



SALGA participates in the roundtable discussion on “Re-imagining Local Government” hosted by the Helen Suzman Foundation

At a roundtable discussion on “Re-imagining Local Government,” organised by the Helen Suzman Foundation (HSF) on Tuesday, April 25, 2023, South African Local Government Association (SALGA) Chief Operations Officer (COO), **Lance Joel**, stated that the municipal association would defend the legislative gains made to reduce party political interference in the administrative arm of local government.

Nicole Fritz, the HSF’s director, served as the moderator for the conversation. The panellists—**Mr. Joel**, political analyst **Lukhona Mnguni**, Commissioner of the South African Human Rights Council (SAHRC), **Phille Ntuli**, and **Dr. Tracy Ledger**, Senior Researcher at the Public Affairs Research Institute (PARI)—examined why local government is not currently operating as it ought to and provided recommendations for how the sector can innovate and adapt going forward in order to fulfil its Constitutional obligations.

Defending the Local Government: Municipal Systems Amendment Bill of 2022 was among the recommendations.

“We’re always thinking about politicians getting involved in the administration, but we don’t talk about the other part, which is the administration getting involved in politics, and using political caps to protect themselves as administrators. You would have heard that SALGA has advanced a view, and it is now legislated, that no staff member in a municipality must hold a political position,” said **Mr Joel**.

“What is at the core of the problem is that you have an administrator using their political position to advance interests that are contrary to that of the municipality. We are now being told that it’s going to be challenged. We are waiting for this constitutional challenge, and we will be at the forefront to defend that legislative provision.”

On August 16, 2022, President Cyril Ramaphosa signed the bill into law. The bill prohibits municipal managers and senior managers who report directly to municipal managers from holding political office, regardless of whether their appointment is permanent, temporary, or acting. The bill's Section 71B also prohibits staff members from serving in political office.

Speaking about municipal land-related issues, **Mr. Mguni** discussed the need to strengthen the collaborative relationships between traditional leaders and local government.

“Municipalities in KwaZulu-Natal for example are in conflict with the Ingonyama Trust. The Ingonyama Trust Act is very clear that there are certain areas that over time should be demarcated and redefined as townships. And once they are redefined as townships as per the Act, they would then be under the purview of the municipality,” he said.

Ms. Ntuli recalled a horrifying account of how sewerage was lining the streets where children were playing and street vendors selling their food just a short distance from RK Khan Hospital in Chatsworth, KwaZulu-Natal.

She stated that this caused her to consider the discrepancy between the Constitution's promises and reality.

“On Saturday I had to drive someone to RK Khan Hospital as they were sick and had to be taken there as a matter of emergency. While waiting for them outside at the parking lot, I decided to drive around and at about 3 minutes outside of the hospital I was met with a flood of sewerage lining the street, with children playing and people eating and selling food amongst all of this,” said **Ms Ntuli**.

“This makes you think about the Constitution itself and its ability to have a direct impact on defending the rights of people against a municipality that is failing and is in crisis mode.”

The structural causes of local government's poor performance were outlined by **Dr. Ledger**.

One of them was the rising economic hardships that South Africans were experiencing, which made it difficult for the most vulnerable to pay for municipal services. This in turn affected municipalities' capacity to generate revenue to support a financially viable local government system.

“By far, the biggest problem with the local government fiscal framework is that it relies on desperately poor households paying for services with money that they do not have. South Africa has a 55% household poverty rate, 25% of households live below the food poverty-line, which means that their total monthly income is not sufficient to buy a basic basket of food for the household,” said **Dr. Ledger**.

“Where is the money to pay for municipal services supposed to come from in those circumstances?”

On re-imagining local government in South Africa, **Dr. Ledger** concluded: “We need to go back to the drawing board and the place to start is understanding that local government is merely a means to an end. It's not the end. It is a means for delivering people's constitutional rights. It is a means for delivering quality services in a pro-poor and developmental way.”

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