the process.
- Trust, commitment and respect - trust is required in a public participatory process. Invariably, trust is used to refer to faith and confidence in the integrity, sincerity, honesty and ability of the process and those facilitating the process. To do public participation in a rush without adequate resource allocations will undoubtedly be seen as a public relations exercise likely to diminish the trust and respect of the community in whoever is conducting the process in the long term, to the detriment of any public participation processes.
- Integration – that public participation processes are integrated into mainstream policies and services, such as the IDP process or service planning.

The South African government is committed to improving and promoting citizen participation in local government (Draft National Policy Framework for Public Participation, 2005:1). In terms of the Draft National Policy Framework for Public Participation, (2005:1) there are four reasons why public (citizens) participation in local government is promoted namely:

- Firstly, public participation is encouraged because it is a legal requirement to consult citizens
- Secondly, it is promoted in order to make development plans and services more relevant to local needs and conditions

- Thirdly, participation is encouraged in order to hand over responsibility for services and promote community action
- Lastly, public participation can be encouraged to empower local communities to have control over their own lives and livelihoods.

This policy document provides a comprehensive framework stating how best the process of citizen participation in local government in South Africa can be implemented and promoted. It contains many aspects that can guide local government officials and the community on how to best interact and implement the process of participation.

The legislation mentioned above is relevant to public participation not only because it provides the framework for citizen participation in local government but also because it stipulates the need for the municipality to ensure that citizens take part in various areas of service delivery and development. The legislation is important because it gives citizens the right to participate as well as making the municipalities obliged to ensure participation. As Van der Waldt (2007:40) indicates 'legislation can be regarded as a collection of rules devised by and enforced by a government that has authority over its citizens. Legislation does not only establish punishments for citizens who break the government rule but also more importantly ensures that government bodies such as municipalities, adhere to the spirit and stipulations of particular legislation in the design and execution of policy programmes'.

The next section examines structure for participation in local government in South Africa.

## **5.6 THE STRUCTURE AND INSTRUMENTS FOR PARTICIPATION IN LOCAL GOVERNMENT IN SOUTH AFRICA**

The government of South Africa is committed to ensuring that citizen participation becomes a practice. This is reflected in the acts and white papers as has been discussed above. Linking to the above information, this section attempts to explore structures within which citizen participation in South Africa is instituted and therefore pays attention to the structures and mechanisms employed in implementing citizen participation in South Africa, for example, ward committees.

### **5.6.1 Ward committees**

Smith (2008:4) states that ‘since 2001 ward committees have emerged as key institutional mechanisms intended to contribute towards bringing about people-centred, participatory and democratic local governance’. Ward committees became a bridge between local government and the community. On the one hand, ward committees were regarded as a vehicle for allowing communities the chance to participate in local government. On the other hand, ward committees were seen as structures appropriate for enabling the community to access the administrative structures of the municipality and hence influence decision making. These are some of the reasons stated for the existence of ward committees. As Smith (2008:4) states ‘the rationale of ward committees is to supplement the role of elected councillors by creating a bridge between the communities and the political and administrative structures of the municipalities’.

The role and place of the ward committee attracted interest from different sectors of society. This point is supported by Smith (2008:5) who states that ‘ward committees

have been the focus of considerable attention by the government as well as civil society, with substantial investment already made in attempts to ensure that these structures have the necessary capacity and resources required for them to fulfil their envisaged role as the voice of communities'. Ward committees are the central structures through which citizens can participate in local government.

Ward committees are the statutory structures established in terms of Chapter 4 part 4 of the *Municipal Structure Act*, 117 of 1998. This act provides for the establishment of ward committees in every ward within a municipality. In terms of section 72(3) of the *Municipal Structure Act*, 'the object of a ward committee is to enhance participatory governance in local government'. Moreover, according to section 73(1) of the act 'if a metro or local council decides to have ward committees, it must establish a ward committee for each ward in the municipality. This will result in every ward having its own committee where citizens residing within that area are be able to participate in the affairs of the municipality. The *Municipal Structure Act*, 117 of 1998 further provides the composition of the ward committee. In terms of section 73(2) of the act, ward committees should consist of the councillor representing the ward in the council, who must be the chairperson of the ward committee, and not more than 10 other persons.

In June 2005 guidelines for the establishment and operation of municipal ward committees were gazetted by the Department of Provincial and Local Government (Notice 965 of 2005). In terms of these guidelines, ward committees are regarded as structures meant to enhance participatory democracy in local government. This guideline describes a ward committee as:

- an advisory body
- a representative structure
- an independent structure
- an impartial body that must perform its function without fear, favour or prejudice

According to Van der Waldt (2007:41) ward committees can also improve communication between the municipal council and the local community, and play a role in identifying community needs and fine-tuning municipal programmes to accommodate local circumstances. In this regard, the guidelines as mentioned above offer some powers and duties that the municipality can delegate to the ward committee. These include:

- a) to serve as an official specialised participatory structure in the municipality
- b) to create formal unbiased communication channels as well as cooperative partnerships between the community and the council through:
  - advising and making recommendation to the ward councillors on matters and policy affecting the ward
  - assisting the ward councillor in identifying the challenges and needs of the residents
  - disseminating information in the ward concerning municipal affairs, e.g. the budget, the IDP, the performance management system and service delivery options
  - receiving queries and complaints from the residents concerning the municipal service delivery, communicating this to council and providing feedback to the community on council response.

- ensuring constructive and harmonious interaction between the municipality and the community through the use and co-ordination of ward residents meetings and other community development forums
  - interacting with other forums and organisations on matters affecting the ward
- c) to serve as a mobilising agent for community action within the ward (for example, ensuring the active participation of the community in service payment campaigns, IDP, and budget processes and decisions about municipal services and by-laws).
- d) Providing a platform for communities to engage with municipalities thereby enhancing accountability and good governance.

In terms of the above points, it becomes evident that ward committees are the interface through which citizens and municipal council or local government can meet and discuss community issues. According to Buccus and Hicks (2007:526) ‘ward committees are a key component of community-based involvement- presenting both a solution and a challenge. When there is reference to community participation in local government, we are directed to a ward committee as the vehicle for engaging communities in municipal decision making’.

Ward committees can therefore be identified as structures through which citizens can easily participate in local government. KwaZulu-Natal provincial government drafted a Community Participation Framework (KZN-DCPF) (2005:79) that identifies and discusses various other structures besides ward committees that can be used in a municipality. As expressed in Chapter 4 of the document (Community Participation

Framework, 2005:79), a ward committees is regarded as the preferred vehicle for promoting community participation in local government.

However, the following structures can also be considered. These include: IDP forums, stakeholder forums, advisory committees, traditional councils as well as consultative sessions by recognised and appropriate community based organisations. These structures can supplement the ward committee with regard to the municipalities' operations.

### **5.6.2 The Integrated Development Plan (IDP)**

According to Pauw, Woods, Van der Linde, Fourie and Visser (2009:281) 'it can take the municipal council six to nine months to develop an IDP. The main reason is that the IDP is interactive and participatory in nature and therefore requires inputs from various role players and stakeholders. These role players include officials, councillors, stakeholders such as community members and non-governmental organisations as well as the national and provincial departments. As far as the community/residents are concerned, the principle of public participation is crucial to ensure that the needs and requirements of the community are addressed within the IDP'.

The Integrated Development Plan has been defined differently by scholars and institutions. According to the Department of Provincial and Local Government (2002:i) the IDP is a five-year strategic development plan for a municipality which serves as the principal strategic management instrument, legislated by the *Municipal Systems Act*, 32 of 2000 and which supersedes all other plans that guide development at local level. SALGA (2002:2) defines an IDP as a participatory planning process

aimed at integrating sectoral strategies in order to support the optimal allocation of scarce resources between sectors and geographic areas and across the population in a manner that promotes sustainable growth, equity and the empowerment of the poor and the marginalised.

It can be deduced from the above that the IDP is a continuous process involving the municipality and the community and it attempts to integrate strategies from different sectors of society. Moreover, the element of participation can be inferred since the community and the municipality come up with development plans bearing different strategies to promote sustainable growth and respond to the challenges of the community. According to Ntlemeza (2007:40) an IDP is not only a plan. It is also ‘a strategic instrument, a management tool, a method of running a municipality. It provides a framework for all activities of a municipality’.

An IDP is legislated in terms of Chapter five of the *Municipal Systems Act, No: 32* of 2000. In terms of section 26 of the act, the IDP must reflect:

- the municipal council’s vision for the long term development of the municipality with special emphasis on the municipality’s most critical development and internal transformation needs
- an assessment of the existing level of development in the municipality, which must include an identification of communities which do not have access to basic municipal services
- the council’s development priorities and objectives for its elected term, including its local economic development aims and its internal transformation needs

- the council's development strategies which must be aligned to any national or sectoral plans and planning requirements binding on the municipality in terms of legislation
- a spatial development framework which must include the provision of basic guidelines for a land use management system for the municipality
- the council's operational strategy
- applicable disaster management plans
- a financial plan, which must include a budget projection for at least the next three years
- the key performance indicators and performance targets

As seen previously, an IDP is a consultative process which must be done according to the needs of the community. Section 29 of the *Municipal Systems Act*, of 2000 indicates the process to be followed in order to come up with an IDP. In terms of section 29 of this act, process followed by the municipality to draft its integrated development plan, including its consideration and adoption of the draft plan, must allow for:

- the local community to be consulted on its development needs and priorities
- the local community to participate in the drafting of the integrated development plan
- organs of state, including the traditional authorities and other role players to be identified and consulted on the drafting of the integrated development plan
- the identification of all plans and planning requirements binding on the municipality in terms of the national and provincial legislation

The IDP is an instrument that can be used to enhance citizen participation in local government. According to the City of Johannesburg (2005:1) an IDP is a planning process, which combines legislative requirements, stakeholders' needs, political priorities, intergovernmental alignment, budget parameters, institutional capacities, strategic management and implementation. In terms of section 29 of the *Municipal System Act*, No: 32 of 2000 the local community must be consulted and they must participate in the integrated development plan. This ideally means that an IDP can enhance citizen participation in local government. For Robino (2009:179) an IDP is a consultative process that is conceived to strengthen democracy, and it forms the basis for community engagement between the local government and the community at local level as well as various stakeholders and interest groups.

The performance management system will be looked at next.

### **5.6.3 The Performance Management System (PMS)**

According to Robino (2009:179) 'involving communities in developing municipal key performance indicators increases the accountability of the municipality. It is argued that whatever the priorities are, by involving communities in setting key performance indicators and reporting back to communities on performance, accountability is increased and public trust in the local government system enhanced'. A performance management system is one of the instruments that can be used to enhance participation in local government. A performance management system should be related to the integrated development plan in that it determines the success or failure of the IDP.

According to Ntlemeza (2007:56) ‘performance management is a system that is used to make sure that all parts of the municipality work together to achieve the goals and the targets that are set’. The goals and the targets are outlined in the IDP where it is expected that these plans will be implemented to achieve development in communities. This means there has to be a clear and concrete performance management system that will help the municipality to reach its goals. Therefore, a performance management system is required to measure and ensure the success of the IDP (Ntlemeza, 2007:54).

According to the White Paper on Local Government (1998:17), performance management is critical in ensuring that plans are being implemented, that they are having the desired development impact and that resources are being used efficiently. Citizen participation in this regard is essential in that the community needs to be part of the development that the municipality should bring. This also means that the citizens should participate in the formulation and implementation of the performance management system.

In this regard, Ntlemeza (2007:58) argues that ‘in developing its performance management system a municipality must ensure that the system complies with all the requirements set out in the act, demonstrate how it will operate and be managed from the planning stage up to the stage of performance review and reporting, clarifies the roles and the responsibilities of each role player, including the local community in the functioning of the system, clarify the processes of implementing the system within the framework of the integrated development planning process; determine the frequency of reporting and the lines of accountability for performance, relate to the

municipality's employee performance management processes, and provides for the procedure by which the system is linked to the municipality's integrated development planning processes'.

In terms of the *Municipal Systems Act, 32 of 2000*, the municipality must develop a culture of community participation in various areas of local government. In terms of section 16 of the *Municipal Systems Act, 32 of 2000*, a municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance and must for this purpose, encourage and create conditions for the local community to participate in the affairs of the municipality, including in the establishment, implementation and review of its performance management system in terms of Chapter 6 of the *Municipal Systems Act, 32 of 2000* as well as the monitoring and review of its performance, including the outcomes and impact of such performance.

As such even in a performance management system, citizens are expected to participate. Section 42 of the act focuses on community involvement in performance management. It provides that 'a municipality, through appropriate mechanism, processes and procedures must involve the local community in the development, implementation and review of the municipality's performance management system and in particular, allow the community to participate in the setting of appropriate key performance indicators and performance measures for the municipality' (Chapter 6 of the *Municipal Systems Act, 32 of 2000*).

The municipal budget processes follow next.

#### **5.6.4 The municipal budget processes (MBP)**

The municipal budget is one of the instruments used to enhance citizen participation in local government. According to Ntlemeza (2007:49) municipal budgets are critical tools for refocusing the resources and the capacity of the municipality beyond the developmental goals. This is because the municipality can never achieve anything without a clear indication of money or resources needed to implement its plans. This implies that the municipal budget is made in response and relation to the integrated development plan. As Ntlemeza (2007:49) indicates, budgets must be developed in relation to the policies and programmes put forward in the IDPs.

As has been seen in the previous section, the community is expected to participate in the formulation of the IDP. In the same manner, it is important for the community to participate in the municipal budgeting processes. Ntlemeza (2007:49) argues that ‘given that the resources are scarce, community participation in the development of municipal budget is essential. Participation provides an opportunity for community groups to present their needs and concerns’.

Citizen participation in municipal budgeting processes is a legislated phenomenon. Section 153(a) of the *Constitution of South Africa 1996* states that one of the developmental duties of a municipality is to structure and manage its administration, budgeting and planning process to give priority to the basic needs of the community and to promote social and economic development programmes. Moreover, section 22 of the *Municipal Finance Management Act, 2003*, 56 of 2003, requires that immediately after the annual budget is tabled in a municipal council, the accounting officer of the municipality must in accordance with Chapter 4 of the *Municipal*

*System act* make public the annual budget and the documents referred to in section 17(3) of the *Municipal System Act* and invite the local community to submit representations in connection with the budgets.

Having looked at the structures and instruments for enhancing citizen participation in local government in South Africa, the next section looks at the mechanisms that can be used to foster citizen participation in local government.

## **5.7 MECHANISM FOR FOSTERING CITIZEN PARTICIPATION IN LOCAL GOVERNMENT**

There are mechanisms that the municipality can use to foster citizen participation in South Africa. In terms of section 17(2) of the *Municipal System Act No: 32 of 2000* a municipality must establish appropriate mechanisms, processes and procedure to enable the local community to participate in the affairs of the municipality and must for this purpose provide for:

- the receipt, processing and consideration of petitions and complaints lodged by members of the community
- notification and public comment procedures when appropriate
- public meetings and hearings by the municipal council and other political structures and office bearers of the municipality, when appropriate
- consultative sessions with locally recognised community organisations and where appropriate, traditional authorities
- report- back to the local community

In terms of the *Municipal Systems Act* section 17(2), as alluded to above, the municipality must ensure that it puts in place different mechanisms to enable broader participation of members of the community. Such mechanisms should allow different groups of citizens to feel free to participate in the affairs of the municipality. For example, when establishing mechanisms, processes and procedures the municipality must take into account the special needs of:

- people who cannot read and write
- people with disabilities
- women and
- other disadvantaged groups.

As a result, a range of mechanisms should be put in place that can be used by the municipal council. The following mechanisms are the most common ones used in South Africa.

### **5.7.1 Open council meetings (OCM)**

Council meetings are one of the mechanisms that the municipality can use to foster and solicit citizen participation. In terms of section 19 of the *Municipal Systems Act* 2000, ‘the municipal manager of the municipality must give notice to the public in a manner determined by the municipality council of the time, date and venue of every ordinary meeting of the council and special or urgent meeting of the council except when time constraints makes this impossible’. It is in this meeting that citizens are afforded the opportunity to express their concerns and table their issues to the council. Citizens should also be timeously informed that they can contribute to whatever matters the council discusses. According to Van der Waldt (2007:38) ‘opportunities

must be created for stakeholders (including ordinary citizens) and role players to participate in councils' budgeting and planning processes and it should be made known how they can contribute'.

In terms of section 20 of the *Municipal Systems Act, 2000*, the meetings of the municipal council and its committees are open to the public and the media. Normally the media is one of the mediums through which information disseminates quickly and widely. The advantage of inviting the public and the media is that the affairs of the council will reach a wide range of citizens and hence attract participation. The council can create a special relationship with the media as this can have the potential to advance citizen participation. As Van der Waldt (2007:38) states 'monthly newsletters could also be used to emphasize key decisions taken by the council. The council could lobby a local newspaper to run a regular column on council affairs or constituency matters. The press should be regularly briefed on the council's challenges, priorities, constraints and decisions'.

### **5.8.2 *Imbizos and Kgotlas* (public meetings and gatherings)**

*Imbizos* and *kgotlas* are designed for politicians and officials to meet with, discuss issues with, listen to, accept criticism from, hear complaints and comments from and receive complements from the community (Makgoane, 2006, in Van der Waldt, 2007:38). These mechanisms serve as one of the best forums for allowing citizens the chance to participate. In most cases, the municipality can use *imbizos* and *kgotlas* to get the public interest, especially in the making of an IDP and performance management system, as well as in the municipal budget.

*Imbizos* and *kgotlas* are meetings organised by officials or council with the purpose of giving the community information concerning the council. According to Van der Waldt (2007:38) ‘such meetings are usually called by the authorities and politicians to inform citizens about the fulfilment of the obligations of and promises made by the government. They are designed to identify, analyse, prioritize and propose solutions to the most important problems of the community, and are occasions that assist in looking for agreement on subjects of national, provincial or local interest’. The *imbizos* and *kgotlas* are important and useful mechanisms for fostering citizen participation for a number of reasons. According to Van der Waldt (2007:38) they assist in:

- facilitating citizens’ access to information on public management
- impelling mechanisms of transparency and accountability
- creating a space for citizens to have a voice in the use of public money.

From the above, it can be seen that the *imbizos* and *kgotlas* are the most important mechanisms the municipality can use to foster citizen participation in local government. The next part outlines other mechanisms that can be used to further citizen participation in local government

### **5.7.3 Other mechanisms available**

Several other mechanisms can be used to foster citizen participation, include the following; local media, co-option and committee involvement, complaints register and suggestion boxes, area or neighbourhood forums, question and answer sessions in council meetings, opinion polls, co-operation with voluntary and community organisations, public meetings and hearings, service satisfaction surveys, citizens’

panels, issue forums, shared interest forums, consensus conferences, deliberative polling, citizens advisory committees, community planning, notification, distribution and solicitation of comments, non-governmental organisation (NGO), public relations officers and focus groups (Van der Waldt, 2007:39). These mechanisms allow a wide spectrum of citizens to participate in municipal affairs.

The ways and categories of participating in local government will be looked at next.

## **5.8 WAYS AND CATEGORIES OF PARTICIPATING IN LOCAL GOVERNMENT**

According to Nyalunga (2006:3) there are many ways that individual citizens can participate in local government and influence decision making. These ways depicts how citizens take part in the local government process. Kabemba (2004:6) provides three ways through which citizens can participate in local government, namely:

- citizen action, by means of lobbying bodies like parliamentary committees, public demonstrations and protest
- citizen involvement by means of public hearings, consultation with advisory committees and attitudinal survey
- electoral participation, by means of casting votes and electing representatives

These ways provides a wide spectrum for citizen participation in South Africa. For example, citizens can lobby bodies such as parliamentary committees. According to Nyalunga (2006:3) 'lobbying is mainly used by organizations to persuade politicians to support their position on a particular issue. Councillors can use lobbying to try to

persuade committees, the mayor and other parts of government'. In like manner, citizens can participate actively through public hearings as well as through consulting the different committees established in local government. These are just some of the ways citizens can influence and have a say in policies and plans in local government.

## **5.9 CONCLUSION**

This chapter provides an overview of citizen participation in local government in South Africa. Local government in South Africa is primarily established to bring development to communities. In the provision of services to citizens, the municipalities are supposed to work with citizens thereby allowing citizen participation. Citizen participation in local government is not only a constitutional right of every citizen in South Africa but it is also regarded as indispensable in the whole process of service delivery and development. Several legislative frameworks and guidelines support citizen participation in South Africa. For example, the *Constitution of South Africa*, the *Municipal Systems Act*, the *Municipal Structures Act* and the Draft National Policy Framework for Public Participation.

This chapter also provides an overview of the different structures, instruments and mechanisms that can be used to promote citizen participation. For example, the ward committee has been seen as the structure through which the process of citizen participation can take place. The instruments that have been established are the Integrated Development Plan, performance management systems and the municipal budget process. Finally, public gatherings and open council meetings have been established as mechanisms for use to foster and engage citizens in local government.

The next chapter provides presentation and interpretation of data from the interviews conducted with various respondents to determine if citizen participation is taking place with reference to Tsoelikana Community Council and Qacha's Nek Urban Council at Qacha's Nek district in Lesotho.

## **CHAPTER SIX**

### **PRESENTATION OF FINDINGS AND INTERPRETATIONS FROM: QACHA'S NEK URBAN COUNCIL AND TSOELIKANA COMMUNITY COUNCIL**

#### **6.1 INTRODUCTION**

It was noticed in Chapter four that the government of Lesotho introduced local government with a view to ensure and promote citizen participation in local government. It was also noticed in this chapter that the government is indeed committed toward promoting citizen participation in Lesotho, since citizen participation was included in various legislative documents. For example citizen participation was included in the *Constitution of Lesotho 1993*, the *Local Government (Amendment) Act of 2004*, *Vision 2020* as well as in other official documents such as the *Decentralisation Action Plan (2009)* and *Framework for the Preparation of National Decentralisation Action Plan (2009)*.

This chapter will specifically focus on the interviews that were conducted with various respondents in Lesotho as outlined in Chapter one, as well as provide an interpretation of data obtained from the interviews. The interviews were conducted in Qacha's Nek in the Urban Council and the Tsoelikana Community Council. Apart from interviews in these two councils, additional interviews were held in Maseru with the Transformation Resource Centre (TRC) and Development for Peace Education (DPE), since they are the non-governmental organisations that are operating in all

districts of Lesotho, including Qacha's Nek, with regard to local government and democracy.

This chapter is divided into three consecutive sections. The first section provides an overview of the data collection strategy and process. Research ethics are also considered. This is followed by the presentation and interpretation of data from the interviews.

## **6.2 PRESENTATION OF DATA OBTAINED FROM THE INTERVIEWS**

This section of the research will focus on the information collected from interviews, and on the methods used to collect information. Since one of the research objectives as stated in Chapter one is to find out if citizen participation in policy and planning process is taking place in Qacha's Nek, this research adopted the qualitative approach. Qualitative approach was adopted because, as indicated in Chapter one, it studies the phenomenon in its natural setting. As Denzin and Lincoln (2005:3) state 'qualitative research involves an interpretive, naturalistic approach to the world. This means the qualitative researcher studies things in their natural settings, attempting to make sense of or to interpret phenomena in terms of the meanings people bring'.

In this case, the researcher studies the phenomenon of citizen participation in local government in Lesotho with the aim of finding out if it is taking place especially since the 2005 local government elections. Secondary issues the study set out to find out about were the importance of citizen participation, and the legislative framework promoting citizen participation. All the aims and objectives are covered in this presentation of data from the various respondents interviewed.

### **6.3 FACE-TO -FACE-INTERVIEWS**

Face-to-face interviews were held with the respondents as outlined in the methodology section in Chapter one. Interviews were conducted with 26 respondents who were identified using the stratified sampling technique. The interviews were logically and consecutively arranged. The interviewees were organised in different strata derived from different categories of the population residing in Qacha's Nek. These are the local councillors, the councils secretaries, the ordinary citizens, the members of District Planning Unit (DPU), the members of the District Development Coordinating Committee (DDCC), civil society and non-governmental organisations, in this case the Transformation Resource Centre (TRC) and Development for Peace Education (DPE), as well as members from academic and research institutions.

### **6.4 STRATEGY AND PROCESS OF DATA COLLECTION**

Before conducting the interviews, appointments and rapport were made by the researcher with the interviewees. Firstly, the researcher requested an introductory letter from his supervisors, stating that he is undertaking the research. Then the researcher had organised the list of the interviews as reflected in Chapter one. The sample was arranged and the researcher followed it as it appears in Chapter one. The researcher also went to the Ministry of Local Government and met the District Council Secretary (DCS) who authorised a meeting with the councillors and the council secretaries by stamping the introductory letter and interview schedule from the supervisor.

Clarification of the purpose of the interviews was given to every respondent. It was succinctly mentioned that the interviews were for study purpose only. The interviews

were conducted in four weeks. In some cases, the researcher had to conduct more than four interviews a day.

While undertaking research, researcher is bound to observe research ethics so that his research conforms to research requirements. The following section provides the research ethics the researcher observed while undertaking the interviews.

### **6.5 RESEARCH ETHICS WHILE UNDERTAKING THE INTERVIEWS**

The previous section dealt with the technical part of the research, that is; the methodology and the techniques of data collection strategy, and the method. In carrying out social research, one also has to observe the moral side of the research. According to Singleton (1998:144), when researchers think about how to conduct research, they must not only consider the right techniques they have learnt, they must also think about research ethics. Research ethics play an important role in social research and it is the responsibility of the researcher to observe them. According to Babbie and Mouton (2003:520), an ethical issue arises out of our interaction with other people, other beings, such as animals and the environment, especially where there is potential for a conflict of interests.

This means the moment the researcher embarks on the research he/she must already be cognisant of ethics to avoid harming or prejudicing the respondents. This is because the purpose of research is to investigate truth without harming the respondents. The researcher must observe ethics until the research is complete. According to Singleton (1998:444) researchers are expected to be completely honest in observing, analysing and reporting findings and be responsible about the limits and application of scientific knowledge. The following are some of the ethical considerations the researcher must bear in mind when undertaking research.

### **6.5.1 No harm to subjects (respondents)**

It is the responsibility of the researcher to ensure that no harm is done to the subjects or interviewees. According to Babbie and Mouton (2001:522) social research should never hurt or injure the people being studied, regardless of whether they volunteer for the study or not. This means the researcher must be careful when handling the respondents. In this research, the researcher was careful to ensure that no harm would be done to the respondents.

### **6.5.2 Informed consent**

According to Terreblanche and Durrheim (1996:66), obtaining consent from the participants does not merely entail signing a consent form. Consent should be voluntary and informed. This requires that participants be given full information in a non-technical and clear explanation of the tasks to be performed by each participant so that they can make an informed choice before they participate in the research process. In this research, the respondents were fully informed of the reason for conducting the research and they all agreed to participate.

Other research ethics that the researcher observed are voluntary participation, anonymity and confidentiality. All respondents participated voluntarily. Proper channels for meeting interviewees were followed. Data was analysed in such a way that certain information was treated as confidential and was carefully recorded.

## **6.6 DATA ANALYSIS AND INTERPRETATION**

For the purpose of analysis, the questions for the interview were determined beforehand and arranged and organised in such a way that each question forms the theme that corresponds with the objectives of this research. The analysis is presented

in such a way that the aim for asking each question is provided. The following provides the findings as per the set of questions asked.

## **6.7 PRESENTATION OF FINDINGS IN TERMS OF THE RESPONSES FROM THE INTERVIEWS**

All interviewees were asked the same questions and they answered all the questions. The findings and interpretation of all questions can be seen below:

### **6.7.1 General understanding of citizen participation**

The respondents were asked firstly about their understanding of citizen participation. The aim and objective behind asking this question was to get the general and conceptual understanding of citizen participation.

The respondents provided different responses with regard to this question. Firstly, some respondents indicated that citizen participation is about citizens influencing the decisions the government makes at any level of the government. According to one of the respondents, ‘citizen participation is about or rather a process where citizens are allowed to take part in the decision making processes that range from policy making, drafting of plans and even in the implementation of such processes with the purpose of influencing the decisions the government makes.’ (respondent no.6 Interview 06 October 2012).

Secondly, other respondents understood citizen participation as ‘a continuous process whereby citizens are allowed and given a chance to take part in policy formulation, implementation and evaluation. According to one respondent, citizen participation can be understood as a continuous, collaborative and interactive process between the government and the citizens where developmental policies and plans are formulated, developed, implemented, evaluated and monitored with a view to bettering the lives of the people in the communities (respondent no.21 interview 02 October 2012).

Thirdly, one of the respondent indicated that ‘citizen participation is understood as a democratic process where citizens take part in the decision made by government at any level of government whether central or local government. It is a democratic right of every citizen to take part in the decision making process that the government makes in response to community needs. As such, citizens have to participate so that the government can provide the services needed in the community (respondent no 2 interview, 21 September 2012).

From the above, it can be concluded that citizen participation is understood to be a democratic right, a continuous and interactive process where citizens take part in the decision making process such as in policy and plans formulation and implementation with the purpose of influencing government to bring those services that are needed to communities. This coincide with the definition by Cloete and Meyer (2006:114) that defines citizen participation as ‘the involvement of members of the community in developmental activities in the community in order to; try to influence the outcomes of those activities and to obtain as many benefits as possible from the results of those

activities'. Briefly, citizen participation is about citizens taking part in government to jointly address the community's needs.

### **6.7.2 Importance of citizen participation in policy and planning process in local government in Lesotho**

The respondents were asked whether citizen participation is important or not. The main aim of asking this question was to find out whether the respondents felt that citizen participation is important or not.

Most of the respondents indicated that citizen participation is important. According to the district council secretary for Qacha's Nek district council, 'citizen participation is important in two senses. Firstly, it fosters responsive service delivery by the government in that the government will bring the services the citizens have demanded. Secondly, citizen participation ensures that the developments the government bring to the communities are sustainable and it helps the government to avoid white-elephant projects. If people have not participated in the planning and policy process, whatever the government decides to bring to the people may end up as futile development as people may destroy it. Therefore, in many respects citizen participation is important.' (respondent no. 1 interview 21. September 2012).

According to one of the ordinary residents and youth activists of Qacha's Nek (respondent no.5 interview: 20th. September 12), 'citizen participation in the policy and planning process is important in that it enables the citizens in a particular community to influence the decisions of the government and hence development in their respective communities'. The former District Administrator of Qacha's Nek and

currently an ordinary citizen further stated that ‘citizen participation enables the citizens to have the ownership of development process in their respective areas. It actually ensures that the development process becomes a reality and that the government becomes responsive to the needs and aspirations of the citizens. People are able to take care of developments the government has made and secure them.’ (respondent no.2 interview: 21 September 12).

According to one respondent, ‘citizen participation is important in that it enables the citizens to air and place their communal needs and problems with the government on one hand and on the other hand, it enables the government to communicate policy and plans to the citizens. In other words, it enhances communication between the government and the citizens (respondent no; 19 interview: 25 September 2012). One respondent also indicated that ‘citizen participation is important in that it helps the government to provide services that are relevant to the needs of the citizens and this in turn makes the citizens take care of the services and developments that are made for them’( respondent no:20 interview: 25 September 2012).

As a conclusion, the respondents view citizen participation as important in that it enables the government and the citizens to communicate on matters of development. This is significant in that the government will know the needs of the citizens and therefore will provide communities with the services and development that are relevant and most needed. In similar manner, Taylor &Fransman(2004:1) in (Buccus &Hicks,2007:525) provides information about the importance of citizen participation and writes that ‘...citizens participation in governance is regarded by many as having

the potential to reduce poverty and social injustice by strengthening citizens' rights and voice, influencing policy making, enhancing local governance, and improving the accountability and responsiveness of institution'. Therefore, it can be argued that citizen participation can propel community development.

Although the research has revealed that citizen participation in Qacha's Nek is taking place and that it is important, it is often faced with challenges. Many of the respondents indicated that citizen participation is taking place at low level. This situation is caused by the challenges as stated by the respondents. This means there is a need to improve the situation.

### **6.7.3 Do you think local government can enhance and propel citizen participation?**

The respondents were asked whether local government can enhance and propel citizen participation. The aim of asking this question was to find out if local government can be a proper avenue for enhancing citizen participation.

All the respondents interviewed indicated that indeed local government can enhance and propel citizen participation. According to one of the respondents, 'local government can easily facilitate and enhance citizen participation since the government is closer to the people and as such it is easier for citizens to meet local authorities as central government is too far away from them. This means when government is closer, citizens will be at liberty to contact the councillors any time,

mostly because they stay with them in the communities' (respondent no: 17. interview: 21September 2012).

The same sentiments were echoed by one of the respondents who further stated that local government can enhance citizen participation because it is a vehicle through which the majority of citizens can easily participate (respondent no:18.interview:25 September 2012). According to him, 'the government of Lesotho introduced local government as a vehicle through which the majority of citizens in respective communities can access the local government structures easily since they are closer to them and they can meet the local authority at any time without costs'.

It is concluded that indeed local government can propel and enhance citizen participation since local government is closer to the citizens. That is to say, since the local government structures and councillors stay with the citizens in the communities, it is easier for them to regularly contact each other and do follow-ups communication than when the government and the members of parliament are far away in remote areas. South African experience offers adequate example that local government can propel citizen participation. As Buccus et al (2007:3) argues citizen participation in South Africa received increasing attention in South Africa, especially in local government. This is indicative that even in Lesotho as the respondents have provided, citizen participation can also propel in local government.

#### **6.7.4 Does citizen participation take place in the local government in Lesotho especially in Qacha's Nek?**

The respondents were asked whether citizen participation is currently taking place, especially in Qacha's Nek. The aim of asking this question was to find out if citizen participation in the policy and planning process is currently taking place in Qacha's Nek especially, in the urban council and Tsoelikana community council.

Most of the respondents indicated that citizen participation is taking place in Qacha's Nek although not fully and that it is by certain factors. According to one councillor from the Qacha's Nek urban council, 'citizens do participate in government but they participate solely in policy implementation where they are employed in projects. They only participate when they know that they are going to be paid. In cases where they are called to attend meetings for policy formulation or to make plans, citizens are normally reluctant to participate. Sometimes citizens do participate in the planning process where their representatives call for a *pitso* with the assistance of the local chief. During the *pitso*, citizens will give representatives their mandate and the representatives take the mandate to the councils. This means in this sense they do participate' (respondent no.14 interview: 20 September 2012).

According to the district administrator of Qacha's Nek, 'citizens do participate in local government when plans are being made. There is a district planning unit which is a body tasked with the mandate of collecting the plans from the electoral divisions. Citizens still participate through such unit and present their plans as to how they want their villages to be developed. Generally, they do participate despite that in most

cases, the central government imposes things on them and this sometimes discourages grassroots participation (respondent no.12 interview: 12 October 2012).

Furthermore, the district council secretary for the Qacha's Nek district council indicated that citizen participation does take place but not under the free will of the people. According to him, 'citizens do participate in local government even though it is not a free and pure participation. They participate mostly in project implementation, especially when they know that they are going to be paid. Sometimes they attend the pitso when they have heard that possibilities for work are very high. This means it may not be wrong for one to think that participation in Lesotho and particularly in Qacha's Nek occurs because of the consideration of material reward or incentive involved. Normally citizens participate in areas such as land reclamation and forestry projects, road building and soil conservation projects. These are the areas where the government has made it a policy that citizens be paid' (respondent no.1 interview: 21 September 12).

Even though citizen participation takes place in Qacha's Nek, several respondents were not happy with the way it is done. According to the district chairperson of Qacha's Nek, 'the involvement of central government in the affairs of local government, and the limited budget are factors that negatively affect citizen participation in Qacha's Nek. In previous time, the Minister of Local Government would simply dictate policies and plans as she wished and that could work against the wishes of local citizens. Pursuant to this, their plans would be twisted and they would hence refuse to participate, mentioning that it is futile since the local government is not responsive to their needs' (respondent no.13 interview: 12.October.12). This

point was also echoed by the district administrator where she further stated that ‘this undermined the whole process of local governance. The design of local government provides that people through their electoral divisions are empowered to decide or influence the decision the government at local government takes but the central government has discouraged this. Local government is about people taking part and participating in policies and plans the government makes for their respective electoral division but it is not happening as envisaged’(respondent no.12 interview:12.October.12).

According to the secretary of the Qacha’s Nek urban council, ‘citizen participation is currently taking place in Qacha’s Nek although not in large volumes. Citizens are always informed by their councillors that they are free to attend the council meetings or seek the council minutes so that they know the progress being made with respect to their places but they seem not to be interested (respondent no.10 interview:12.october.12).

In the same way, the secretary for Tsoelikana community council stated that ‘Indeed citizen participation in this community council is taking place although relatively poorly. This is despite the fact that citizens are continually encouraged to participate in local government process, they are normally discouraged by the government approach to local government or the decentralisation process. The government purports to decentralise but the real picture depicts the opposite in that it most of the affairs that are supposed to be run by local government structures continues to be run at central level. That is, the central government still centralises most of the decisions the local government ought to have taken (respondent no.9 interview: 02.October 12).

The above indicates that some citizen participation in Qacha's Nek currently takes place, although the majority of citizens do not participate. As indicated, there are some reasons why this is the case. For example, some respondents mentioned the reluctance of citizens to participate, while some mentioned the unregulated and meddlesome involvement of central government in local affairs. Apparently, several factors impede active and popular participation. Therefore, to ameliorate this situation, there is a need for extensive education of citizens on the importance of citizen participation. Secondly, there is a need for government to let the local authorities' power and autonomy to run their affairs.

#### **6.7.5 Structure and mechanism for fostering citizen participation**

The respondents were asked whether the structure of local government and the mechanisms for ensuring citizen participation are enough to foster participation. The aim in asking this question was to find out if the current structure of local government in Lesotho assists or restricts citizen participation.

The majority of the respondents agreed that the structure does not inhibit or discourage people from participating. According to one respondent from Development for Peace Education 'the structure of local government is good that it does not prohibit citizens from participating in local government. In terms of the structure of Lesotho's local government, people are at liberty to consult with their representatives since they are residing together in the villages. This means the structure is good. Besides this, people are at liberty to attend the pitso whenever it is there. This means the structure and the mechanism are not a problem. In fact the whole programme of local government is not a problem. The problem is how it has

been introduced. People seemed, even the councillors themselves, not to have adequately understood the whole local government process' (respondent no.8 interview: 18.September 12).

According to the Qacha's Nek district council secretary, the structure is good. There is no problem with the structure since it allows citizens to take part in local government affairs. It is just that citizens need to be educated about the entire local government system as they have not yet understood it properly. Well some people are already taking advantage of the structure and are always free and able to participate. This means the structure allows citizen participation to a great extent (respondent No.1 interview: 21 September 12).

As a conclusion, it transpires that the structure of local government in Lesotho is not a problem. This means in as far as citizen participation is concerned, the local government structure offers enough space for citizens to participate. It is just that citizens have not understood local government. Therefore there is a need for wider education on local government and citizen participation.

#### **6.7.6 The legislative framework covering citizen participation in Lesotho**

The respondents were asked whether the legislative framework covering local government adequately addresses the issue of citizen participation. The aim of this question was to find out if the respondents know about the legislative frameworks covering citizen participation and whether such legislative frameworks address citizen participation.

The response seemed to show that the legal framework is not a major issue because it does not restrict citizen participation in any way. However, they agreed that there is a need to improve the local government acts in relation to citizen participation. According to the managing director of the Transformation Resource Centre (respondent no.7 interview: 18.September 12), ‘the law or policy is not the problem because there is nowhere in any law where citizens are forbidden to participate. People in Lesotho do not care about local government. The law may be clear or vague; they have no interest in the law. So for me it is about people understanding and being willing to play their role in local government, that is how, why and when to participate. However, there is a need to revise and improve the legal framework to fully bind the local councillors, the municipal or community manager to solicit public input before the policy or plan is finalised by the council. We need a detailed procedure that directs in a clear manner how the public or citizen has input in a certain plan’.

These sentiments were echoed by one representative of academic and research based institutions and a lecturer at the National University of Lesotho (respondent no.6 interview: 06.October 2012) who stated that ‘it is very premature to talk about the legal framework for local government in relation to citizen participation because there is no law that bans citizen participation in local government. Indeed, one can say there is a need for local government acts to be revised a lot to cater for citizen participation and other matters related thereto. I have not yet fully analysed local government in South Africa, but I think it has a better framework for citizen participation. So there is a need to recheck the *Local Government Act* and enact other pieces of legislation that further support citizen participation in the policy processes in local government’.

Considering the nature of the responses given above, it can be concluded that the legislative frameworks do not adequately address the issue of citizen participation in local government. This means there is a need for legislative frameworks to be revised and improved so that the issue of citizen participation is adequately addressed. The responses are also indicative of that citizens' need to be trained and educated so that they are made fully aware of the acts that promote citizen participation.

#### **6.7.7 Whether citizens are aware of the policies that promote citizen participation in Lesotho**

The respondents were asked whether citizens are aware of the policies that promote citizen participation in Lesotho. The purpose of asking this question was to find out whether citizens know or are aware of the policies that promote citizen participation in Lesotho.

The respondents were divided on this question. Some stated that citizens are aware while other said they are not aware. Those who said they are aware mentioned that citizens have been made aware at *pitsos* where most community issues are discussed. As one councillor who is also a chief stated 'citizens are fully aware of the policies that promote citizen participation in local government. They are normally sensitised about them by councillors and chiefs. Traditionally, Basotho participate in local affairs through *pitsos* and this tradition or culture still goes on. This means citizens are frequently and on different occasions sensitised on the policies that promote citizen participation in local government. This means they are fully aware, it is just that some are naturally reluctant to participate or that they are occupied with other businesses' (respondent no.19 interview: 25 September 2012). The same sentiments were shared by respondent no. 20 and 21, interviewed on the same date.

In contrast to this, other respondents indicated that citizens are not aware. One respondent stated that ‘citizens are not aware of the policies that promote citizen participation in my community council because things or whatever takes place in local government is dictated from the top and citizens are always left not knowing whether the action the local government takes is policy directed or a discretion of the central government in local government. Even those who participate do so because they are forced to because they the material rewards after participating. The central government continues to dictate the activities to be done even when some of them are wrong. So, unless the central government refrains from meddling in local government, citizens will continue to be ignorant of the policies that promote citizen participation (respondent no.2 interview: 21 September 2012).

As seen from above, there are mixed feelings from the respondents on whether citizens are aware of the policies that promote citizen participation. What transpires is that the majority of them are aware, as the chief and the councillors indicated. It is therefore acknowledged that there are some who are not aware of these policies. This means despite the response of the respondent no. 2, there is a need for citizens to be educated and made aware of the policies that promote citizen participation in local government. Also the central government should allow the local government autonomy so that free and fair participation of citizens can occur.

#### **6.7.8 Whether these policies can be improved**

The next question asked sought to elicit the ideas of the respondents about how these policies can be improved. The main aim in asking this question was to find out if citizens feel the need for the present policies to be improved; moreover, if they so

desire, to get their proposals, suggestions and insights on how best these policies can be improved.

Most of the respondents showed that there is a need for policies to be improved. They indicated that they can be improved by the introduction of legislation on citizen participation in Lesotho rather than having it implied in another act. According to one respondent 'indeed policies on citizen participation need to be improved for a number of reasons. Firstly, parliament needs to enact a law which specifically provides for citizen participation. This will ensure that citizen participation becomes a prerogative duty and responsibility of councillors and local government support staff before any policy is finalised by the council. This will also make citizens demand participation in that they will be protected by the law. Secondly, extensive education and capacity building can work to improve the policies. Currently, some citizens are not aware of the policies and they need to be educated. In the same way, some of the councillors need to be trained and capacitated' (respondent no.25 interview 11 October 2012).

These sentiments were echoed by one of the councillors who mentioned that 'citizens are still behind in matters of local government and the role they should play; training and education can improve the situation. Even the councillors need extensive training on local government and ways of making citizens participate in local government. Training citizens can help because citizens will start to participate' (respondent No.18 interview 25 September 2012).

As a summary, the respondents feel that there is a need for policies that promote citizen participation to be improved. They mention that parliament should enact a citizen participation act so that the current policies can have a foundation upon which they are based. This will help a lot considering the case in South Africa. Citizen participation in local government is well covered in the *Municipal Systems Act of 2000*. In this act, citizen participation is well provided for in terms of process and local authorities and councillors are meant to ensure that citizens participate in ward committees. So, in Lesotho, if there were to be additional legislation, it would indeed improve the current policies that deal with citizen participation.

#### **6.7.9 Whether citizens view their right to participation in local government as something important**

The respondents were asked whether citizens view their right to participation in local government as something important. The purpose of asking this question was to find out whether citizens understand the right to participation as important.

The responses to this question were many and varied in that some respondents said citizens take their right to participation as something important while other respondents presented the opposite. According to one respondent, ‘citizens regard their right to participation as something important. This is reflected in their attendance at various *pitso* that are held in the community. Many citizens in my place attend *pitso* and are active in the policy formulation and implementation processes. In the event that the council implements any activity without their concern and knowledge they always petition the council. This is an indication that indeed citizens take their right to participation as something important’ (respondent no.23 interview 02 October 12).

The same sentiments were reiterated by one of the councillors who further said ‘indeed in my community council, citizens view their right to participation in local government as important. This is evident in the nature and type of discussions normally reached in *pitsos*. One cannot attempt to implement any policy without having consulted citizens had a say in that policy. However, some still lag behind since it is not all citizens who are aware because some just do not care and one can conclude that these may sometimes not be aware or rate their right to participation as important (respondent no.22 interview 12 October 2012).

Considering the above responses, it can be concluded that the majority of citizens view their right to participation in local government as something important despite some citizens’ still not understanding. This means there is a need for education to be instilled to those who are still ignorant.

#### **6.7.10 Challenges facing citizen participation in Lesotho with reference to the case of Qacha’s Nek**

The respondents were asked about the challenges that are present when citizen participate in the planning and policy process in local government. The aim of asking this question was to find out about the factors that impede the process of citizen participation.

The findings of the research through interviews with many respondents revealed that there are many challenges that apparently bedevil citizen participation in Qacha’s Nek. According to the district council secretary for the Qacha’s Nek, ‘the challenges that face local government process in Lesotho are the very challenges that hinder

citizen participation in Lesotho. The main challenge is the issue of autonomy. The fact that most decisions are still made and imposed and dictated by central government is a challenge to citizen participation. The second challenge is that local government in Lesotho has been implemented along political party lines. This issue has rendered local government amenable to political conflicts in that instead of battling for political policies and developments in local government, citizens often battle with party political issues. Thirdly, the conflict between the chiefs and councillors is another serious challenge that needs to be solved in local government in Lesotho' (respondent no.1 interview 21.September 12).

The level of understanding and training of the councillors is another pertinent challenge facing local government and citizen participation. According to one ordinary citizen in Qacha's Nek, 'the level of understanding and education of some of the councillors in local government is a major challenge. This is because some of the councillors do not understand their roles and responsibilities pertaining to citizen participation and local government in general. This situation is further complicated by the fact that most of the documents are written in English and as such it becomes difficult for some councillors to understand them. So there is a need for the councillors to be thoroughly trained so as to make them competent enough to manage and perform their work'(respondent no.2 interview: 21 September 12).

These sentiments were echoed by several respondents especially the councillors, council secretaries and ordinary citizens.

From the above, it can be seen that local government is encumbered with serious challenges. As has transpired from the respondents, issues such as autonomy, training and understanding and party politics remain the major challenges facing and inhibiting citizen participation in local government. Therefore, there is a need for training and capacity building in order to clarify for local government stakeholders the roles of each category, especially concerning the councillors' and chiefs' debacle.

#### **6.7.11 Improving citizen participation in the policy and planning process in local government in Lesotho.**

The respondents were asked to state how citizen participation in the policy and planning process in local government in Lesotho can be improved. The purpose in asking this question was to give respondents an opportunity to express their opinions on this issue.

Almost all the respondents earnestly indicated that something had to be done to improve citizen participation in local government. According to one of the ordinary citizens residing in the Qacha's Nek urban council, 'if we want to make citizen participation a reality in Lesotho, there is a need for comprehensive political education where different segments of citizens need to be educated and sensitised. The government imposed local government without clarifying certain important things such as the role of citizens and civil society organisations, the non-governmental organisations, the responsibilities of the councillors and of central government' (respondent no.4 interview 21 September.12). These same sentiments

were echoed by one member of the district planning unit (DPU) and the district development coordinating committee (DDCC) who argued that ‘the citizens and the councillors need to be educated on the importance of citizen participation in local government. There is a need also to train the councillors since most of them still do not understand their roles and responsibilities’ (respondent no.3 interview 21 September 12).

Apart from political education, respondents felt that there is a need for the central government to refrain from meddling in local government affairs, that is, central government should give the local government autonomy. According to one former district administrator of Qacha’s Nek, who is currently an ordinary citizen, ‘as part of improving citizen participation in local government, the central government should allow the local people the autonomy to decide their plans and policies that are specific to their communities. Currently, the involvement and meddlesomeness of the central government discourages local participation in that it imposes plans on the local communities and this prevents the citizens from making their own plans’ (respondent no.2 interview 21 September 2012).

From the above, it can be seen that the same sentiments about training, that political education and the involvement of central government in local government should be reduced, were echoed by councillors from the Qacha’s Nek urban council and Tsoelikana community council as well as the council secretaries in both councils.

### **6.7.12 Benefits that can emanate when citizen participate in policy and planning process**

Respondents were asked to show if there are any benefits that can emanate from citizens participating in the policy and planning process. The aim was to find out if the respondents can deduce any benefit emanating from citizen participation in the policy and planning process.

Many respondents indicated that it is very beneficial for citizens to participate in the policy and planning process for a number of reasons. One of them indicated that ‘one of the benefits that emanate from this process is that democracy is consolidated in that the decision the government will make in terms of the policies and the plans will be a reflection of citizens will’. Once more, good governance is ensured in that in order for government to manage its affairs appropriately it has to act in accordance with the views of its citizens. Also, the decisions that will be made will be of high quality in that they will be appropriate, relevant and responsive to the needs of the communities (respondent no.24 interview : 03 October 12).

These sentiments were reiterated by one of the respondents who further stated that ‘the major benefit is that citizens will own the development process in their communities and will ultimately take care and look after the development the government has provided. This means the other benefit pertinent to this extent is that public funds and resources will be used to the benefit of the citizens. In fact, there are so many benefits that emanate when citizens participate in the planning and policy process. These are just a few of them’ (respondent no.26 interview: 03 October 12).

As a summary, it transpires that it is beneficial for citizens to participate in the policy and planning process for many reasons. In terms of the above, it transpires that democracy and good governance flourish and consolidated, public funds are used for community needs and citizens become responsive and responsible in that they promote development rather than destroying it or letting it be a white-elephant. This shows citizen participation has to be encouraged and promoted through extensive education.

## **6.8 CONCLUSION**

This chapter has provided interpretation and analysis of findings from the interviews that were held to obtain answers to the research questions posed by this study. The main purpose in undertaking these interviews was to empirically discover whether citizen participation in Qacha's Nek is taking place or not. A supplementary question that was posed intended to find out what can be done to improve citizen participation in local government in the policy and planning process in Lesotho.

The findings reveal that indeed citizen participation is taking place in Qacha's Nek even though it is not extensive, as it is influenced by certain factors. The findings from the interviews indicate that certain challenges impede participation in Lesotho. One such factor is the unregulated involvement of central government in the affairs of local government, thereby infringing on the autonomy of local government. This seems to discourage citizens from participating in that they see it as futile and a waste of time as the central government imposes its plans against the will of local citizens. Despite this, the findings reveal that there is a need for political training and education for both the citizens and the councillors as one of the challenges raised was that there

was general lack of capacity to foster citizen participation. Councillors need to be capacitated as well so that they can effectively implement their work smoothly.

There is a need for policy change and action in order to make citizen participation effective in Lesotho. The next chapter provides conclusions and recommendations to the research as well as future areas for further study.

## **CHAPTER SEVEN**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **IMPROVING CITIZEN PARTICIPATION IN THE POLICY AND PLANNING PROCESS IN LOCAL GOVERNMENT IN LESOTHO**

##### **7.1 INTRODUCTION**

In contemporary times, citizen participation is increasingly being encouraged, especially in countries that have democratic governance. In such countries, governments have created grassroots or local government structures with the purpose of ensuring that they are closer to citizens to foster participation. There are many benefits that are created when citizens take part in the government policy and planning process. Lesotho as a country also follows this trend. In 2005, the government of Lesotho introduced local government with a view to promote citizen participation in government.

The question, then, that attracted the academic interest of this study was whether citizen participation is in fact taking place. Secondary questions that followed from this question as stated in the problem statement (1.4 of Chapter one) includes: what citizen participation means? Why it is citizen participation important in local government in Lesotho? What mechanisms are in place to foster citizen participation? What policy or legislative frameworks to foster citizen participation? Finally, what

can be done to improve citizen participation in local government? These questions led to the formulation of the aims and objectives of this research.

The main aim of this study was to find out if citizen participation is currently taking place in local government in Qacha's Nek and how it can be improved. This aim was followed by several objectives that attempt to clarify and give effect to the main aim of this study. These objectives are, firstly to understand what citizen participation is. This involves exploring the meaning, purpose, importance and benefits that accrue from citizen participation (Chapter two). Secondly, to describe the legislative frameworks supporting citizen participation in Lesotho (Chapter four). Thirdly, to explore citizen participation in other countries with a view to finding an example of how to improve citizen participation, in terms of acts and structures (Chapter five). South Africa was chosen for this purpose.

This chapter finally summarises and evaluates the findings of the various chapters of this dissertation in terms of the aims and objectives, and further draws conclusions on whether citizen participation is currently taking place in Qacha's Nek and how it can be improved. The chapter will also provide recommendations in terms of the final conclusion that is being made on how citizen participation in local government in Lesotho can be improved. Although the study is based in Qacha's Nek, particularly in Qacha's Nek urban council and Tsoelikana community councils, the findings and recommendations made can be used in other districts.

## 7.2 Summary of Chapters

In order to draw a comprehensive and logical conclusion about citizen participation in Lesotho, it is necessary that an overview of chapters be made. Chapter two answered the questions that were listed in 1.4 of Chapter one that read, ‘what is citizen participation and why is it important?’ This chapter thus discusses the theoretical foundation of citizen participation in terms of the meaning, importance and purpose. It was found that citizen participation is founded on representative democracy. Different definitions of citizen participation were explored to see how different scholars define the concept and many of them define citizen participation in terms of the influence citizens make on government in terms of the decisions taken. Therefore, citizen participation was summarised as a framework of policies, processes, principles, and techniques which ensure that citizens and communities, individuals, groups, and organisations have the opportunity to influence and be involved in a meaningful way in making decisions that affect them, or in which they have an interest.

Chapter two also discusses the importance of citizen participation. It was seen that citizen participation is important for many reasons and therefore needs to be encouraged because:

- it enables the citizens to influence decisions the government takes for their benefit
- it advances and promotes democracy
- it gives citizens a sense of ownership of development in their communities thereby the sense of being taken care of.

Chapter two also considers the techniques or mechanisms for instituting participation. It was found that several techniques are in place and can be used relevantly to promote citizen participation in local government. These techniques or mechanisms are grouped in terms of traditional and emerging techniques. The traditional techniques include print publications, public meetings, open houses, advisory committees, workshops, bilateral meetings, and focus groups. The emerging techniques include open space technology, future research conferences, e-participation, public policy dialogue, appreciative inquiry and study circles. It is therefore concluded that a combination of these techniques can be used to effectively promote citizen participation in local government.

In this chapter, citizen participation in the context of policy and planning is sketched as stages through which citizens can participate. It was found that citizens can participate in agenda setting or in the establishment of a need, policy formulation or design, policy adoption, policy implementation and policy evaluation. Participation in these stages and is encouraged.

In Chapter three, the focus has been to trace the historical background of citizen participation in Lesotho. The chapter discusses the second objective of the study which reads; to explain why citizen participation in local government in Lesotho is important. This involves providing a comprehensive historical background of citizen participation in Lesotho from the pre-colonial era to the military era. This also includes an explanation of the relationship between citizen participation and local government. This chapter begins with the era when the Basotho nation was formed in

1800. The historical background depicts that the culture of citizen participation that existed in the Basotho nation from when it was first formed. This chapter is divided into the pre-colonial era, colonial era, independence era and military era.

The most common structures that helped sustain citizen participation in Lesotho during the pre-colonial era were the *pitso* and *khotla* systems. It was found that citizen participation has been practised for a long time in Lesotho and that it is well entrenched in the Lesotho governance superstructure. Participation was active in Lesotho despite the fact that it was mainly men who were involved while women were never allowed to participate.

During the colonial era, participation still took place despite the fact that the system of governance changed dramatically, thereby changing the patterns of participation that Basotho people were used to. New forms of participation emerged where Basotho participated through organised associations and later political parties. The mechanisms of participation continued to be used even though the structures of government had changed drastically. Along with these changes, a new structure for participation emerged, namely the Basutoland National Council. It was created to help ensure that Basotho people participated in national matters. The main critique that was levelled against this body was that it was formed mostly of chiefs and denied the majority of citizens the opportunity to participate. Basotho people fought to make sure that they were represented in large numbers in that council. Later on towards independence in 1960s, new structures for participation were established namely district council. These did not last long but were dismantled in the 1968 after

independence in 1966 and were replaced with development committees, district development committees and village development committees. These committees brought development in terms of citizen participation in that the majority of citizens could participate. For example if there was a village committee it meant every citizen in each village could easily participate.

Later on, the government changed and the military took over. During the military regime, the structures that were used to effect citizen participation in terms of committees were improved. There were village committees, ward committees and the district committees. These structures gave many citizens the chance to participate as participation could occur at different levels. The institution of chieftainship was also improved as it was responsible for ensuring that there was broad participation of citizens. *Pitsos* continued to be the mechanism that was used to foster citizen participation.

This chapter concludes by showing that citizen participation in government activities in Lesotho has historically existed. This indicates that there is a possibility that citizen participation in local government has survived based on the past historical trend that has been depicted in this chapter.

Chapter four was devoted to citizen participation in the context of the planning and policy process during the inception of local government in 2005. This chapter reveals that government of Lesotho introduced local government for various reasons. One

such reason is to foster citizen participation in the planning process in local government in Lesotho. It has been found that many developments were put in place that attempted to herald local government in Lesotho. One of the objectives of this research that is answered in this chapter is to describe the current mechanisms or legislative frameworks that exist for facilitation of citizen participation in Lesotho. Local government in Lesotho is covered and promoted in terms of the *Constitution of Lesotho* 1993, the *Local Government Act 1997* and the *Local Government (amendment) Act 2004*. Citizen participation in government is promoted in these acts.

The structures of local government in which citizens can participate are the community council, district council and urban council. The mechanisms through which citizen participation can be implemented are the general house or *pitso* and various sub-committees. Citizen participation is facilitated by certain bodies that are supposed to ensure that plans of the local government are reflective of the citizens' will. These bodies are the district planning unit and the district development coordinating committee. They are tasked with ensuring that citizen participation takes place at the electoral division or village level.

The chapter also reveals that the government of Lesotho is committed to ensuring that citizen participation in local government is encouraged and improved. There is a ministry responsible for ensuring that local government becomes a reality and that citizen participation becomes effective. This is the Ministry of Local Government and Chieftainship. The chapter reveals that local government and citizen participation in Lesotho are faced with many challenges that need to be rectified to make citizen

participation a reality. This chapter concludes by indicating that the government of Lesotho is indeed committed to local government and citizen participation. There are legislative and policy frameworks that duly support citizen participation in local government.

Chapter five looked at citizen participation in South Africa as an example on how citizen participation in other countries is implemented and what can be done to improve citizen participation in Lesotho. The focus in South Africa has been on the acts and policies that promote citizen participation. As has been seen, citizen participation in South Africa is supported and promoted through a variety of acts, policies and programmes. The *Constitution of South Africa* remains the most important tool that directs and binds the local government and the municipalities to make sure that citizen participation occurs. It binds the municipal government to make sure that it manages its structure, administration and budgeting processes to give priority to the basic needs of the community (section 153 of *the Constitution of South Africa*). This means it cannot achieve the aims of this section unless it encourages and effects citizen participation.

The government has also shown commitment to ensuring that citizen participation becomes a reality. This is reflected in many laws and policies such as the *Municipal Structures Act* No. 117 of 1998, the *Municipal System Act* No. 32 of 2000 and a comprehensive policy document the 2005 Draft National Policy Framework for Public Participation of the Department of Provincial and Local Government (DPLG). These legislative frameworks provide for citizen participation in terms of definition,

importance, structures for enabling citizen participation, government approach towards implementing it and the process that has to be followed in fostering it as well as the role of different stakeholders in local government. In short, Lesotho can use and develop these examples of how citizen participation is being promoted in South Africa.

Citizen participation in South Africa is fostered through a variety of structures. These are provided for in different acts and policies, as has been seen above. These are ward committees, the integrated development plans, the performance management system and the municipal budget processes. These structures are very important in that they are guidelines as to how citizens must take an active role in the process of participation. Ward committees are central to ensuring that citizens participate in government through their different societal formations and organisations. This is because ward committees are supposed to cooperate with the individual citizens, groups operating in communities and sectoral and specialised organisation.

Moreover, citizen participation in South Africa is fostered by many different mechanisms. In this study, there are three major mechanisms identified, open council meetings, *imbizos* and *kgotlas* and a wide range of other mechanisms, as has been seen. These mechanisms do not only allow for wider citizens participation, they also allow for different segments of society participate in local government affairs, especially in matters that directly affect them.

Lastly, ways how citizens participate in government are also discussed in this chapter. There are three main categories: There are; firstly, citizen's action: by means of lobbying bodies like parliamentary committees, public demonstrations and protest; secondly, citizen involvement: by means of public hearings, consultation with advisory committees and attitudinal survey and thirdly, electoral participation: by means of casting votes and electing representatives. This chapter concludes by indicating that Lesotho can include a number of aspects that are currently being used in South Africa to improve citizen participation in local government in Lesotho in terms of laws and policies.

Since one of the objectives of the study is to make an empirical finding on whether citizen participation is taking place in Qacha's Nek and how it can be improved, interviews were conducted. Chapter six presented and interpreted the findings from the interviews that were held with many different respondents of which the majority reside in Qacha's Nek. A number of questions were prepared in relation to the objectives of the study. The findings from the interviews indicate that citizen participation is about citizens taking part in the planning and policy process with the view to influencing the decisions of government. Many respondents indicated that citizen participation is important and therefore needs to be encouraged.

Furthermore, the findings reveal that citizen participation is taking place in Qacha's Nek, although it is faced with many challenges that need attention. Respondents mentioned that there is a general need for political education about local government and citizen participation because the majority of respondents indicated that local

government is not fully understood by many sectors of society in Lesotho. For example, respondents indicated that even the councillors do not fully understand local government and the role they have to play in it. Therefore, it may be difficult to ensure citizen participation processes in Lesotho.

Finally, the findings indicate that legislation and policies to promote citizen participation are lacking and hence need to be improved. The respondents indicated that there is a need to improve legislation and policies promoting citizen participation in order to address citizen participation in Lesotho. The majority of respondents stressed the importance of citizen participation and indicated that it can bring benefits that both the government and the citizens can enjoy. As a result, improving legislation and policies will help promote citizen participation in Lesotho.

### **7.3 CONCLUSIONS**

The previous section of this chapter provided a summary of the different chapters of the study. This section provides the final conclusion that synthesises these chapters. This final conclusion is made in relation to the aims and objectives the study set out in Chapter one (section 1.4). The study sets out to find out if citizen participation in the policy and planning processes in local government in Lesotho is taking place. The focus of the study is Qacha's Nek with particular reference to Qacha's Nek urban council and Tsoelikana community council.

- The main aim of the study was to find out whether citizen participation is currently taking place in Qacha's Nek. The final conclusion in relation to this

aim is that citizen participation is currently taking place even though it is not as effective as expected. Citizens do not participate in large numbers. This situation is caused by several challenges that bedevil local government and hence citizen participation. The other conclusion made is that the majority of citizens do not participate because they don't fully understand local government and how citizen participation processes works. This was reflected during the interviews with different citizens both representing the government and the citizens. This indicates that education and information need to be provided to remedy the situation and improve citizen participation.

- The first objective of the research as stated in section 1.4 of Chapter one is to understand what citizen participation is. This includes getting a better understanding of the concept of participation, why it is important and what the mechanisms of participation are. This also includes the exposition of citizen participation in the planning and policy process. The conclusion made in relation to this objective is that citizen participation is a process that involves an on-going communication between local government and citizens with the latter influencing the decision the former makes. It is concluded that citizen participation is important and therefore has to be encouraged. Furthermore, it is concluded that local government can provide a number of forums to allow the majority of citizens to participate in all policy process stages.
- The second objective of the research is to explain why citizen participation in local government in Lesotho is important. This involves providing a

comprehensive historical background of citizen participation in Lesotho from the pre-colonial era to the military era. This also includes an explanation of the relationship between citizen participation and local government. The conclusion made in relation to this objective is that indeed citizen participation in local government in Lesotho is very important in that, as seen from the historical exposition, citizen participation has always played a pivotal role in shaping the development of the communities in Lesotho. Therefore, if citizen participation is effective, it allows citizens the opportunity to participate in the development of their communities and this in turn gives them ownership of the development in their respective areas. It is therefore concluded that citizen participation can flourish in local government and that local government can foster and enhance citizen participation.

- The last objective of the research is to examine the current structures, mechanisms and legislative frameworks that exist for the facilitation of citizen participation in Lesotho. The conclusion made in relation to this objective is that the present structures and mechanism are enough to propel and enhance citizen participation in Lesotho. Despite this, the author concurs that possible improvements can be made if they seem to further enhance it. However, in relation to the legislative frameworks, the conclusion made is that much is needed to further boost the citizen participation process in local government. The case of South Africa in Chapter five offers a number of examples on the variety of legislations that can be developed to improve citizen participation in Lesotho.

#### 7.4 RECOMMENDATIONS:

The policy recommendation is made in relation to establishing how citizen participation can be promoted in Lesotho in order to make it effective. This is made in relation to the last objective of the research as stated in section 1.4 of Chapter one which reads: ‘to propose strategies and solutions to improve citizen participation in local government in Lesotho’. From the literature on citizen participation in Lesotho and South Africa and analysis of policy and legislative frameworks, as well as from interviews conducted, the following policy recommendations are made in relations to improving citizen participation in local government in Lesotho:

- The *Local Government Act, 1997* should be improved to cater directly for citizen participation in matters of local government. Currently, *Local Government Act, 1997* makes little mention of citizen participation in local government in Lesotho. It must mention the processes, procedure and stages of citizen participation like, for example, the *Municipal System Act* in South Africa which includes all these aspects. In addition, the *Local Government Act, 1997* should bind local government managers and officials to ensure that citizen participation occurs before any policy is being made.
- It is also recommended that a comprehensive policy on citizen participation in Lesotho be enacted. This policy will work as a guiding tool to assist local government stakeholders to provide a common understanding of what citizen participation is in terms of its conceptual understanding and underlying principles. The South African Draft Policy Framework for Public Participation

in the Department of Provincial and Local Government (DPLG) offers a point of reference to this effect. Currently, there is no common understanding of citizen participation. It is conceived differently by different citizens in Lesotho.

- It is recommended that capacity building programmes for citizens be implemented. The interviews conducted indicate that the majority of citizens do not have enough knowledge and education about local government and citizen participation. Therefore, there is a need for political education and citizens' sensitisation on citizen participation in local government. Citizen participation can never be active if citizens lack relevant knowledge and education which could enable them to effectively participate in local government. This political education can be done by government and non-governmental organisations such as the Transformation Resource Centre and the Development for Peace Education. These are civic education organisations.
- On-the-job training for newly-recruited councillors is another recommendation made in respect of this study. The observation made is that councillors are representatives of citizens and hence can play a leading role in encouraging citizens to participate in local government. The findings from the responses of the councillors and district council secretaries and council secretaries reveal that the majority of the councillors lack knowledge on local government and citizen participation. Therefore, it is recommended that frequent and on-going on-the-job training and capacity building for councillors be implemented so

that they can encourage citizen participation and understand their role in local government.

- Another recommendation that can be made is the enactment and adoption of a community based planning framework. Currently instruments for propelling citizen participation are lacking. Such a framework could resemble the South African Integrated Development Plan where citizens are expected to actively play a role before the plan is finalised. This framework will assist every electoral division to have its own plan which can be submitted to the community council's inclusive plan or community plan. This community based plan can encompass budgeting, monitoring and feedback issues.

## **7.5 PROPOSAL FOR FUTURE RESEARCH**

While the prime aim of this study was to find out whether citizen participation is taking place in Qacha's Nek, the study illuminated some other areas that may warrant future research, for example, what aspects should be included in the training and education programme to make citizens aware of their rights to participate in local government activities. The other untapped area warranting research is monitoring and evaluation of development plans in local government. This will assist in allowing citizens to monitor and evaluate the extent to which development plans have been achieved.

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## INTERVIEWS

| Name of the respondents | Occupation/profession                         | respondents number and date of interview |
|-------------------------|---|--|
| Mr.Lekhotla T’seane     | District Council Secretary                    | 1<br>21.09.2012                          |
| Mr.Mosihoa Nthakong     | Former District Administrator                 | 2<br>21.09.2012                          |
| Mrs. Paballo Senekane   | District Planning Unit and DDCC               | 3<br>21.09.2012                          |
| Mr. Lepheane Lepheane   | Ordinary citizen(retired)                     | 4<br>21.09.2012                          |
| Mr. Motautona Thabo     | Ordinary citizen(youth)                       | 5<br>20.09.2012                          |
| Dr. Motlamelle Kapa     | Lecture at the National University of Lesotho | 6<br>06.10.2012                          |
| Advocate Holo ‘Nyane    | Transformation Resource centre                | 7<br>18.09.2012                          |
| Mr. Lemohang Molibeli   | Development for peace education               | 8<br>18.09.2012                          |
| Mr. Matete Naha         | Secretary for Tsoelikana Community Council    | 9<br>02.10.2012                          |
| Mrs. Makatleho Mohasi   | Secretary for Qacha’s Nek                     | 10                                       |

|                         |  |                  |
|-------------------------|--|------------------|
|                         | Urban Council                                  | 12.10.2012       |
| Mr. Leeto Moiloa        | Secretary for Ntsupe<br>Community Council      | 11               |
| Mrs. Mamontseng Phatela | District Administrator and<br>DDCC secretary   | 12<br>12.10.2012 |
| Mr. Tumo Thatho         | District Council<br>Chairperson and councillor | 13<br>12.10.2012 |
| Mr. Tholang Thamae      | Councillor                                     | 14<br>20.09.2012 |
| Mr. Mohlouoa Makafane   | Councillor                                     | 15<br>20.09.2012 |
| Mrs. Mamosuhli Mosuhli  | Ordinary Citizen                               | 16<br>20.09.2012 |
| Mr. Tlohang Rakotje     | Ordinary Citizen                               | 17<br>21.09.2012 |
| Mr. Mothepu Sebilo      | Councillor                                     | 18<br>25.09.2012 |
| Mr. Mualle Letsie       | Councillor and Chief                           | 19<br>25.09.2012 |
| Mr. Molungoa Moloi      | Councillor                                     | 20<br>25.09.2012 |
| Mrs. Mathato Ramoeletsi | Councillor                                     | 21<br>02.10.2012 |
| Mr. Kelebhone Ramochele | Councillor                                     | 22<br>12.10.2012 |

|                     |                                    |                  |
|---------------------|------------------------------------|------------------|
| Mrs. Nomawetho Fako | Ordinary Citizen                   | 23<br>02.10.2012 |
| Mr. Mokhafisi Kena  | Ordinary Citizen( retired)         | 24<br>03.10.2012 |
| Kekeletso Makhetha  | Postgraduate Student at<br>UNISA   | 25<br>11.10.2012 |
| Mr. Roxa Motseo     | DDCC chairperson and<br>Councillor | 26<br>03.10.2012 |

## **Appendices**

### **Interview Schedule**

#### **University of South Africa**

#### **Citizen Participation in Policy and Planning Process in Local Government in**

#### **Lesotho: a case of Qacha's Nek**

Researcher: THABANG AZAEL MOTHEPU (44184573)

### **Introduction**

The research is undertaken solely for academic purpose. Therefore, the responses you are going to give are in relation to the questions to be asked are for academic purpose only. The author fully pledges that the information that you will provide will not in any manner whatsoever, jeopardize or harm or negatively present your office or

organization you are currently serving. In this regard, you are humbly requested to feel free to respond and provide information that you think will assist in this study.

The interview is structured in terms of three consecutive parts. These parts are organized in terms of questions that address different aspects of the research. The respondents that are to take part in this interview are Local Councillors (LC-05), Community Council Secretary (CCS-01), Urban Council Secretary (UCS-1) District Council Chairperson (DCC-01), District Council Secretaries (DCS-01), Non-governmental organization (NGOs) exclusively Transformation Resource Centre (TRC-02) and the Development for Peace Education (DPE-2), Community Councils Chairperson (CCC-1), Urban Council Chairperson (UBC-1) District Development Coordinating Committee (DDCC-5), and ordinary citizens in the community-05. Members representing the Academic and Research based institutions (ARI-2).

### **Questions for Interviews**

1. The constitution of Lesotho provides for citizens participation in government and it outlines different ways through which citizens can participate. In your opinion, what is your understanding of citizen participation?
2. Do you think citizen participation is important?
3. What can be done to improve citizen participation in local government in Lesotho specifically in Qacha's Nek?
4. Do you think the local government can enhance and propel citizen participation?
5. Do you think citizen participation is currently taking place in local government especially in Qacha's Nek district in Lesotho?

6. Do you think legal frameworks as well as policy frameworks adequately address citizen participation in Lesotho?
7. Do you think the structure of local government offers enough and adequate space that can allow citizen participation especially in planning and policy process?
8. Do you think citizens are aware of the policies that promote citizen participation in Lesotho?
9. Do you think these policies can be improved? Briefly describe how?
10. Do you think citizens view their right to participation in local government as important?
11. What challenges do you think exist when citizens take part in policy and planning process in local government in Lesotho?
12. What benefits do you think can emanate from citizens participation in policy and planning process in Lesotho?

**Thank you for your valuable time for answering and sharing your knowledge  
and insights to these questions**

**GOD BLESS YOU ALL**