

**Local Government in Swaziland: Requirements for
Competent Administration in Urban Areas**

by

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SUMMARY

This research is about the service function and responsibility of the government sector. Ideas about what constitutes the proper role of government in social and economic development have shifted dramatically over the years. In the early years of independence in Africa the state held the dominant and undisputed position of being the initiator and implementor of all development programmes. Through the agency of the various multi-purpose organisations of the public sector, the state provided social and economic services on a large scale and at levels unknown of in earlier periods in pursuit of development goals. However, with the rise of the new public management the view gained currency that the public sector had failed or has had limited success in bringing about the desired development outcomes through public service delivery. Hence, the common assumption prevails that the private sector ought to assume more of the functions hitherto performed by public sector institutions.

Notwithstanding the cynicism that the government sector has encountered in the past two decades concerning its performance, the research rests on the premise that government, as the ultimate locus of power in society, must spearhead the development process and be instrumental in serving the citizens through the various public institutions. The research posits that public institutions have substantial opportunities to improve their performance in service delivery, deploy their resources more efficiently, improve livelihoods and empower citizens. The

research considers how this could be done in the context of a unitary state where government is constituted as national government and local government.

The decentralisation process is examined in the context of the public sector reforms introduced in the post-independence period to improve service delivery. The strength of decentralisation, it is argued, derives from the positive benefits claimed for local government and the realisation that the national government is likely to succeed in meeting the needs and aspirations of the citizens through service delivery when it operates within the framework of co-operative government. The research argues that local government, covering a substantial area of the public sector in modern states, can serve as the primary structure for development and for improving livelihoods through the variety of services it provides. Examined in detail in the study are core governing principles that when applied to the local level of government would constitute essential requirements for competent administration. The urban government system in Swaziland, consisting of municipal authorities, is the focal point of attention in the inquiry.

It is postulated that the aspects that are of vital importance in public service delivery are the performance aspect and the governance aspect. Both aspects are judged to be crucial because they offer the best prospect of invigorating public administration to the extent that they may determine whether public services are delivered competently by a particular public institution such as a municipality. Stemming from the above proposition, the inquiry employs

performance and *governance* (emphasis defined later) as the main analytical concepts. In line with the above reasoning, the research postulates that public organisations relate to environments. The environment is viewed as having the potential to shape public institutions as well as public policy. Thus, it is argued that public institutions can improve their performance when managers maintain an awareness of the environment and its changing features and/or dynamics. Based on this assumption, the research identifies key environmental factors and examines how they shape the political system under consideration i.e. urban government in Swaziland.

Performance management, it is argued in chapter 3, is critical and decisive in public service delivery as evidenced by the new orientation in public administration and management which emphasises strategies and frameworks that are aimed at improving government performance, achieving organisational excellence, and creating well-performing organisations. The ultimate aim of performance management, it is argued, is effective and efficient public service delivery. Well-performing and excellent organisations, according to this view, are those that put people at the centre and make customers the primary focus of service rendering efforts.

In the application of the performance management concept to urban government in Swaziland the research relies on the 4E framework of efficiency, effectiveness, economy and equity. It is found that there is a performance gap in the service

rendering activities of municipal authorities in that they are not properly adjusted to achieving sustained high performance in their service rendering role. It is concluded that urban government in Swaziland does not yet possess the capacity to deliver services in a high performance way. The above finding confirms the original assumption of the research that municipal authorities as evolving entities in a country that is itself in transition have yet to undergo a significant shift towards service excellence and that they have yet to reach a stage where they can be considered as high performing organisations that deliver services in an efficient, effective, economical and equitable manner.

In examining the issue of service delivery, the research is anchored in a governance approach because the complex system of intergovernmental relations, of which local government is an integral part, comprises this concept. Accordingly, local governance – an important specialised application of governance – is highlighted in chapter 5 as an important aspect in public service delivery. This aspect is vital, it is argued, because a model public organisation, such as a municipal authority inclined towards service excellence, is expected not only to manage public affairs in an excellent and outstanding manner, but also deal effectively with the various interdependencies in government as well as observe universally accepted norms and values. Even more crucially, contemporary society is marked by a gradual shift from the usual fixation with rules and regulations and/or compliance with procedures of the local government system to good governance – a set of principles now considered to be at the core of the new public service ethos. Good governance is thus considered important

in this research because it implies a focus on accountability for performance and results in local government. It directs focus to the need to provide public services to citizens in a competent and responsive manner – a paradigm shift that is of vital importance for the functioning of the public sector.

In the discussion of the governance aspect, several elements of good governance are selected and highlighted as essential pillars for effective administration and management in local government – *accountability and transparency, representativeness, participation, responsiveness and effective leadership*. The question that is examined is whether or not urban government in Swaziland has been re-oriented to the practice of good governance. Evidence suggests that municipal authorities in Swaziland have not yet been sufficiently re-oriented towards good governance. None of the municipalities in the research areas were found to have outstanding ratings in relation to the universally sanctioned good governance criteria of accountability and transparency, responsiveness, representativeness, participation and effective leadership. This confirms the original presumption of the research that only limited progress has been made to construct a local government system that is oriented towards good governance in Swaziland's urban areas.

Since it is surmised that the nature and performance of urban government is, to a lesser or greater extent, shaped by its environment the research identifies the environmental factors of local government in Swaziland. In chapter 4 of the

research the environmental factors that are judged to be of vital importance for local government – historical, environmental, political, social, and economic factors – are examined in detail in order to demonstrate the close connection between the local government system, on the one hand, and the environment on the other.

The colonial heritage is considered to be a decisive historical factor because it has shaped the present governmental system in Swaziland at both national and local levels. The most significant of the various environmental factors are the population shifts typified by rapid urbanisation and the concomitant high concentration of people in the country's major towns and cities which only have a limited capacity in terms of resources, physical infrastructure and administrative capability to sustain the rising population. The traditional authority system is considered to be the most decisive social factor in Swaziland due to its impact on the Swazi society in general and public organisations in particular. Of the political factors, the legislative framework, consisting of the local government statute and the Constitution, is considered to be crucial because it determines the autonomy, power, purpose, and function of the local government system in Swaziland's urban areas. Finance is found to be the most important economic factor because its availability and scarcity determine the ability of the local government system to finance projects and programmes and to make a difference in terms of improving the livelihoods of individuals and communities.

CHAPTER 1

INTRODUCTION, NATURE OF THE PROBLEM AND METHODOLOGY

1.1 INTRODUCTION

With governments all over the world re-defining their roles to focus more closely on the needs of their citizens, improving service delivery has become a major priority of modern public institutions. Emphasis on service delivery in the public domain and the increasing expectation of service excellence derive from the fact that public institutions exist primarily and above all else to serve the people in order to meet their needs as well as make their lives better. In a country with a system of co-operative government, local government occupies centre stage in service delivery. Similarly, the employees of local government are at the sharp end of service delivery, undoubtedly, an important undertaking.

As the sphere or level of government that is closest to the people, local government, to a large measure, complements the activities of national government by performing functions that help fill the gaps in service delivery so as to increase citizen satisfaction with public services. The service nature and orientation of local government is clearly evident in the wide range of functions it performs. In Swaziland, for instance, the Urban Government Act, No 8.1969 (S.56) assigns to the country's urban government (municipal authorities) the responsibility of providing essential services such as roads, markets, streetlights, refuse collection and disposal, zoning, sale of plots, housing and infrastructure

development. The aforementioned services are important to urban dwellers as well as those that regularly visit the towns and cities for commercial, business and other reasons. Without local government, such services may be inadequately provided. Clearly then service rendering, for local government, is not just a matter of passing interest. Service to the people is, in the final analysis, its dominant purpose and *raison d' être*.

The national government and individual citizens in every country want to experience strong, vibrant, and dynamic local government institutions that are managed in a competent manner and which deliver the quality of public services that meet the needs of society. From this perspective, it may be argued, it is the continuing responsibility of local government to ensure that local residents, particularly urban residents, receive high quality public services and true value for money. This ought to be the case for all services that have been assigned to local government as part of decentralisation. These are services that are paid for by the inhabitants of a locality and, by their very nature, need to be tailored to the particular needs of the designated area and individual service users.

Thus, the research departs from the premise that local government, a recognisably important arm of the public sector, is there to fulfil the mandate of service provision. In pursuing this mandate, local government, especially in the urban environment, faces the same challenges as other public bodies: to act in a high-performance way, achieve excellence in service delivery, and manage public affairs in accordance with universally accepted norms and values.

However, the picture that is emerging concerning local government in urban communities across Africa points to daunting challenges. Africa has, at 4% per annum, the fastest urbanisation rate in the world. Yet, far from being something to celebrate, this is a problem because the urban environment in Africa is experiencing serious difficulties, and in some cases even some deterioration. National governments and local authorities are generally not coping well with the challenges accompanying rapid urbanisation. The challenges of urbanisation in Africa are wide-ranging; they include high levels of urban poverty, violent crime, health and environmental hazards, limited town and city planning, disregard for laws and regulations, and unacceptable living conditions typified by overcrowding in the slums. Even more crucially, from the point of view of the focus of this research, the challenges of urbanisation include glaring inadequacies in the quality and quantity of municipal services and lack of viable governance systems, at the local level, capable of translating the potential resources in the towns and cities into tangible development gains (Olowu, D.1999: 42; Thomson, D. 2006: 28; African Development Report 2001: 164).

The foregoing comment points to the two major aspects of local government administration that are the focal point of discussion in this research: the *performance* aspect and the *governance* aspect. The thesis postulates that these two aspects are critical elements in service rendering and merit serious consideration, examination and cross-examination. Both are considered in detail, in the relevant sections, with reference to urban government in Swaziland.

The performance aspect is considered in chapter 3 in the context of the need to prove that local government performance is well managed and improved. The question of performance, it is argued, has considerable importance in public administration in general and service delivery in particular, firstly, because of the demands for competency placed upon public bodies by national government and an increasingly sophisticated public; and secondly, because of the requirement to utilise scarce public resources in a more responsible and accountable manner. Striving for continuous improvement in service rendering to satisfy the needs and expectations of the community being served i.e. the pursuit of service excellence is an expectation of government and the general public alike.

Thus, local government performance is considered important to the inhabitants of towns and cities, who are not only the ratepayers but are also the recipients of municipal services. Local residents expect roads to be maintained efficiently, streets to be clean and safe, refuse to be collected timeously, limited resources to be managed judiciously and a wide range of other services to be delivered competently in order that they, as customers, may receive good value for money. In this regard, the perspective of local residents, as customers and as service recipients frequently overlaps with the interests of the national government. The latter, by virtue of being a provider of grant aid to municipalities, as well as being an overseer, expects excellent performance in service rendering from local government and is also due accountability e.g. financial accountability (Dilulio, J. Garvey, G. Kettl, D. 1993: 50).

The governance aspect is examined in chapter 5 in the context of the need to secure improvements in the management of public affairs particularly in local government by giving prominence to accountable and responsive forms of administration. For the past decade, undoubtedly, the issue of governance has featured prominently in the debate about how a modern organisation should be managed. Because of the significance attached to the question of governance, scholarly debate has inevitably focused on all its various dimensions i.e. international governance, economic governance, corporate governance, national governance and local governance. The present research considers the last of the aforementioned dimensions i.e. local governance. In considering this aspect, the thesis focuses mainly on good governance. It is postulated that good governance is a critical element in service rendering, which is the major function of local government. From this perspective, any local government institution that wants to achieve excellence in service rendering needs to give careful consideration to the various elements and/or principles of good governance.

Given the significance of the *performance* aspect and the *governance* aspect in public administration, in general, and local government administration, in particular, it is appropriate at this stage of the discussion to briefly introduce both concepts as well as allude to some of the various initiatives underway, throughout most of the world, to promote and advance both.

There is unanimity on the proposition that the performance of public sector organisations is a critical element in determining the success of service rendering and of development. Stemming from this proposition, it is postulated in this thesis that the measures required to create an efficient and effective local government system that is capable of delivering services in a satisfactory manner have to be seen in the wider context of the reforms that have been or are being implemented at the national level of government.

Most governments have programmes that are designed to improve performance. There are different view points, however, on how well-performing organisations ought to be created. It is considered that there are a number of approaches by which public sector performance might be improved. Contemporary theory and practice have focused on the approach outlined by Osborne and Gaebler in their influential book *Reinventing Government* (1992) – an approach often hailed as a new paradigm in public administration. It advocates that in order to improve the public sector, governments must abandon the traditional public administration paradigm which underpins their bureaucracies and introduce the new public management – an approach that emphasises less rather than more government as well as entrepreneurialism amongst public servants. The new public management (NPM) will be elaborated further in the relevant sections.

At this stage, it suffices to mention that whilst NPM has become a dominant ideology, writers hold different opinions about its major tenets. For instance there

are those who are concerned that the approach suggests directly or implicitly that *public is bad* and *private is good*; and that administrative reform necessarily means the diminution of the role and functions of government so as to create a minimalist state. The writers who hold this view are persuaded, contrary to the major propositions of NPM, that public sector activity can make a contribution to the achievement of developmental goals and the creation of reasonably stable societies that meet the material and social needs of the majority of their people. For this reason there is a degree of skepticism about the policy agenda that calls for the minimization of the role of the public sector and the rolling back of the frontiers of the state until it disappears (Turner, M. & Hulme, D. 2002: 129).

It is worth noting, in the same vein, the observations of McDavid and Marson concerning the various strategies for creating well-performing public organisations. They report that opinion over approaches is split. There are those who, having witnessed decades of change, would like to see a return to the kind of public administration that is typified by officials who represent the commitment, accountability, expertise and neutrality of the traditional government system. Central to this vision is the belief that serving the public interest is a key part of being a public servant. The contrasting view to this is a vision of the entrepreneurial public servant, a new breed of government employees, whose characteristics are: creativity, willingness to take risks, responsiveness to clients, and political flexibility. Such persons would have much in common with their private sector counterparts. Pursuing an abstract such as the public interest would not be part of their view of government (McDavid, J. & Marson, B.1991: 9).

These philosophical differences notwithstanding, it seems all are agreed about the need to pursue performance improvement – through administrative reform. Indeed all governments in Africa have programmes of administrative reform even though they provide different justifications for implementing them.

The need to remove faults, errors, and imperfections in the apparatus of government; the need for attitudinal change towards governmental, administrative and managerial matters; the requirement to achieve more efficiency, effectiveness and value for money; the need to increase the capacity to carry out core government functions; the desire to realise better quality services, more productivity and faster delivery; and the imperative to rightsize the very public organisations that had been encouraged to expand and multiply in earlier years but which are now perceived as obstacles to development - have all been quoted as reasons for reform (Thornhill, C. 1994: 4; Erik Lane, J.1993:122; Turner, M. & Hulme, D. 2002:105-106).

In addition, public sector reforms, particularly those of more recent years, have included measures aimed at promoting and entrenching the democratic tradition, with a view to transforming policies and practices and promoting good government. Administrative reform therefore has universally been sanctioned as a means to bring about the desired changes in the public sector i.e. improved performance and better governance. As Turner and Hulme argue, government is no longer credible (even might be without credit) unless it has an ongoing programme of administrative reform (Turner, M. & Hulme, D. 2002:105).

Accordingly, due to the reforms that have been introduced to improve the quality of public administration, the past two decades have witnessed a gradual but fundamental shift in the process and method of governance in various countries around the world. It is suggested in the managerial reform literature that, by the late 1990s, international best practice in public sector reform had three main features. The first is the re-definition of the role of the state with a view to ensuring that it only performs functions that should be at the level of the state while leaving the rest of the functions to other sectors, such as the private sector, alternatively, to statutory bodies. In pursuing this as a key objective, a number of measures were taken, including, privatization and decentralisation. The second feature relates to efficiency measures, which as indicated above, have been introduced to enhance public sector performance, in the interest of efficiency, economy and effectiveness. The third feature is an emphasis on measures to enforce the accountability of the governors to the governed through good governance (Osborne, D. & Gaebler, T. 1992; Adamolekun, L. 1999).

In the industrialized democracies, two factors combined to propel these changes: budget constraints and public expectations. With regard to the first factor, there were serious macroeconomic difficulties in the 1980s in some developed countries. As such, governments experienced budget constraints owing to the shrinkage of public revenues at a time when public spending was on the rise. Regarding the second factor, the managerial reform literature indicates that in the

last few decades, public views about governance were revolutionised, mirrored by a growing dissatisfaction with government's performance. There was a general view in the countries of the North and indeed of the rest of the world that governments could do more to satisfy public expectations, through the services they provide (Osborne and Gaebler, 1992: 138-165; Adamolekun, L 1999: 11).

As a result of the introduction of the reforms related to what has been referred to above as 'efficiency measures', governments in the developed world have increasingly become more entrepreneurial, customer-oriented, performance-focused, and more decentralised. The term managerialism came to be used to describe the various initiatives aimed at re-inventing government i.e. creating public bodies that would be as efficient and effective in service provision as the best corporations in the private sector anchored by a new breed of public servants – the entrepreneurial public servants – who would be the foundation of the well-performing organisation (McDonald, J. & Mason, B. 1991:9).

As already alluded to, along with the emphasis on efficiency measures, there has also been emphasis on reforms aimed at fostering the democratic culture and entrenching the various good governance principles. The more recent years witnessed a gradual shift globally towards good governance. Accordingly, there has been increasing emphasis on principles such as increased accountability, transparency, responsiveness, representation, and development-oriented leadership. These principles, it is now widely accepted, are essential pillars of

effective administration and management and are potentially important benchmarks of success in the future (Adamolekun, L.1999: 12; McDonald, J. & Marson, B. 1991:9; Hulme, D & Turner, M: 2002:105).

The United States, Britain and Australia, are some of the countries that made the greatest progress in implementing public sector reforms especially those which emphasise efficiency measures. The country of New Zealand became famous for implementing the most radical of these reforms, intended to address the country's macro-economic problems (Adamolekun, L.1999: 12).

Since public sector reform is a growing tendency, the wave of policy reform that swept across the developed countries also reached African countries. The measures that are being implemented in many African countries, as Ladipo Adamolekun (1999: 12) notes, are drawn from the international public sector modernisation movement which began in the 1980s, already alluded to above. At least four developments appear to have given impetus to the more recent public sector reforms in Sub-Saharan African countries: the economic crisis, the administrative crisis, the rise of the pro-democracy movement, and the global wave of reinventing government that began earlier in the advanced countries (World Bank, 2000; Minogue, M. et al 1998).

African countries have implemented either formal or informal structural adjustment programmes to deal with the macro-economic difficulties; introduced

administrative reforms to get to grips with the administrative crisis; and are now in the process of implementing further reforms to promote and consolidate good governance. The process of reinventing government, it has been observed, is not just a passing fad but a global phenomenon of significance that has now been put firmly of the agenda of most countries on the continent (African Development Report 2001:106-7). Consequently, African governments have, step by step, drifted in the same policy direction as their Western developed counterparts. In this way there has been a degree of convergence in the main thrust of policy reform across the continents.

Administrative reform, at national level, potentially can assist in creating more efficient, effective, democratic, and sustainable administrative systems; and by so doing meet the needs of the citizens whilst promoting sustained economic and social development. Since the reform measures being implemented at national level are potentially commendable, it is considered that they need to be implemented at the local level too. Stemming from the above observations, the main thrust of the thesis can thus be summarised in the following manner:

firstly, the current research has identified service delivery as a relevant and important contemporary issue that is significant from both a theoretical and practical viewpoint; and the aspects to be considered are the performance aspect and the governance aspect;

secondly, performance management and governance, are considered core issues in relation to service rendering, because the new orientation in public governance emphasises a service ethos that is concerned with improving government performance (Dilulio, J. Garvey, G & Kettl, D. 1993: 50-54), striving for organisational excellence (Wholey, J. 1987:3), creating well-performing organisations (McDavid, J & Marson, B 1991: 9 -11), and adherence to principles of good governance including responsiveness and effectiveness in public service (Steiss, A. & Daneke, G. 1980:35);

thirdly, whilst some studies have been conducted in many countries to examine the issue of performance and governance in relation to the national level of government, less attention has been given to local government. This research considers these aspects from the perspective of the local level of government, with special reference to urban areas in Swaziland; and

fourthly, the reform measures that are designed to improve government performance and foster better governance – hold the best potential to enhance public service delivery – because the ultimate aim of performance management is efficiency and effectiveness; and well performing and excellent organisations are those that are also inclined towards good governance. Since performance management and governance are central concepts in this research, both are to be given further consideration and elaboration in the appropriate sections of the research concerning the theoretical framework for public service delivery.

1.2 MOTIVATION FOR THE STUDY

A number of developments influenced the decision to embark on the present study of local government in Swaziland. The need to investigate the questions that are central to this study arose in the 1980s when the issue of public sector performance was mooted and highlighted as a key element in public administration. Since the 1980s, many countries around the world, including those in Africa have witnessed significant changes in their governance situation. In practical terms there has been a re-orientation of government (still underway and with varying speeds and degrees of institutionalisation) throughout Sub-Saharan African countries.

As noted by various authors, this change or re-orientation has had consequences for the entire government administration system i.e. on its structures, functions and processes. The government re-orientation has had various features, including those that are crucial from the point of view of this study e.g. an enhanced role for sub-national governments and efforts aimed at achieving improved performance in public management (Khan, M. 1981; Adamolekun, L. 1999:12; Turner, M. & Hulme, D. 2002).

Owing to this situation, it became obvious that the performance of the public sector in Swaziland was worthy of scientific investigation. The significance of public sector performance as a research issue, in both recent and current

academic discourse, was underscored by a dissertation completed by the writer of this thesis in 1989 - 1990 that reviewed the question of performance with particular reference to the public service in Swaziland.

In more recent years, in Sub-Saharan African (SSA) countries, discussion about the proper role of the public sector in contemporary society has extended to local government. This is in sharp contrast to the situation that prevailed in the years immediately after independence when attention in most SSA states tended to be focussed on the role played by national government, an approach that was influenced by the principles associated with state-led development, a dominant paradigm at the time. The notion of state-led development gave prominence to the commanding role of national government. In these circumstances, centrism prevailed and with a few exceptions, sub-national governments were generally underdeveloped, marginalized, and not given the necessary priority (Wunsch and Olowu, 1990: 3).

The principles associated with state led-development (referred to in the foregoing paragraph) are clearly explained by Cheema and Rondinelli, who argue that from the 1950s, control over development activities in developing countries was centralised in national government ministries and agencies. Central control was compatible with the major theories of economic development that had emerged in the 1940s, which were further elaborated in the 1950s and 1960s. They advocated strong intervention by national government in development activities.

With the support of international agencies such as the World Bank, central planning and management were introduced as a way of modernisation. It would allow the state to initiate, spur and steer economic development. Emphasis was put on large-scale investment in the metropolitan centres and it was assumed that the benefits of growth would trickle down and spread to the peripheral areas. Regional disparities would gradually be lessened and the people would benefit from continued economic growth (Cheema, G.S. and Rondinelli, D.A. 1983:10).

By the end of the 1960s it was widely recognised that centrism had not achieved these developmental goals. In fact the problems of underdevelopment – declining standards of living, income disparities, regional disparities, poverty, including absolute poverty – worsened. Much of the interest in decentralisation, undoubtedly, came from the realisation during the 1970s and beyond that central control and management were not answers to the development problems of the poorer countries of the world (Cheema, G.S. and Rondinelli, D.A. 1983:11).

The government re-orientation of the 1980s onwards, as suggested in the foregoing, is toward enhanced roles for sub-national and local governments, following the failures of centralised government (Adamolekun, 1999:14). Accordingly, in the past two decades, many countries in Africa have sought to decentralise government by transferring power (functions and resources) to local government.

The need for decentralisation is succinctly explained by Turner and Hulme who argue that the excessive concentration of decision making and authority within central government is a major obstacle to the effective performance of public bureaucracies in most developing countries. Public sector institutions are commonly perceived to be geographically and socially removed from the people and to take decisions without knowledge or concern about actual problems and preferences. The popular remedy for the problems of centralisation is decentralisation, a term that is associated with many positive connotations – proximity, relevance, autonomy, participation, accountability and democracy. Decentralisation is a theory and a policy that has appeal across the ideological spectrum. So great is its appeal that it is difficult to locate a government that has not yet unveiled a policy or programme of decentralisation in recent years (Turner, M. and Hulme, D: 2002:151). Accordingly, the Swaziland government has, in keeping with the international trend, experimented with decentralisation.

With the resurgence of decentralisation worldwide, there has been observed a corresponding emphasis on the efficiency and effectiveness of the devolved structures of government. This is because, from an administrative point of view, decentralisation promises more effective and efficient government, as well as improvement in the quality of services delivered (<http://portal.unesco.org>). It is against this background that the World Bank commissioned a study on fiscal decentralisation and sub-national government finance, covering a number of African countries, including, Swaziland in the 1990s (World Bank, Main Report on Fiscal Decentralisation and Sub-National Government Finance, 1999).

Additionally, in the same period of the 1990s the issue of governance in general and specifically good governance in Africa was propelled on to the centre stage of policy reform and academic discourse. International organisations such as the Economic Commission for Africa (ECA) championed good governance as a prerequisite for Africa's economic recovery and long-term development and, furthermore, sponsored activities to promote the evolution towards good governance in Africa (ECA 2005: National Governance Assessment: Monitoring Progress Towards Good Governance in Africa).

Owing to the renewed focus on good governance in Africa, the ECA commissioned a study of national governance, conducted in 1999-2000, to measure progress towards good governance, both political and economic, covering 28 African countries, including Swaziland. It is noteworthy, though, that the aforementioned study focused on national government rather than local government (Economic Commission for Africa - African Governance Report, 2005). Yet, it should be obvious that the elements of good governance are significant for modern government in all its various spheres and/or levels, especially the local government level.

The issue of good governance is vital in the context of local government. Recent trends have advocated local governance as an international, national, and regional priority. Commitment is increasingly being expressed to: develop responsive, participatory and accountable systems of governance and

management at local levels; ensure the engagement and participation of civil society in the formulation, implementation and monitoring strategies for development; and to build national capacities to formulate and implement policies at the local level (<http://portal.unesco.org>). It has been argued convincingly that the various good governance elements – to be considered in detail in the relevant sections of the research – can contribute to the development and strengthening of public administration capacity (Adamolekun L, 1999: 8).

In the same vein, the issue of service delivery has assumed increasing importance in African countries in the wake of the growing emphasis on good governance. In the past decade, governments have awakened to the need to improve service delivery and increase the level of public satisfaction with public services. The creation of a competent system of public administration that is capable of formulating appropriate policies and delivering services adequately is considered as one of the key elements of good governance (World Bank, 1992). As an illustration, in the 1990s the government of the Republic of South Africa, as part of its pronounced commitment to democratise the state and promote a professional service ethos, initiated *Batho Pele*, a framework for delivering and improving the quality of services to meet citizens' expectations. Citizen satisfaction, in this case, is a goal that would be achieved when public servants, in their various service rendering activities, succeed in putting people first, through the application of a set of principles or guidelines for *Batho Pele*, outlined by the Government White Paper on Public Service Transformation (www.info.gov.za/white_papers/1995/transformation.htm).

The above strategy for service delivery adopted in South Africa, to be elaborated further in the relevant section of this discussion, demonstrates that the promotion of a professional service ethos in service rendering, to ensure citizen satisfaction with public services, is not only a key element of good governance but is also a growing trend of significance for contemporary governments. It is for this reason that the Swaziland government found it appropriate to commission a study, in the form of a national survey, to investigate the state of service delivery by central government ministries (Government of Swaziland, Main Report: State of Service Delivery in the Civil Service, 2002).

Whilst the four studies on public administration in Swaziland, referred to in this section, addressed issues that were of major academic significance in the past decade (public sector performance, governance and service delivery), it has been observed, however, that in virtually all these studies, attention focussed on national government rather than on local government. It may be argued that – to the extent that local government has been given scant attention and/or relegated to secondary importance and in some cases completely marginalised – there are important gaps to be filled concerning research on public administration in Swaziland. Thus, it has been determined that a study such as this, which is focussed on local government, can assist to elevate this level of government in the policy and academic debate as well as add to existing knowledge about its proper role in society and the government system.

1.3 PROBLEM STATEMENT

The study proceeds from a premise that local government acts in a service rendering capacity. Local government institutions are important as providers and administrators of essential public services paid for by the inhabitants of a specifically demarcated geographical area and supplied continuously to meet their needs. The national government and individual citizens expect to experience local government institutions that deliver public services competently.

Whilst research on local government, world wide, has been impressive, in particular the country studies, as evidenced by a voluminous literature in this area of Public Administration, serious gaps remain in terms of research pertaining to Swaziland. Evidence indicates that very limited research has been carried out on local government in Swaziland compared to other countries of the world, including those in the rest of Africa. Less well studied, are the factors underlying inadequacies in service rendering by local government in Swaziland in the period since 1968, i.e. the year of independence.

In this research, the question of public service delivery is examined from the perspective of the role played by urban government in Swaziland. The problem to be addressed by the study concerns the essential factors underlying success or lack of progress in service rendering and the requirements for competent administration in the country's urban areas.

Whereas, there is a paucity of evidence regarding service delivery by local government in Swaziland, research findings concerning a number of countries in Africa indicate that local government institutions face serious challenges in their quest to fulfil the mandate of service delivery. In a study of decentralisation in West African states, it was observed that local authorities were mere agents of central government. There was a tendency towards greater centralisation of power and authority and the stripping of local authorities of their authority, leaving them to perform only rudimentary maintenance functions (Wraith, R. 1972: 67). In Southern Africa, particularly in Botswana and Zambia, a similar picture is portrayed by some studies, which reveal that the capacities of local government have remained limited in terms of providing services, planning and implementing development projects as well as assuming additional responsibilities. This state of affairs is attributed to the central government's continuing tendency to play a dominant role in relation to the operations and activities of local government (Sharma, K 1999: 75; Mutahaba, G 1999: 97). In the same vein, studies of Kenya and Tanzania in East Africa, as reported by Wohlmuth (1999) and the African Development Bank, show local governments as being grossly inadequate with regard to service provision and administration. Local governments in the named countries have lacked autonomy, resources, real power and function and the capacity to raise revenue (African Development Report 2001: 164).

Thus, the picture that emerges concerning the performance of decentralisation is that there have not been many positive results in Africa. Decentralisation has not proven to be a panacea for making state-led interventions more effective in

promoting development. Under the banner of decentralisation, governments created a range of territorial institutions often with a great deal of fanfare. At the same time policies were introduced that concentrated power and decision-making, weakening opportunities for citizens to exercise economic and political power. Serious devolutions have been rare and deconcentration has been the favoured approach (Turner, M. & Hulme, D. 2002:174).

The above state of affairs concerning decentralisation and service delivery in Africa is judged to be unsatisfactory, disconcerting and precarious especially in light of reports that the continent has the highest rate of urban growth, estimated to be at 4% per annum (African Development Report: 2001:165). It is considered that the challenge facing local government in the towns and cities of Africa, in the wake of the unprecedented levels of urban growth, has two sides. The first relates to the lack of appropriate managerial systems and policy frameworks designed to foster better performance, promote greater efficiency and effectiveness of operation, and ensure a more competent service to the urban community. The second relates to poor governance, particularly the lack of systems and frameworks at this level of government, that foster meaningful participation and that also give local inhabitants the opportunity to exercise political and economic power.

Poor performance by municipalities is a serious weakness because, as the level of government that is truly grassroots, local government ought to be a vibrant structure for service delivery that offers the best prospect for countering the

inefficiency and ineffectiveness associated with the centrality of the state in development. Urban government is, therefore, expected to live up to its promise of efficiency and effectiveness in service delivery. Furthermore, the lack of strong and enduring local government systems that are manifestly democratic, accountable and responsive are also serious weaknesses because the primary role of local government – particularly urban government – is to serve as a catalyst to economic growth and development in urban neighbourhoods through public service delivery as well as create arenas for political debate and participation that afford citizens the chance to exercise political and economic power. Without effective local governance, urban municipal authorities will not be able to convert the potential resources available in the city or metropolitan area into essential inputs and/or outputs necessary for supporting urban growth and development. Consequently, urban government will not be able to contribute as much as it potentially could to the process of economic growth and development in the communities being served (Olowu, D.1999: 42).

The foregoing assessment of the performance of decentralisation policies in Africa is shown to be the dominant view. It can be noted, however, that this view needs to be recast against a more positive one, typified by Rondinelli and Nellis (1986), which hold that even though decentralisation policies have not proved universally successful their achievements are significant and increase as time passes; and that therefore there is a case for cautious optimism. It is also worth

noting the proposition that case studies are likely to provide a more balanced account of individual country experiences with decentralisation.

On the basis of the evidence that is available, it may be surmised that to a lesser or greater extent local government in Swaziland is likely to experience the same problems and challenges as those that have already been highlighted in relation to the experience of African countries in general. Since there is little evidence that decentralisation in Africa has succeeded in creating strong, vibrant and democratic systems of local government, capable of efficient and effective service delivery, it may be postulated that the local authorities (city councils, town councils, and town boards) in Swaziland too have yet to emerge as bodies that act in a high-performance way and, furthermore, that the local government system in Swaziland has yet to experience a significant shift towards a democratic dispensation.

The above state of affairs in Swaziland may possibly be attributed to a number of factors including centralisation and excessive control. Yet, the aforementioned are unlikely to be the only factors that undermine the performance and vitality of local government in the country's urban areas. There may well be constraints and hindrances to competent administration that stem from the external environment given that the activities and operations of local government involve conducting and maintaining formal relations with other role-players within the

broader social system. It is postulated that the external environment is likely to impact either positively or negatively on the operations of urban government.

The foregoing observation leads to the compelling proposition that urban government could be a primary structure for development in Swaziland, depending on its capacity to provide municipal services competently, in an efficient and effective manner, and provided that the function and purpose of urban government are reshaped sufficiently to produce a governmental system in the country's towns and cities that give citizens more economic and political power given that better urban governance could be instrumental in securing the livelihoods of people who live in urban neighbourhoods.

1.4 RESEARCH QUESTIONS

In light of the above statement of the problem and the observations already made about the major theme of the research, the thesis will examine the following question:

Does urban government in Swaziland possess the capacity to provide competent administration to deliver effective and efficient services that meet the material and social needs of citizens, particularly the inhabitants of towns and cities, given that they, as customers and service recipients, ought to be the focus of service delivery in a governance context where accountability and responsiveness to them should be the primary goal?

1.5 RESEARCH AIMS AND OBJECTIVES

In determining the research objectives, consideration has been given to the main focus of the study. Since the research is aimed at assessing the performance of service delivery by urban government, which entails considering the factors that underlie success in meeting this task, the study objectives are as stated below:

The *first* objective is to examine the nature, structure, powers and functions of local government in the urban areas of Swaziland.

The *second* objective is to assess local government performance in the country's urban areas in relation to service rendering and ability to meet the needs of the people in terms of the quality and quantity of services as well as other development needs of the fast growing urban communities.

The *third* objective is to assess the extent to which key good governance criteria are observed in the management of local government affairs in the country's urban areas.

The *fourth* objective is to assess how local government in Swaziland is shaped by its external environment and the implications of this for local government's performance of service delivery in urban areas.

1.6 SIGNIFICANCE OF THE STUDY

Performance management and governance – the two concepts employed by the research – are significant from a scientific point of view and have continued to receive growing attention in the field of Public Administration in more recent years. To illustrate the significance of the first concept - performance management - Joseph Wholey argues:

In times of important public needs and scarce government resources, improving government performance i.e. increasing the quality, efficiency, and value of public services is important to all. The task facing public managers, from this perspective, is to explore the political and bureaucratic constraints that inhibit high performance in government organisations and then examine the leadership strategies, management practices and analytical approaches that policy makers, managers and staff can use to stimulate, achieve and communicate organizational excellence (Wholey, J. 1987:3).

For Matheson, the growing emphasis on 'performance management' is aimed at achieving a reorientation of public management systems - which traditionally are rule-governed - to take more account of results i.e. what is done and what is achieved (Matheson, A 2002:7). Public sector and related organisations, it is argued, need to demonstrate that public money is spent in accordance with legal mandates and that high quality services are rendered to clients and communities. The new public service culture places the client at the centre of service delivery.

Public sector organisations need to strengthen their focus on performance improvement, monitoring and evaluation, both from a strategic and an operational perspective. Striving towards continuous improvement and aiming for excellence is an expectation of government and society alike (Van der Waldt, G. 2004:3).

The second concept — governance — is also of vital importance. In considering this aspect, the thesis highlights mainly the good governance elements. It is accepted, as a point of departure that a major development in public sector reform internationally has been governments' commitment to adopt best practice in managing public affairs, including the principles associated with good governance; these are principles that are held to be pillars of effective public administration, just as they are also held to be an essential prerequisite for social and economic development, especially in Africa. The aforementioned two issues, public sector performance and good governance, are clearly linked; but also, they are relevant for all governments, regardless of their stage of economic development.

As Matheson argues, due to the outcome-oriented approach in the field of public service delivery, governments now recognize the need to enhance transparency about what governments do and achieve, strengthen accountability for actions and results, increase efficiency in policy implementation and facilitate coherence. Matheson also argues, quite correctly, that – to the extent that these broad

objectives are influencing the reform of public management, it is likely that attention to an outcomes approach will continue to develop in countries already working in this direction and spread to other countries in the years to come (Matheson, A. 2002:22).

Thus, departing from the premise that service delivery, performance management and governance are issues of global interest that are also central to the academic discourse on public affairs, this study will document the Swaziland experience, focusing on urban municipal government. By investigating the issues implicated in the research objectives, the study will reveal whether there is an orientation within local government in Swaziland to meet the requirement(s) for efficient, effective, economical and equitable service delivery. The study will also indicate the extent to which local government in Swaziland has been re-oriented to the key elements of good governance e.g. accountability, transparency, responsiveness, grassroots participation, and good leadership. In addition, by investigating all these variables, the study will reveal the extent to which the key role players are able to influence management and the organisation as a whole to act in a high-performance way. The external factors that impact on local government are likely to become clearer as the study explores the horizontal and vertical linkages of local government.

In relation to the first aspect to be examined – performance management – it may be argued that local government currently evolves at a time of increasing

urbanisation and when urban populations are correspondingly becoming more educated and enlightened. Public expectations of service excellence have never been greater, fuelled as they have been, by a growing performance-oriented culture. There is a growing focus on what functions the managers and councillors within local government actually perform and how efficiently and effectively. This is a reversal of the previous tendency towards apathy concerning the performance of the public sector in general and local government in particular. Hence, it is important to consider whether there is an orientation within local government in Swaziland to adopt international best practice regarding performance management.

In relation to the second aspect to be considered by the study – the question of governance, evidence suggests that this issue has assumed special importance in Africa in recent years in the wake of the renewed interest in democracy and democratisation (World Bank, 1992). The evolution towards the desired form of governance — good governance — is being advocated throughout the continent as part of the reforms aimed at achieving stable and effective government as well as long-term economic development (Economic Commission for Africa, 2005:VI).

This study departs from the position that good governance is an essential requirement for organisational success, in particular through service excellence. Public bodies, such as local government institutions are likely to act in a high-performance way, sustain high levels of satisfaction as far as service delivery is

concerned, and contribute more to development, when they embrace best practice, especially good governance. Conversely, poor governance is likely to contribute to dissatisfaction concerning the performance of service delivery. The study will test this argument with particular reference to local government in Swaziland's urban areas.

It is postulated that this research on local government is significant because local government itself ought to be an important issue to urban dwellers who care about what services are provided in the immediate vicinity. National politicians need local government institutions to assist them to fulfill their promises concerning service rendering to members of society. The members of the public maintain an interest in local government because they are financed mainly through various taxes applicable to local government. Local residents, as recipients of services, need local government, because it acts as an important conduit through which important public services are delivered in their community. How local government institutions are managed and conduct their operations are matters of interest to students of public affairs, policy makers, and society both nationally and internationally.

Additionally, it may be argued that local government, in Swaziland, is an important area for scientific investigation for at least three reasons. Firstly, local government has relations with the national Treasury. There is government commitment to provide grant aid (financial resources) to municipal authorities.

How these resources are allocated and managed are issues that matter greatly, especially in view of their scarcity. Secondly, urban populations served by local government can be expected to be more conversant with and articulate on matters pertaining to government in general and local governance in particular – thus putting local government in urban areas on a different plane, from the point of view of the expectation to deliver public services competently, compared to local government in rural areas. Thirdly, urban residents, it is argued, expect to get not only real value for money, but also to be treated with fairness and involved in local government issues affecting their lives and livelihoods. Therefore, for Swaziland and indeed for any other developing country, the study of urban government is significant especially in an era of increasing urbanisation and one of increasing public expectations; local government is worthy of scientific investigation.

This study is not the first on local government in Swaziland. Beth Rosen Prinz (1976) asserts that her own research on urbanisation and political change in Swaziland, which was in partial satisfaction of the requirements for the degree of Ph D in Anthropology, University of California at Los Angeles, was the first of its kind. The fieldwork research by Rosen Prinz stretched from November 1971 to August 1973 and her dissertation was approved in 1976. Thirty years have passed since her study was completed. In the intervening period no other Ph D candidate was found to have completed a similarly extensive scientific study in the area of urban government with reference to Swaziland.

The current research inevitably makes reference to the research conducted by Beth Rosen Prinz much more than any other because her work, which touched on urban local government, precedes the present study. It may be argued that the present study builds on hers because of the similar focus on urban communities in Swaziland. It is asserted that this study complements in some important respects the work done by Rosen Prinz by investigating and reporting on the progress that has been made in the last 30 years since her study was completed. By so doing, the present study revises and updates existing knowledge on those aspects that were previously researched and also fills some of the remaining gaps concerning recent developments in the demands of society regarding the quality of public services.

Whilst acknowledging the contribution of Rosen Prinz to the understanding of urban government in Swaziland, the present study claims to be the first one to have been carried out at the same level in the discipline of Public Administration. Even more crucially, it will be demonstrated that the present study has a different focus to the research carried out by Rosen Prinz in 1976, as the latter was conducted within the framework of the discipline of Anthropology, and also does not concern itself with the issue of service rendering, performance, and local governance. That the focus of the present study is dissimilar to that which was completed by Rosen Prinz is clear from the abstract she produced for her dissertation. In the abstract she states the following about the focus of her dissertation:

“This dissertation focuses on the implications of political independence and majority rule for two urban centers (Mbabane and Manzini) which developed politically and economically under white minority control. Its major purpose is to investigate factors underlying continuity and change in urban local government by analyzing the formal political structure in the two towns in Swaziland, a recently independent Kingdom. More specifically, it examines the factors contributing to the development and decline of a foreign (British colonial) model of local government and the emergence of a uniquely Swazi solution to the widespread problem of adapting a socio-political system (Tinkhundla) developed under a pre-colonial period of independence to the demands of a rapidly urbanizing and industrializing society” (Rosen Prinz, B. 1976: x).

There are a few other theses on Swaziland in the libraries that were visited in Swaziland and South Africa. These theses have had to be reviewed to ascertain their focus, degree of similarity and possible duplication *vis-à-vis* the present study. The theses that were reviewed include one written by Menelisi Genge on Swaziland and submitted to the Michigan State University in 1999, in partial fulfilment of the requirements for the Ph D degree in History under the title “Power and Gender in Southern African History: Power Relations in the Era of Queen Labotsibeni Gwamile Mdluli of Swaziland, ca 1875-1921”; and another one written by Leon Fourie for the degree of Doctor of Administration, submitted to the University of Pretoria in 2000 on the “Role and functions of municipal councilors: guidelines for the training of newly elected councillors”.

The first one (Manelisi Genge's dissertation) provides useful insights on the cultural dimension in Swaziland which are important to the current research. It may be stated that the review of the literature on Swaziland proves convincingly that, in the present research, the cultural dimension should be considered specifically. This is because the Kingdom of Swaziland remains one of the few countries in the world where indigenous culture is a dominant and pervasive social force influencing the administration of public affairs. Besides, Swaziland is a kingdom with an executive monarch, one of the very few remaining in the world and, as such, has to accommodate dualism in the governmental system. Therefore, this important dimension merits inclusion amongst the core issues examined by this research.

The second thesis reviewed for this study (Leon Fourie's thesis) considers the responsibilities of councillors in relation to their governing and representative functions, for the purpose of determining the requirements for core modules for the training of newly elected councillors. Leon Fourie's thesis is related to the focus of the present study in as far as both studies touch on the governance aspect of local government. Having considered the foregoing research projects by the named authors, the present study will agree with some of their arguments and assumptions whilst challenging others.

1.7 LOCAL GOVERNMENT IN PUBLIC ADMINISTRATION

In political decision-making, one of the important questions to be resolved relates to the organization of the government's administrative apparatus. This includes determining the institutional arrangements that must exist under the executive authority and how the whole complex arrangement would operate. Typically, the country's constitution creates a system of public administration encompassing a network of public bodies under the executive arm of government to provide public services, such as is the case in Swaziland. The manner in which public administration is organized assumes particular importance because the organizational framework that is created, inevitably, has a bearing on the efficiency and effectiveness with which the services are provided.

Since centralisation has not proved to be an efficient and effective approach to public administration, a number of territorial institutions or sub-national governments (states or provinces or local government) are established to assist in service rendering. Thus, local government is created as a third or second tier of government depending on the agreed institutional arrangement and/or whether the country is a unitary or federal state; the geographical area; and extent of centralisation and decentralisation.

As an illustration, in South Africa and USA, local government is the third sphere of government whereas in Swaziland and Botswana it is the second level of

government. In the above examples the USA may be regarded as a federal state and South Africa as a unitary state with federal characteristics, whilst Botswana and Swaziland may be considered as examples of unitary states.

The institutions of local government, in many countries, are created by statute as part of the policy of decentralisation, intended to give effect to the social and political values enshrined in the constitution and to bring government closer to the people as well as facilitate the peoples' participation in the political processes that shape their daily lives. The process of decentralisation implies moving away from centralised and/or hierarchical government structures to diffused but flatter systems. It connotes some form of local administration and provision of public services by local bodies, in particular local government institutions.

Local government, throughout most of the world, is increasing in terms of importance. There is a strong view today that local government is such an important part of the government system and, therefore, of society in general, that it cannot be ignored by anyone concerned with, and interested in the world in which s/he lives. In the Western world, local government is more important today than it was at the end of World War 2 (Stanyer, J. 1976; Reddy, P.S.1999; Alexander, A. 1982). In Africa it is probably more important now than it was at independence. Therefore, its significance in government is evident. Local government is vital in the quest for stable and effective government.

The above position is underscored by the fact that local government institutions employ an increasing number of public employees, receive and spend a substantial proportion of national income, and have been growing in terms of size and geographical spread. For Stanyer, J. (1976:16), another way of underlining the importance of local government is simply to mention some of the services for which local authorities are responsible – town planning, leisure and recreation, police and security, health, refuse collection, roads maintenance, street lighting and housing - all of which are the conventional denominations for public services often of vital importance to the individuals who consume them.

The foregoing arguments are further emphasised by Cloete and Thornhill whose account of the system of co-operative government in the Republic of South Africa indicates quite clearly that local government is essential because of the role it plays in the governmental system. The government in South Africa is constituted as national, provincial and local spheres of government - which are distinctive, interdependent, and interrelated. Each of the spheres plays roles that are prescribed to it by the Constitution and legislation. Local government, as the third sphere (consisting of municipalities established for the whole country) must govern, on its own initiative, the local affairs of its community, subject to the provisions of the Constitution as well as the relevant national and provincial legislation (Cloete & Thornhill, 2005:21-28).

It is reported by the same authors that local government institutions must strive, within their financial and administrative capacity to realise specific objectives, which are to: provide democratic and accountable government for local communities; ensure the provision of services to communities in a sustainable manner; promote social and economic development; promote a safe and healthy environment; and encourage the involvement of communities and community organisations in matters of local government; in this way, local government provides citizens with more opportunities to make government and administration useful particularly in the local sphere and give effect to the theories of democracy as well as their practical application (Cloete & Thornhill 2005:28-29).

The foregoing observations about the nature and role of local government are true not only for South Africa but a significant number of other countries in Africa and the rest of the world. As Reddy observes, quite correctly, governments of different nations create local authorities to render services in defined geographical areas, primarily because of the inability of central government to attend to all the detailed aspects of government. Viewed from this perspective, local government can be defined as local democratic institutions or structures, which are subordinate members of the central government, vested with prescribed and controlled governmental powers and sources of income to render specific local services as well as control and regulate the geographic, social and economic development of the local areas (Reddy, 1999: 9-10).

Local government exhibits a number of distinctive characteristics. The following are some of the characteristics of local government that are common for most countries. They are in line with the classical model of devolved government advocated in the 1950s and 1960s as a blue print that newly-independent countries should pursue (Hicks, 1950; Maddick, 1963; Mawhood, 1987; Reddy, 1999; Alexander 1982; Rondinelli, Cheema & Rondinelli, 1983; Wraith, 1972).

I. *Locality* - Local government should be a local body that is constitutionally separate from central government and responsible for a range of significant services. Local government is identified with and has jurisdiction over a defined geographical area. The boundaries of each local government are defined precisely through a process of demarcation. Through demarcation, it is possible to draw lines separating one local authority from another and also delineate areas that fall inside a council's jurisdiction.

II. *Legal personality* - a local government system owes its existence to some form of statute. An Act defines the powers and responsibilities of local government and spells out how it shall relate to the other spheres of government e.g. in a system of co-operative governance. As a legal person, a local government can sue and be sued in its own name.

III. *Governmental power* - local government has the authority to carry out formal governmental functions, implement binding by-laws, levy local taxes, charge rates and engage in commercial ventures to raise income. Local government is

empowered to make binding decisions and policy choices within a legally stipulated framework, to allocate resources and provide services other than those of the central government.

IV. *Autonomy* - Local councils are political institutions, and as such expect to have some autonomous decision making authority rather than to function as local out-stations of national government; and where local institutions have such autonomy they will wish to express it by responding to nationally created expectations in what they consider to be a locally determined way. It should have its own budget and accounts along with substantial authority to raise its own revenue. It should employ its own competent staff who it can hire, fire, and promote. Central government administrators should serve purely as external advisors and inspectors and have no role within the local authority.

V. *Representation and participation* - in a democratic system, those whose responsibility is to make decisions and direct the affairs of a local government are either elected or appointed from the community it serves. Local residents are accorded an opportunity to participate in local government affairs probably much more than it is the case with national government affairs. A majority elected council, operating on party lines, should decide policy and determine internal procedures.

VI. *Accountability* - local government is involved in a triangular relationship with the central government and the local citizenry. Those responsible for directing its affairs are accountable for their actions or inactions. Central government officials often do intervene in the affairs of local government because local government is funded, to a greater or lesser extent, by central government. The instinct to intervene on local issues is particularly strong where a particular local government body receives the bulk of its income from the national government. However, in a democratic system, which advocates the principle of autonomy, it is generally held that local government is accountable to the local citizenry rather than the national government.

1.7.1 Representative model of local government: development and decline

Having defined local government and explained its main characteristics, it is appropriate to highlight some major trends relevant to the study of contemporary local government. The following brief discussion provides a general integrated framework into which this study can be set and begins with a review of the background of local government in Africa.

During the colonial period in Anglophone Africa, there emerged two parallel streams of local government, one for the towns and another for rural areas. In the towns some form of representative local government (committees and councils) were introduced, while in rural areas the British attempted to govern through

traditional chiefs, real or putative, and councils e.g. native representative councils (Rosen Prinz, B: 1976:6).

In order to assert control and to introduce their policies the British operated field administration that concentrated decision-making power in the hands of a non-indigenous, centrally-appointed officer; the district commissioner (DC). He was responsible for co-ordinating both forms of local administration. There was minimal interest in devolving power to local representatives as, at least during the nineteenth century and early twentieth century, the colonial ideology defined Africans as lacking the intellectual apparatus for modern governance. The DC ensured that law and order were maintained and commonly performed a set of political, administrative and judicial roles (Turner, M. & Hulme, D. 2002: 163).

Inevitably there were clashes of viewpoints between the colonial and traditional authorities since each had distinctly different and often conflicting ideas concerning the priorities, functions and composition of local councils. Thus, while colonial officials emphasised the provision of services, and efficiency in the management of the day-day affairs, traditional authorities focused their attention on the settling of disputes and enforcement of custom and traditional practices (Richards, A. 1971:9-12).

The Second World War had a profound impact on the attitudes of colonial powers. For Britain, the government sought to introduce an efficient and

democratic system of local government to its possessions – an exercise in decentralisation. Behind the decision to introduce the representative model early in the 1950s were both political and administrative reasons. Independence at this time was considered to be a distinct possibility and it was assumed that these new institutions would be more effective in national development than traditional authorities (the former native representative councils). From another perspective, it was considered that participation at a local level would be an ideal training ground for preparing new leaders and their electors for democracy. The policy envisaged the gradual evolution of local government and, at least during the initial phases, the DC would play a prime role in tempering local autonomy with oversight by tutoring, advising, and inspecting local authorities. The colonial power feared that too much autonomy would lead to inexperienced managements wasting resources and would generate undesirable demands, such as calls for decolonization. British administrators were hopeful that following independence the local authorities would assist in entrenching notions of democratic government and act as a countervailing force against possible abuse of power by powerful national government leaders (Cambridge University, 1961:5).

Nationalist leaders initially accepted the axioms of parliamentary democracy and with it the British system as its most effective expression (Mair, L. 1970:134). Underlying their acceptance, however, was the recognition that the representative model would serve as a means of weakening the power of chiefs (Wraith, R. 1972:30). As nationalist movements developed and identified local

government processes as one arena for the pursuit of independence, then the evolutionary approach of the colonial office came under attack. The attempt to establish local government was curtailed in the 1960s as African nations became independent. The national leaders of these new states faced a quite different set of problems than the colonial masters, and had a much more ambitious goal to pursue – development. Uppermost in many of their minds was the need to create a national identity and to introduce national planning. Popular participation in local government was perceived as having the potential to unleash nationalist political forces, whilst decentralised planning ran counter to the notions of efficient planning structures advocated by aid agencies, academics and technocrats (Turner, M. & Hulme, D. 2002:163).

Hyden (1983) and Wraith (1972) have analysed the African experience and argue that under the banner of decentralisation, the 1960s and 1970s actually witnessed the reduction of the power of local government and attempts by national government to exert even greater control over local decisions. As also argued by Rosen Prinz, B. (1976:8) a decade after it was introduced in Africa, the representative model was in a state of decline and stagnation. Local government had become a byword for inefficiency and corruption; and councils were viewed by their constituents as organisations where individuals can feather their nests with relative ease. In countries such as Nigeria, reports of irresponsibility and corruption started filtering out. Aggravating these problems were severe shortages of financial and human resources. The central government absorbed the bulk of available resources and the skilled personnel, leaving the local

councils to fend as best as they could. Without the guidance of experienced staff, and the backup of funds and equipment for public projects, the councils were unable to withstand the pressure of corruption (Rosen Prinz, 1976).

Later in the 1970s, in some countries in Africa, the three major functions of local government – education, health and roads – were transferred to central government as were the councils' major source of revenue; as a consequence local government was left with no meaningful responsibilities. Some African countries saw local governments being dissolved by the central government. Although the degree of devolution to local authorities at the time of independence differed, the general trend was that governments leaned towards deconcentrated authority at the expense of devolved authority in the 1960s and 1970s (Turner, M. & Hulme, D. 2002: 163. In these circumstances, it is not surprising that the representative model of local government collapsed in some countries even before independence and power reverted to the central government.

1.7.2 Centralised model

A major characteristic of governance in the African continent following political independence was the overt centralisation of governmental authority. On achieving independence, many countries retained the inherited structures (United Nations, 1962). This resulted in considerable reliance on centralised institutions and this often meant the neglect or suppression of local self-government or the

absence of any meaningful grassroots involvement in governance. Among the consequences of over-centralisation were the distortion of the development process and the stifling of the contribution that local talent and initiative can make to development; and under-mobilisation of local resources or failure to utilise them to best advantage (United Nations, 1962).

Many governments have, to varying degrees of success, made attempts to reverse the above state of affairs. A claim is made that Africa experienced a second round of decentralisation in the late 1970s and 1980s. The 1970s and 1980s in Africa were characterised by determined efforts aimed at addressing the problems associated with centralisation, to revive local government, and give more power to people at the grassroots level – through decentralisation (Turner, M. & Hulme, D. 2002: 163 -164).

1.7.3 Decentralisation

Decentralisation remains the most popular approach to strengthening public administration and of removing the faults or imperfections associated with central government bureaucracy. Its significance and appeal stem partly from the failures of the centralised state and the persistent feeling that national governments are removed from the people, unresponsive, inefficient, and probably irrelevant to local needs and aspirations. Decentralisation denotes a process whereby centralisation is reversed so that power is shifted from central bodies to a multitude of autonomous or semi-autonomous bodies concerned with

the formulation and implementation of policy in particular localities in answer to local and variable requirements. Thus, Mutahaba offers the following definition of decentralisation:

Decentralisation isthe transfer of legal, administrative, and political authority to make decisions and manage public functions from central government to field organizations, subordinate units of government, semiautonomous public corporations, area-wide development authorities, functional authorities, autonomous local governments, or non-government organizations (Mutahaba, G: 1989:69).

Decentralised structures can bring the government closer to the people and has the potential for enhancing efficiency and accountability. This point is made persuasively by Turner, M. and Hulme who argue that:

In reality, all national leaders have no choice but to decentralise some decision – making and authority. Total centralisation (all authority being vested in a single individual who takes all decisions) is infeasible even for the most efficient autocrat in a micro state. The needs of the modern state to provide some services to at least part of its citizenry, to exercise political control over its territory and to bolster its legitimacy require that a degree of authority is delegated and some decisions are made outside of the political and administrative centre (Turner, M. & Hulme, D. 2002: 152).

Most governments endeavour to promote decentralisation because it facilitates the unblocking of an inert central bureaucracy by giving more direct access for the people to the government and the government to the people, and stimulating

the whole nation to participate in national development plans (Mawhood, P.1987: 20-22; Cheema, G. & Rondinelli, D.1983:14-16).

It is argued that the degree of political and legal power that is transferred or delegated i.e. the amount of power that the national government relinquishes to subordinate institutions may be one way of distinguishing between the approaches or forms of decentralisation, whilst the forms adopted will generally be a function of the motive for which decentralisation was introduced (Mutahaba, G 1989:69). It is worthwhile to consider the question of the degree of decentralisation and the forms that it may take. Decentralisation may be understood from two perspectives. The first is the transfer of authority on a geographical basis by *deconcentration*. The second is the transfer of authority to local government institutions by *devolution*.

Thus, deconcentration may be viewed as administrative decentralisation - the delegation of functions to field units of the same department i.e. to public servants working in the field offices geographically removed from the head office. In this case only a minimum transfer of power takes place to make decisions in the execution of central government policies (United Nations 1962; Wraith, R. 1972). Deconcentration may, on the one hand, merely involve the shifting of workload on an *ad hoc* basis, without shifting authority to decide on how those delegated functions may be performed. On the other hand, it is possible to have a greater degree of deconcentration characterised by a system of field administration with discretion to plan, make decisions, and to adjust the

implementation of central directives to local conditions, within broad guidelines set by the centre (Mutahaba, G.1989: 70).

Devolution is what may be described as political decentralisation. It implies the transfer of responsibilities and functions from the centre to relatively autonomous bodies, lying outside the command structure of the national government, in the form of regional or local governments. It implies a larger measure of autonomy in discharging functions and decision-making by elected representatives within local authorities (United Nations, 1962; Wraith, R. 1972).

The decentralisation purists point out that devolution is the only authentic form of decentralisation. All other forms of decentralisation are held to involve more concentration of power than democratic local government and when judged against the ideal are seen as exhibiting degrees of centralisation (Turner, M. & Hulme, D. 2002:154).

For Mutahaba, devolution should have particular basic characteristics that include the following: firstly, there ought to be a serious intent about the granting of autonomy by the centre to local authorities. Secondly, the local authorities ought to have clear and legally recognised boundaries over which they exercise authority and perform public functions. Thirdly, the local government bodies must be given corporate status and the power to raise sufficient resources to carry out specified functions. Fourthly, devolution implies the need to develop local government institutions as autonomous bodies perceived by the people as belonging to them, in the sense that the institutions provide services that satisfy

their needs and remain subject to the peoples' control, direction and influence. Finally, devolution does not imply federation i.e. the local government units remain linked to the central government and with other units in the political system through arrangements of mutual support and reciprocity. In all cases, the autonomy is granted by the centre (Mutahaba, G. 1989:72).

Some writers on decentralisation point out that decentralisation is a gradual *process*. In environments with poor traditions of citizens' participation, therefore, decentralisation is perceived to be an important first step in creating regular, predictable opportunities for citizen-state interaction. Decentralisation, from this perspective, should not be applied uniformly in a manner that presupposes that all local level structures have equal capacity to take on board devolved functions; it is considered that such a situation can lead to complex regulatory difficulties. The concept of *asymmetric decentralisation* describes a situation in which subnational governments are differentially treated with regard to the regulation, financing and/or delivery of public services (Wehner, J H-G, 2000:249-250).

Local government plays an important role in governing a country and promoting important values. Strong philosophical arguments are advanced, emphasising the potential local government has to promote the efficient and effective rendering of services and to promote and entrench democracy at both the local and at the national level (Reddy, 1999:15). The various factors that make decentralisation a desirable option i.e. the advantages claimed for it include

those that are outlined below (Reddy, 1999; Cheema and Rondinelli 1983; Mawhood, 1987; Hilliard, 1996; Hanekom, 1988).

The bureaucratic structure characterised by the concentration of power and authority at the centre is seen as an obstacle to efficient and effective administration. Through decentralisation, it is possible to reduce bureaucracy and red tape associated with governmental and administrative structures.

Decentralisation promotes democracy. Stronger regional or local governments can control the tendency of central governments to become all-powerful. It can support the process of democracy by facilitating the exchange of information from the local government to the central government and *vice versa*, improving the relationship between the government and the governed, changing the relationship between different social groups from confrontation to co-operation, and supporting the development of democratic institutions.

Decentralisation can facilitate co-ordination in the provision of services. It could promote development management capacity amongst local governments and the provinces, thereby taking over functions that are not performed efficiently and effectively by national governments; it would promote equity in the allocation of resources and ensure that development occurs and is initiated at grass roots level; it could provide an important vehicle for mass participation by the local citizenry and the mobilisation of the rural poor in actions against poverty; it can

promote political stability and national unity by facilitating the participation of groups in different parts of the country in decision-making thereby ensuring that they support the political system.

As the level of government that is closest to the people, local government could allow local citizens to actively participate in affairs which affect them directly. Consequently, at the local level, democracy is experienced and practiced more directly and immediately than any other level of government. Decentralisation could also ensure a more meaningful representation of the divergent political, religious, ethnic and tribal groups in decisions.

Decentralisation is a natural, indispensable counterpart to democracy and fulfils democratic aspirations. It could be stated that local government is of vital importance for promoting democracy in the African context. The absence of real, meaningful local democratic government results in a situation where power is concentrated in the hands of a few, often the elite at the centre. The elites at national level are likely to be self-serving and unresponsive to popular needs and aspirations. This state of affairs diminishes the prospects for local people to exercise both political and economic power or realise the benefits of development. Effective decentralisation could be a solution to the paradox of the African state, which is simultaneously too weak (soft) and too strong (powerful). The African state is weak in those areas where it should be strong (responsiveness) and strong where it ought to be weak (repressive power) (ibid).

However, it is worth noting that the experience of most African countries indicates that decentralisation has taken the form of de-concentration rather than devolution. National politicians have appeared reluctant to relinquish and/or devolve power and allow a degree of autonomy in decision-making at the local level. The key functions remained centralised in the hands of public servants who retained power and dominated decision-making and resource allocation, in spite of the fact that the public services they managed were weak in terms of capacity. In these circumstances, local participation continued to decline in Africa in the absence of meaningful devolution. Elections to local councils are either disallowed in favour of appointments or experienced a low turnout (Olowu, 1998:614). This is a point that will be elaborated further in the relevant sections of chapter 2.

1.7.4 Governance

The term governance is viewed by the Governance Working Group of the International Institute of Administrative Sciences (1996) as referring to the process whereby elements in society who wield power and authority, influence and enact policies and decisions concerning public life and economic and social development.

The World Bank (1992) defines governance as –

The exercise of political authority and the use of institutional resources to manage society's problems and affairs

An alternative definition suggests that governance is –

The use of institutions, structures of authority and even collaboration to allocate resources and co-ordinate or control activity in society or the economy

Davidson states that governance is about power, relationships and processes of representation, decision-making and accountability. It is about who decides, who has influence, how that influence is exercised and how decision makers are held accountable. Simply put, governance is the process of decision-making and the process by which decisions are implemented (or not implemented). Government is one of the actors in governance. Other actors in governance vary according to level of government that is under consideration and include of course, local government institutions and communities. It is also includes the market mechanisms where market principles of competition are employed to allocate resources while operating under government regulation (Davidson, M. 2003:11).

Having defined governance this way, good governance can then be viewed as a state of satisfactory fulfillment of expectations and achievement of societal well being by the mandated authority. The attainment of good governance requires accountability, transparency, responsiveness, a strong civil society, popular participation, efficient and effective systems and structures. It has further been stated that for good governance to prevail, there ought to be a permitting environment in terms of political stability (Davidson, M. 2003:11).

The last decade witnessed growing emphasis on good governance. The trend toward democratic governance is a global phenomenon. This new century has often been described as the democratic century (African development Report 2001:179). The growing emphasis on governance is indicative of the fact that public interest on this subject has heightened, more recently. The renewed interest on this subject coincided with the period of time, dubbed the second wave of independence, when awareness in the continent of Africa increased about the need to reform the political and administrative structures. Ineffective governance or bad governance is increasingly being cited as the root cause of many of the development failures in Africa.

The African continent is potentially rich and prosperous, it may be argued. There are many counties in Africa that are endowed with natural resources such as arable land, oil, minerals, and good climate. Even more significantly, Africa has hidden wealth in its people, who are the continent's human resources. However, Africa remains poor, has not fulfilled her potential and has remained marginalized, not because of lack of resources (even though there are a number of countries that lack these resources) but because of the failure to devise stable and acceptable systems of government (World Bank, 2000:48). Yet the goal of reversing the development crisis, according to some views, is not impossible; the continent of Africa is not doomed because of its poverty or its development record. In facing the development challenges, Africa has enormous potential – in resource-based sectors and in processing and manufacturing. It also has hidden

growth reserves in its people – including the potential of its women, who now provide more than half of the regions labour but lack equal access to education and factors of production (ibid).

African economies can perform far better. The region has great scope for more effective use of its resources – public and private, financial and human – and much more scope for improving the delivery of the essential services needed to upgrade the capabilities and health of its people and increase their opportunities (World Bank: 12). Trends in Africa, it is argued, will need to change radically for a catch up process to materialise. This will require determined leadership within Africa. It will require better governance – developing stable and representative constitutional arrangements, implementing the rule of law, managing resources transparently, and delivering services effectively to communities.

1.7.5 Local Governance and democratic decentralisation

Part of the problem in Africa, argues Dele Olowu (1995), is that efforts to construct strong and enduring systems of governance have concentrated at the national level. Local institutions of governance have received limited attention or consideration. The democratisation process at the national level, it is argued, will turn out to be irrelevant to the majority of people without constructing a democratic tradition at the local level, because the new elites in Africa are likely to be self-serving and unresponsive to popular needs and aspirations.

The view is gaining currency that strong institutions of governance at the local level are required not only because of the need to improve the livelihoods of local communities, but also because effective local governance is a necessary condition for strong and viable institutions of governance to emerge at the national level. According to the above view, real democracy has to begin at the local level. It could be said that local government is of vital importance for promoting democracy and development in the African context. It can create barriers against authoritarian regimes, which have become a marked feature of governance in the African continent in recent years (Reddy, P.S. 1999:21-24; Turner, M. & Hulme, D. 2002:151-154).

The term decentralisation does not necessarily signify a democratic dispensation; however, the concept 'democratic decentralisation' implies a more desirable and democratic system and is likely to be the most efficient method for the realisation of the objectives of decentralisation. The process is democratic in the sense that the source from which power is decentralised has its democratic base and the body to which power flows is also democratically organised. In this context democratic decentralisation is a political ideal and local self-government is its institutional form. Democratic local government can prevent the emergence of alternative power centres that are not subject to the influence and authority of the central government. In addition, it provides an opportunity for a government to

communicate with members of society, to influence them and to get feedback from them (Reddy, P.S. 1999:18-21).

Local government, representing decentralised political decision-making, is closest to the people and allows the local community to actively participate in affairs which affect them directly. Local governments can regulate matters that pertain to the local citizenry (within the framework set by the law) using local knowledge and expertise and consulting a democratically elected, local and representative body. Consequently, at the local level, democracy is experienced and practiced more directly and immediately than any other level of government (Hilliard, 1996: 6-7 & Hanekom 1988:17).

Therefore, democratic decentralisation is inseparable from the fundamental principles of good governance. The commitment to democratic principles and good governance is ideally expressed in the constitution. The values enshrined in the constitution inform the system of public administration including local government administration in the country.

Building effective and efficient local governance is increasingly seen as crucial components of the democratic project in Africa and as a way to establish a well-functioning economic and political system. The relevance of local governance for socio-economic progress stems from the need for local economic development, improved service delivery, increased popular participation in governance, and the

desire to bring government closer to the people. Good governance must be rooted in the effective participation of the people in decision-making, and functioning local self-governance institutions (African Development Bank, 2001).

1.7.6 External environment

Local governments are semi-autonomous bodies, which is to say that, they enjoy a degree of autonomy from central government. The autonomy is political, administrative and financial. Thus, local government has powers to elect representatives (councillors) who must formulate policies, employ staff (personnel) whose responsibility is to assist in carrying out the policies, and levy taxes (raise income) in order to finance their operations.

Since all organisations exist in and relate to environments that affect their operations, local government too is no exception. Local government no doubt has links with the external environment. The organisational environment is a vital element in influencing the nature of policy. The links that are of vital importance for local government are those that it has with the centre through the ministry responsible for local government. In different countries, various types of relationships emerge between the centre and local authorities. The relationship is not an easy one especially because of the need for local government to be given autonomy and yet it is dependent on central government for resources due to lack of local capacity. This is particularly true for those countries where local

government relies to a large extent on the national government for resources. Autonomy, therefore, is a relative concept.

1.7.7 Public service ethos and values: implications for service rendering

The ethos and values of public service set the public sector apart from the private sector environment. The public sector, where local government is located, is to all intents and purposes, the service sector and it exists primarily if not solely for the provision of services to the public. What distinguishes public institutions from others is that they are recognisably public and have an unmistakable political element. They are also ultimately accountable to the electorate through the various mechanisms for enforcing accountability. All public bodies act in a service capacity. They should be oriented not just towards making life possible but making it good (Strong, 1970:17).

The political element inherent in the public sector environment broadens the focus of public management towards the vague notion of public interest and away from narrow specific interest orientation (Lane, J. 1983). Advocacy and advancement of the public interest then is or ought to be at the core of each and every government institution's programme of action. As argued by Sharpe (1985), the state is not just another organisation. The state and the various public bodies it creates have a different value system or context, as they are or should be oriented towards meeting the needs of the public. They have an obligatory character that implies a duty towards the public (Lane, J.1993:7). Their public

quality allows them to fulfill a mandate, issued through political direction, to advance the public interest, a goal that is qualitative and whose outcomes are not always amenable to quantitative measurement.

Public institutions are either wholly or partially funded through the taxpayers' money. Local government institutions, for instance, have powers of taxation and are in fact, the bodies outside central government with powers to tax (levy local taxes or charge rates). The manner in which public services are funded is the reason why there should be public scrutiny of the operations of public institutions in a way that would not be possible with private companies. Because they are financed through public funds, it seems only logical that the citizens should have a vested interest in how the public institutions and the officials employed in them perform. Since they have already paid, members of the public have a legitimate right to demand and expect to receive adequate services as well as question and influence how public institutions function.

For the reasons already discussed, the public sector environment presents a major challenge to public officials, be they the elected councillors whose responsibility is to make policies or public servants whose role is to assist in the execution of those policies. The decisions, actions and inactions of public officials remain invariably in the public domain. Whilst discharging their duties and responsibilities, public officials are acutely aware of the constant public scrutiny

of and interest in their actions as well as the enormous public expectations as regards performance.

In service delivery, public servants are at the interface between the government, whose role is to ensure the constant supply of services, on the one hand, and the citizens who expect to receive adequate services, on the other hand. Public servants, thus, occupy the frontline position between the service provider (government) and the clients (citizens). When the government's clients are happy or dissatisfied with services, they will direct their gratitude or feelings of discontent to public servants.

In more recent years, there has been growing acceptance of the view that those who receive services from public bodies (citizens) must be viewed and treated as customers or clients of government. Just as customers of private companies may be satisfied or dissatisfied with the quality of the service they receive and have a right to voice their views about them, so are the clients of the government. Since they have already paid, the customers are entitled to receive efficient and effective services, which closely approximate the value of the money they have paid in terms of taxes/rates.

It may be argued that when public servants comply with internationally accepted best practice and/or prescribed normative guidelines in doing their work, the level of satisfaction with services is likely to increase whilst the level of dissatisfaction

amongst clients should diminish. Expectations of fairness, equity and consistency in service rendering require that everyone - the strong, weak, minorities and the majorities – should get fair consideration from public officials in accordance with the constitutional provisions and what is considered as human rights. The members of society in a country (consisting of all races, sexes, ages, and social classes) are not just a means to an end but are in fact the end of the actions and activities of public bodies.

The initiative in South Africa to instill an attitude of *Batho Pele*, as outlined in the White Paper, cited below, provides an excellent example of an attempt to apply and institutionalise equity and fairness in public service delivery. The *Batho Pele* White Paper is the national government's [White Paper for Transforming Public Service Delivery](#). It is about giving good customer service to the users of government services. The *Batho Pele* principles emphasise the right of the public to expect quality services, and further provide public servants with a written set of eight principles according to which they must carry out their tasks. All public servants are required to practice *Batho Pele*, which means 'people first'

The eight principles or guidelines for *Batho Pele* in the White Paper are:

1. [Consultation](#)
2. [Service Standards](#)
3. [Access](#)
4. [Courtesy](#)
5. [Information](#)
6. [Openness and Transparency](#)

7. Dealing with complaints
8. Giving Best Value

The above eight principles are explained in the Government's White Paper *WPTPS* – (www.info.gov.za/white_papers/1995_transformation.htm) as follows:

- **Regularly Consult**, with customers about the level and quality of services they are receiving and should receive in future;
- **Set service standards**, set out the level and quality of services that customers can realistically and consistently expect;
- **Increase access to services**, especially to those people who experience barriers to access (such as their - race, gender or disability; where they live; how much money they have; their access to modern communication systems; their culture and so on);
- **Ensure higher levels of courtesy** by setting out and sticking to standards of behaviour for the treatment of customers;
- **Provide more and better information about services**, so that customers have full, accurate, relevant and up-to-date information about the services that are available and that they are entitled to receive;
- **Increase openness and transparency** about how services are delivered, how well they perform, the resources they use and who is in charge;
- **Remedy failures and mistakes**, so that when problems occur, there is a positive response and problems are sorted out; and
- **Give the best possible value for money**, so that customers feel that the money they contribute to the state (through various forms of taxes) is used properly and that any savings are used to improve service delivery further.

Through the *Batho Pele* principles, service delivery and service excellence became a priority for those who are in public service, which requires consultation with the wider community, including the private sector, non-governmental organisations, community-based organisations, academic institutions, and

citizens themselves, concerning the delivery of services as well as service standards, courtesy, openness, transparency, better value for money.

The strategy requires also that all government institutions should develop and communicate demonstrable service standards that can be used to assess the performance of government as well as feedback systems that are necessary to maintain quality. To ensure that the underlying objective is achieved the government system is expected to allow a monitoring of service delivery activities, through a performance measurement strategy, that puts emphasis on results (Kroukamp, H. 1999: 305).

The *Batho Pele* principles are, to all intents and purposes, universal values as evidenced by the fact that many other countries of the world, including some within the Southern African region, are constantly considering new ways of improving public service delivery as well as instilling the attitude that the public service quest is, first and foremost, about putting people first. Public officials have a professional responsibility to uphold high standards of honesty and integrity in their dealings with the public and in the management of public affairs. Their conduct should not be dishonorable and therefore bring the public service into disrepute but ought to be exemplary and a credit to the profession. The notion of ethics in the context of public administration suggests adherence to universally accepted norms.

1.7.8 Fiscal Decentralisation

The national government commands a substantial proportion of the state resources and so the degree to which national government is prepared to extend discretionary power to local government over resource generation, planning and utilization has important implications for the success of decentralisation. Fiscal decentralisation generally entails the devolution of power to independent local government authorities that are, in turn, given responsibilities and latitude to determine the level and quality of service to be provided; the manner in which those services are to be provided; and the source and funds to finance the delivery of those services (UNDP/ECA – 2002: 21).

In fiscal decentralisation, centralisation is seen basically as a negative policy. The principle of *subsidiarity* guides decision making with regard to the allocation of tasks amongst the various levels of government. This principle maintains that, under fiscal federalism, decisions should be taken as closely as possible to the citizens and that the transfer to higher levels should not happen unless the lower level is no longer in a position to efficiently continue to provide the service. This principle has been the main strategy in certain parts of the world and a guiding principle for many countries in transition. Local authorities in this way play a central role by having a close relationship with the citizens, influencing how democracy and efficiency develop in order to ensure the best possible interaction between the provision of public service and local needs (Steffenson, J.1999:22).

1.7.9 Alternatives and partnerships in service delivery

An important element in facilitating high performance in local government is the involvement of the various stakeholders in both the decision-making and implementation processes. It is considered that such involvement potentially can assist in mobilising available resources, experiences, and energies of a diverse number of local partners and stakeholders. Such partnerships potentially can facilitate the involvement of local level communities including the marginalised in a given locality in service provision.

Advocates of this approach draw attention to the need to recognize the distinction between *provision* and *production* activities in public service delivery. Provision activities, on the one hand, involve decisions generally associated with governing. They include decisions regarding (a) what services to provide and to whom, (b) the quantity and quality of services to be provided, (c) how to finance those services, and (d) how to ensure that the services are produced. Production, on the other hand, is the process of converting inputs into outputs (UNDP/ECA – 2002:21-21).

A variety of arrangements are possible for both provision and production activities. To allow for the entry of other stakeholders in service provision, it is considered that policy makers may take into account three important elements:

(a) the adoption of commercial principles in service provision; (b) the introduction of competition; and (c) more participation of beneficiaries in service provision especially when the adoption of commercial principles and competition are not easily forthcoming (UNDP/ECA – 2002:21-21).

1.7.10 Private sector and Public-Private Partnerships in service delivery

In the era of economic liberalisation, one of the main candidates in the production of services is the private sector. It is increasingly being recognised that public sector monopoly over the provision of infrastructure, social services, and other goods and services is part of the problem in service delivery. Carefully designed strategies of private sector entry, thus, hold promise as it enhances the prospects for efficiency and effectiveness in service delivery (ibid).

There is a growing recognition that in countries suffering from financial constraints, the government can collaborate with the private sector, allowing situations where operations are contracted out to the private sector; such public-private partnership (PPP) has the advantage of releasing additional private sector resources (both administrative and financial) to address both quantitative and qualitative shortfalls in public services. In spite of the merits of PPP, however, writers have also pointed out the limitations of PPP. Experience in Africa and elsewhere suggests that if not properly regulated and monitored through effective legislative support, the entry of PPP, while providing

opportunities for improved social service delivery, could relapse into inefficiencies that could introduce an additional fiscal burden on the generally poor local level communities. It is in this regard that it is proposed that PPPs should be cautiously introduced, and adopted as part of quality improvement in local government structures rather than as a sudden and radical departure from the direct involvement of municipalities. This is particularly the case in the poorer communities where income levels are insufficient to meet the relatively high prices often demanded by the average private sector provider (ibid).

1.8 RESEARCH APPROACH AND METHODOLOGY

The research is focussed on urban government in Swaziland i.e. the local level of government found in urban areas only. The term urban government, in the particular case of Swaziland, is used in the statute to refer to urban local authorities. Local government in the rural areas (*Tinkhundla*) is outside the scope of this study, even though reference is made to local government in rural areas in Chapter 2 because of the significance, currently, of the *Tinkhundla* in the country's system of government.

The research examines its subject matter with reference to three urban areas in Swaziland, namely, Manzini, Nhlengano and Mankayiyane. These three urban areas were selected because they exhibit features that are more or less a microcosm of the system of urban government in the country.

The Urban Government Act, 1969 distinguishes among three types of urban local authorities, namely, *city councils*, *town councils* and *town boards*. The above distinction is based on the level of development reached by a particular urban community. There are, at present, twelve urban local authorities in the country. Of these, two are city councils (Mbabane and Manzini), three are town councils (Nhlanguano, Piggs Peak and Siteki), and seven are town boards (Mankayiyane, Hlatikulu, Lavumisa, Matsapha, Ezulwini, Ngwenya, and Vuvulane).

For this research the city council of Manzini was selected as a research site along with the town council of Nhlanguano and the town board of Mankayiyane. Since, the views of the inhabitants of the aforementioned urban areas were also relevant, the urban community of Manzini, Nhlanguano and Mankayiyane were research sites as well.

Manzini is a typically developed area characterised by modern infrastructure and amenities and is thus regarded as a city administered by a city council. The town of Mankayiyane is a typical small town in a typical rural setting where chiefs still exercise a great deal of power and influence and is administered by a town board. The town of Nhlanguano is regarded as an intermediate urban area lying somewhere in the middle in terms of infrastructure, development and amenities and is administered by a town council.

It is contended that the choice of study areas is appropriate because all three categories of urban areas and types of local government – city council, town council and town board – are represented. The unit of analysis in this study is a local government institution. The research setting is a typical local government institution i.e. a city council, a town council and a town board. Accordingly, the population included in the study was as follows:

- Selected inhabitants of the towns and cities in the study areas whose responsibilities are to vote, pay rates and enforce accountability, and who by virtue of being ratepayers and service recipients in their particular town/city can expect to receive adequate services from the local government institutions mentioned above;
- Selected officials of the local government institutions whose responsibilities are to formulate policies and/or administer the provision of public services;
- Selected central government officials whose responsibilities are to enact laws, policies and decisions pertaining to local government in Swaziland.

The key informants within the selected local government institutions were identified and selected on the basis of their knowledge of and involvement in the issues or questions relevant to the study. As for the residents of the cities and towns, a sample of them was taken in the areas falling within the jurisdiction of

each of the identified local government institutions and a representative sample was taken.

There are three sources of evidence that served as the focus of data collection for this study: *documents*, *archival records*, and a *survey*. All the sources of evidence were deemed to be appropriate. The documents used as secondary sources of data were collected from local government institutions. Archival records were accessed from the National archives in Swaziland and the special collections section of the library of the University of Swaziland. From the special collections section it was possible to obtain theses written on Swaziland including some of those that were reviewed as part of the discussions.

As for the survey, the study relied on an instrument (questionnaire) that was prepared specifically for this purpose. The sampling procedure used in the research was the random sample based on a formal survey. The survey was considered appropriate for collecting views about the municipal authority. The questionnaires have been attached as Annexure A and Annexure B. Two hundred questionnaires in respect of Annexure A and ten questionnaires in respect of Annexure B were administered.

Annexure A is the questionnaire that was designed for the inhabitants of the municipalities and consisted of a series of questions and statements designed to obtain their opinion about the nature of service delivery in their community as

well as all the aspects that are covered by the study. Annexure B was administered to solicit information on the various issues that are central to the study from key informants (councillors, town clerks) in the local government institutions themselves and (policy makers) from national government officials of the parent ministry of local government (MHUD).

1.9 LIMITATIONS OF THE STUDY

The study has limitations due to a variety of reasons. The limitations of the study relate to the following aspects.

- Scope of the study - it becomes necessary to delimit the study i.e. focus only on urban government because of the extreme differences between the traditional system and the western system.
- Coverage of the Research – The research does not cover all the urban areas in Swaziland because of the geographical distances separating the local government institutions in the country. The research will be confined to three urban areas - Manzini, Nhlengano and Mankayiyane.
- Dynamic Nature of the Environment - The public sector environment is constantly in a state of flux. In consequence, government policy is changing continuously, as a result of the dynamic nature of the environment. Inevitably, the current research takes place at a time when the government is

considering new policies, which are likely to impact on the management of local government affairs. It is neither possible nor desirable to incorporate, into the research findings, detail in respect of policy reform, given that the thesis is time bound. Thus, the research will only deal with systems up to December 2005.

1.10 CLARIFICATION OF TERMINOLOGY

There are a number of key issues about this topic, which are described in current literature and they include:

Accountability - the obligation imposed on public officials to provide information, explanations, and justifications concerning their actions, inactions, decisions and performance to overseeing bodies and to the people. It is answerability for one's actions, inactions or behaviour (Romzek and Dubnick, 1987:228);

Autonomy - the ability of lower level political institutions to make independent and binding decisions as well as policy choices within a legally determined framework in order to more effectively respond to pressing needs and expectations;

The Centre - the central government represented mainly by the ministry or department responsible for local government affairs, which may exercise powers

in relation to local government as specified in the Act - Urban Government Act (Urban Government Act, No.8 1969)

Council - a municipal or town council established under the provisions of the Urban Government Act (Urban Government Act, No.8 1969);

Councillors - the officials who have been elected directly by the people to represent them in a local government and also those who have been appointed by the Minister in terms of the Act, and who by virtue of this mandate are empowered to enact binding decisions (Urban Government Act, No.8 1969);

Customers - the people who, by virtue of having paid taxes and live and obtain services within a defined area, are entitled to receive public services, in this case, from local government institutions;

Decentralisation – the sharing of part of the governmental power by a central ruling group with other groups, each having authority within a specific area of the state....it indicates the existence of formal political structures, each covering a defined area, representing local interests as well as the interests of the central rulers (Mawhood, P. 1983: 4);

Democratic decentralisation - a democratic dispensation in which the source from which power flows has a democratic base and the body to which power flow is also democratically organized (Reddy, PS 1999:21);

Economy - is concerned with minimising the cost of resources (staff, material, and equipment) used for an activity in the pursuit of objectives. An economical organization acquires its input resources, of the appropriate quality and quantity, at the lowest cost. In summary, economy means minimizing the cost of resources used for an activity, having regard to quality (Jones, R. & Pendlebury, M. 1988:3)

Efficiency - is concerned with the relationship between the goods and services produced (the outputs), on the one hand, and the resources used to produce them (the inputs), on the other. Organisations must be efficient, which is considered to be the ability to produce maximum output from any given set of inputs, such that there is maximum productivity and lower unit costs. An efficient entity produces the maximum output from any given set of inputs. Alternatively, it may require minimum inputs to achieve a given quality of and quantity of output; (Jones, R. & Pendlebury, M. 1988:3)

Effectiveness - Public bodies are expected to be effective - which is judged to be the ability to help formulate policies and deliver the goods, standards, and services for which the organization was created. It is a measure of the organization's success or otherwise in achieving objectives. It is widely accepted

that effectiveness equates with the degree of success of activities or services in meeting their objective; in other words, that the outcomes specified in the objectives are achieved; (Jones, R. & Pendlebury, M. 1988:3)

Equity - is fairness in public service rendering. It implies giving to each individual what he deserves. It is about ensuring that the customers get fair treatment, such that they get the quality and quantity of services they deserve. It is about fair access to public services, but not equal access (Pauw, J.C., Woods, G., Van der Linde, G.J.A., Fourie, D. & Visser, C.B. 2002:7);

Good Governance - the legitimacy of government; the accountability of both the political and official elements of government; the competence of governments to formulate appropriate policies, make timely decisions, implement them effectively and deliver services; respect for human rights and the rule of law (ODA & World Bank in Turner, M & Hulme, D. 2002:231);

Governance – the exercise of political authority and the use of institutional resources to manage society’s problems and affairs; It is about who decides, who has influence, and how that influence is exercised and how decision makers are held accountable (World Bank, 1992; Davidson, M 2003: 11):

Participation - the opportunity to take part and be involved in the affairs of an authority and to make an input in the decision-making process; thus allowing for decisions to be made from the bottom-up rather than from the top-down.

Representation - the ability to make and direct the affairs of an institution on behalf of the people by virtue of a mandate;

Tinkhundla - the equivalent of local councils established in the rural areas of Swaziland.

1.11. Organization of the Study

This chapter provides the theoretical base for the thesis. It explains the need for the study; outlines the objectives of the research; articulates the problem statement; explains the significance of the study; indicates the approach and research methodology followed; defines the target population; and provides a theoretical framework for the study.

The second chapter reviews the country context to provide an understanding of the system of local government in Swaziland. It reviews the development of local government in Swaziland and assesses the concept of decentralisation in the country as well as the functions assigned to and powers bestowed on local government. It also assesses how the set up in urban areas differs from that

obtaining in rural areas. By so doing the delimitation of the study and the focus on urban areas becomes clearer.

The third chapter investigates the extent to which service delivery is performed efficiently, effectively, economically and equitably in the research areas. It is argued in this chapter that the “4 E” framework provides useful criteria for analysis and do assist in establishing a link between performance management, service delivery and the promotion of urban growth and development.

The fourth chapter considers the factors that impact on local government administration and management especially those that emanate from its wider environment. It is well researched by writers that an organization such as a city/town council does not exist in a vacuum but is part of a larger environment. Systems theory holds that the activities of an organisation are influenced as much by internal factors as by external factors.

As reported by various authors (Wraith, R. 1972:27) on this subject, the performance and legitimacy of local government in any country are to a lesser or greater extent influenced by the linkages it has with the central government and the wider political system. The chapter then assesses the effects of the environment on the activities and performance of local government. It is argued that the wider environment of local government is either enabling or restrictive

and that the linkages between the centre and local government have implications for local government in urban areas.

In addition to this, the chapter gives attention to the cultural dimension, which in the case of Swaziland inevitably assumes particular importance. The cultural dimension may be viewed as one of the external factors. Swaziland is a monarchy where traditional institutions and values have remained vibrant in the post-independence era in spite of their diminished importance elsewhere in the continent.

The traditional institutions are firmly entrenched to the extent that the country is considered to have a dual system of government, a term used to describe the co-existence of modern and traditional institutions. It is crucial to assess this aspect as well as consider its significance for public administration in general and local government administration in particular.

The fifth chapter is about the need for improvement in local governance. It assesses the extent to which the principles underlying good governance and representative government are observed in the practice of local government administration in the researched areas.

The final chapter, chapter 6, provides a conclusion to the discussion. It presents a summary of the research design and procedure, articulates the main findings of the research and gives an indication of the implications of the findings for further research.



CHAPTER 2

LOCAL GOVERNMENT: COUNTRY CONTEXT AND THEORETICAL CONSIDERATIONS

2.1 INTRODUCTION

The main thrust of the discussion in this chapter is the decentralisation process in Swaziland. The core issues pertaining to the theory of decentralisation are examined and, furthermore, the policies and practices of decentralisation in Swaziland are considered. In that regard, the various national government initiatives designed to meet the overall objective of sharing power with local government are analysed. Special premium is placed on the nature, structure, powers and functions of local government in the country. Significantly, the more recent developments on decentralisation in Swaziland, triggered by constitutional changes at national level, are also examined.

The discussion departs from the premise that local government in any country can only be fully understood in terms of its history (Wraith, R 1972:27) and in the context of the broader political territory within which it operates, given that a local authority takes its cue from and is shaped by the environment that surrounds it (Stanyer, 1976:15-16). Thus the discussion is set in a historical context, tracing the development of local government in Swaziland from the colonial period, reviewing some of the important milestones in its evolution, ending with the completion of the research in 2005.

2.2. NATURE OF GOVERNMENT IN SWAZILAND

It is argued that the public sector reflects a particular culture that derives from society's cultural characteristics (Thornhill, C. 1994:6). Local government is an important part of the public sector and, therefore, of society in general. To understand local government fully one must consider the broader context within which it operates (Alexander, A. 1982:4 & Wraith, R: 27). Accepting this as a general premise, the discussion provides a profile of the country, highlighting mainly its major political, social, economic and cultural features.

2.2.1. Profile of the Country's Major Characteristics

Swaziland is a landlocked country wedged between South Africa to the north, west, and south and Mozambique to the east. It is the smallest country in the southern hemisphere, with a total area of 6 704 square miles (17 364 square kilometres) and a population of one million people. Geographically, Swaziland has within its borders every feature of the terrain of the African continent, except for a desert. The country is divided into four distinct geographical regions – highveld, middleveld, lowveld and Lubombo plateau – running from north to south, each with its own climate and physical characteristics.

In addition to the aforementioned geographical regions, the country is divided into four administrative regions (formerly known as districts) – Hhohho, Manzini,

Shiselweni and Lubombo. The administrative capital is Mbabane, a small but busy city, located in the Hhohho region, and with a population of 58 000. Established by the British colonial authorities, this city was named after a local chief, Chief Mbabane, and is today the Headquarters of all government ministries. The ministry that is of particular relevance to this study is that of Housing and Urban Development (the parent ministry for local government in urban areas or municipal authorities).

There are several other towns outside Mbabane, the largest being Manzini, the only other city apart from the capital, situated in the Manzini region. The rest of the towns are Nhlanguano, Piggs Peak, Siteki, Hlatikulu, Matsapha, Lavumisa, Mankaiyane, Ngwenya, Vuvulane and Ezulwini. It is reported that the oldest towns grew around trading stores, with an intricate chain of events having led to further their development (Swaziland government: Swaziland Review 2002:4).

These towns serve an ever-growing population, as more and more people have been migrating from the rural areas to the towns and cities. With towns and cities experiencing growing pressure due to increasing rates of urbanisation, emphasis is now being given to urban development and management. Urban government (in the form of municipal authorities) has been created in all the above urban areas - in the form of city councils, town councils and town boards – and is expected to play an increasingly important role in service provision to facilitate

and promote improvements in terms of social and infrastructural development within each locality (Swaziland Government: Swaziland Review 2002).

2.2.2. Socio-Political and Cultural Dynamics

Swaziland is a monarchy governed through modern and traditional institutions. Executive power is vested in the King, who is head of state (Encyclopedia Britannica, Volume 27:978) and rules in consultation with a government constituted of modern institutions (executive, legislature and judiciary) and traditional institutions (Swazi National Council or *Libandla*, Kings Advisory Council or *Liqoqo*), all which will be explained shortly. The various government policy documents that were perused – National Development Plan, National Development Strategy, Decentralisation Policy - point to the mission of the government of Swaziland:

The mission of the government of the Kingdom of Swaziland is to provide a climate and infrastructure that will progressively maximise the quality and security of life of the people of Swaziland and make the best use of the country's natural resources.

It is asserted in the above official government documents that in order to operationalise and attain the objective expressed in the mission statement, the government of Swaziland created the *Tinkhundla* as an administrative structure for service delivery, as well as a political philosophy and system of government, to facilitate the achievement of development goals (Swaziland Government

Decentralisation Policy, 2005:5). It is argued that the *Tinkhundla* system, at its core, is designed to facilitate the practice of both Western and traditional styles of government, in a country where traditional leadership is central and instrumental in the management of public affairs and of development programmes.

Flowing from the above, it has been strongly argued that to a large extent, Swazi society is predominantly traditional and conservative in that ancient norms and values permeate almost the entire fabric of the society. Traditionalism is the cornerstone of the governmental system, and an official ideology whose origins date back to the early beginnings of the Swazis as a nation (Dlamini, M.P. 1999:58-61).

As Absalom Vilakati succinctly puts it:

The social order in Swaziland has always been overwhelmingly traditional, and the social, political and economic actions of its people are generally carried out as a result of ingrained habit. Undergirding all their actions is the 'value orientation' of traditionalism, which ensures that the social actions of persons will be determined by what seem to them to be required by duty, honour, personal loyalty and proper standards of right and wrong. Value orientation acts as a binding social imperative. This social order derives from the sacredness of tradition, whose validity is reinforced socially and psychologically (Vilakati, A 1979: 270).

When the Swazi people talk of *traditions*, they refer to the social relationships and actions that take as the point of their departure age-old customs. Thus, traditions stand as a pillar of their social, political, religious, intellectual, and moral

order. Traditionalism is embodied in the King who is also projected as a symbol of national unity. The King is the supreme ruler; and as the executive monarch, he holds the land in trust for the nation, and plays a central role in sacred rites; and the people pay allegiance to him by virtue of the position of authority he holds, which gives legitimacy to what he does (Vilakati, A .1979: 270).

The social hierarchies that derive from the existing traditional authority structure consist of the King, the Queen Mother and the royal household. In terms of the country's Constitution (which is effective from 2006) the King is head of both the modern and traditional structures of government. He is described in section 5 of the Constitution as a hereditary head of state, a symbol of unity of the Swazi nation, Commander-in-Chief of the Defence Forces and Commander-in-Chief of the Police Force. On account of his status as an executive monarch, the King is immune from suit or legal process in any civil court in respect of all things done or omitted by him in his private capacity (section 11 of the Constitution).

The King rules with his mother i.e. the Queen Mother, as also provided for in the Constitution. A number of writers, such as Hilder Kuper, tend to view the Queen Mother as a figure who makes her contribution under a male figure, such that the position and power of the Queen Mother is derivative (Kuper, H. 1978: 113). This characterisation of the Queen Mother is, however, challenged somewhat by Genge who adopts a gender focused approach in his thesis that considered the role of Labotsibeni, a famous Swazi queen and mother of King Sobhuza II. In his

thesis, Genge argues that Labotsibeni was an exceptionally powerful figure, as queen from 1889-1899 and subsequently as queen regent for her son Mona (Sobhuza 11) from 1899 to 1921. From 1889 -1899 she was in theory a co-ruler with king Bhunu or Mahlokohla and Queen Regent for her son from 1899-1921. But, in practice she was the 'brains behind the throne', who also openly directed the affairs of the throne (Genge, M. 1999:253). Thus, in the above example of Queen Labotsibeni, it is suggested by Genge, that the position of Queen Mother deserves more credit than it has received hitherto, for the role the incumbent can play in Swazi politics. This view is supported by Vilakati who argues that the Queen Mother, as the wife of the King's father, who was King, acquires the awesome dignity and ritual sacredness of the King's person, making her a very important political figure in Swazi politics (Vilakati, A. 1979:270). Next in the social hierarchy are members of the aristocracy. These are the Dlamini or members of the King's extended family, that is, his brothers and cousins and other princes of the realm who have been elevated for meritorious service e.g. all war heroes, army generals, powerful medicine men, and commoners who marry royal women (Vilakati, A. 1979:270-272).

In its pure and unadulterated form, the Swazi monarchy has inbuilt 'checks and balances', which make it difficult for the King to exercise discretionary power. By providing that the King will rule together with the Queen Mother, whose office theoretically is at the same level as his own, the constitution facilitates the existence of a dual monarchy. Besides the office of the Queen Mother, there are

two councils, namely, the *Liqoqo* (King's Advisory council) and the *Libandla* (Swaziland National Council), which the King consults on matters of state generally, not exclusively those involving Swazi Law and Custom [section 13 (1) and section 231 (1) and 232 (1) of the Constitution of the Kingdom of Swaziland]. Hence, it is argued that the Swazi monarchical structure is organised in such a way that the King may not take unilateral decisions that may result in the abuse of power.

As suggested above, apart from the traditional structures, the King reigns with the assistance of a modern government, comprised of the Executive, Legislature and Judiciary. The executive in Swaziland is composed of the cabinet headed by a Prime Minister who is appointed by the King. It is noteworthy that since independence all the Prime Ministers have been picked exclusively from the ruling Nkosi-Dlamini clan, thus underlining the dominance of this powerful clan in the country and its affairs. In 2005, the executive arm of government consisted of 15 ministries and 25 state-owned enterprises, each of which functionally falls under a parent ministry. The new Constitution under chapter 10 (section 172 - 193) provides for the creation of an independent (executive) Public Service Commission (PSC) replacing the Civil Service Board (CSB), an advisory body that was created by the Civil Service Act, 1973.

Parliament is bicameral consisting of the House of Assembly and Senate. The Senate consists of not more than 31 members. In terms of the new constitution,

ten of the Senators are to be elected by the House at their first meeting and twenty are to be appointed by the King. As for the House of Assembly, it must consist of not more than sixty members elected directly by the people from the various *Tinkhundla*, serving as constituencies (section 94 and section 95 of the Constitution).

The country's judicial system operates on a dual basis in that it consists of both modern and traditional institutions. The Judiciary is composed of the High Court, Court of High Appeal (renamed the Supreme Court under the new constitution), Industrial Court and the magisterial courts. The aforementioned constitute the modern institutions entrusted with the function of interpreting and administering modified Roman Dutch law; and they are paralleled by Swazi national courts which are responsible for administering Swazi law and custom.

Thus, the Swaziland political system at national level exhibits a diarchic structure, consisting of the traditional government structure on the one hand and the modern government structure on the other. This dualism is an enduring legacy of colonialism; it derives from colonial policy in Swaziland, which permitted the existence of a parallel structure of administration consisting of the British colonial administration and the traditional authority system. At independence, the dualism was retained; and so it continues but with the difference that the King now heads both structures, as he has done now for more than thirty-six years.

Of significance about the modern government system in Swaziland, are the major milestones in constitutional development from independence to-date. From 1968 to 1973 the country was governed through the independence (Westminster) Constitution, which provided for all three branches of government – Executive, Legislature and Judiciary and a constitutional monarch. In 1973 the independence constitution was repealed through the King's Proclamation to the nation. Through the 1973 decree, all executive and legislative powers were vested in the office of the King who became an executive monarch. From 1973 the King ruled by decree until 1978 when the Establishment of Parliament Order of 1978 was promulgated. The Establishment of Parliament Order, 1978 revived the legislative branch of government, providing for the election of an electoral college which in turn elected/nominated the members of Parliament as well as the appointment of the cabinet. The Establishment of Parliament Order of 1978 was subsequently amended in 1992, to provide for the direct election of members of Parliament from the *Tinkhundla*.

Finally, it is worth noting that a critique of the above description of the Swaziland system of government is the lack of acknowledgement of opposition to traditional authority and the monarchy and the methods that have been employed to sustain the *status quo*. Whilst it may be true that traditional authorities enjoy a wide degree of popular support, it is also the case that there is some opposition to the existing socio-political order. That there is indeed a level of opposition to the existing socio-political order, in particular the *Tinkhundla* system, is underlined by

the protest action witnessed in the last decade, including two national strikes organized by the trade union movement to press for constitutional reform (amongst other issues) and a spate of bombings, orchestrated by opposition forces targeted at buildings associated with the *Tinkhundla* i.e. the *Tinkhundla* offices, which are seen as the symbol of traditionalism and of the *status quo*. Past bombings occurred in Mbabane in the Deputy Prime Minister's offices (which until 2005 was the HQ of the *Tinkhundla*) where one person was killed, Lobamba Lomdzala *inkhundla* and, Sandleni *inkhundla* (Times of Swaziland, 2006). Even though the bombings resulted in minimal loss of life, they could be interpreted as having been an indication of a certain level of opposition to the country's system of government. However, it is difficult to assess the extent of the opposition and to state precisely the proportion of those that oppose the existing establishment (*Tinkhundla*) in relation to those that support it.

2.3 SYSTEM OF LOCAL GOVERNMENT IN SWAZILAND

In Swaziland, a unitary state, local government is the second level of government, after the national government. The local government system in urban areas was created through the Urban Government Act, No 8, 1969. As for local government in rural areas, separate instruments were used to create it, namely, the Regional Councils Order, 1978 and the Establishment of Parliament Order, 1978 (amended in 1992). The three aforementioned legal instruments that created the country's local government system contemplated some form of local

administration of public services in a decentralised governmental structure. The architects of the decentralisation programme envisioned a dual system of local government consisting of a Western system, on the one hand, and a traditional one, on the other. The former would be modelled along modern Western principles and the latter founded on ancient norms and values.

Since Swaziland has a dual system of local government, the study will (only in this chapter) include reference to the *Tinkhundla*, which even though is not the focus of the present research, constitutes an important part of the system and structure of local government in Swaziland. *Tinkhundla* is a name given to the approximately 55 regional (predominantly rural) assemblies established (legally) in 1978 as a general equivalent of local councils, to promote development in the country's four regions in general and rural communities in particular. The philosophy underpinning the *Tinkhundla* is, however, much older and dates back in time to the pre-independence period, as explained in the relevant sections shortly.

In assessing the dual nature of the local government system in Swaziland, the study will recast the modern institutional arrangement (municipal authorities) in the country's urban areas against the traditional local government institutions (*Tinkhundla*) found in rural areas. By so doing, the study identifies the essential characteristics of the two parallel systems of local government, reveals their essential differences and demonstrates how they interact. From such a

discussion, the delimitation of the study and its focus on urban areas becomes clearer.

At the time of completing the research, there has been mooted, within the Swaziland government, a plan to undertake two major initiatives, which are bound to have implications for local government in the country. Firstly, there is an initiative aimed at strengthening the country's decentralisation programme through the formulation of a decentralisation policy. Secondly, there is a concurrent move to amend the Urban Government Act, 1969, a statute enacted some thirty-six years ago. These initiatives have been triggered partly by the new Swaziland Constitution, which comes into effect in February 2006, whose provisions must be given effect through appropriate policy enactments. Therefore, some consideration must be given to both the proposals put forward in the new decentralisation policy and the legislative enactments that are contemplated as well as to the implications of both these developments for local government in Swaziland.

With that in view, the discussion, which follows immediately, considers the questions raised in the preceding paragraphs, to be discussed under the following five broad themes/topics: nature of government; overview of pre-independence developments; urbanisation; decentralisation, decentralisation programme in Swaziland; profile of the research areas, and new trends and developments.

2.4 OVERVIEW OF PRE-INDEPENDENCE DEVELOPMENTS

In this section, the study briefly reviews the colonial background and explains how the political dispensation and administrative system in Swaziland has been shaped by history. It is explained in this section that the existing local government system, characterised by duality, is an enduring legacy of colonial rule, which will always be part of the history of the country.

2.4.1 Pre-colonial Period

The pre-colonial history of the Swazi nation is best explained in terms of the role played by a succession of powerful monarchs in trying to secure the survival of the Swazis in the face of pressure from the Zulus and the Pedi and to find accommodation with land settlers and mineral seekers. The traditional order of powerful monarchs was interrupted by colonial rule from 1902-1968, when Great Britain was the administering authority, at least for the most part.

According to some historical accounts, the origins of the Swazi nation can be traced back to the 16th century, a period during which a migratory core of Nguni people migrated down the east coast of Southern Africa (presently Mozambique) and eventually settled under the leadership of Dlamini 11I. Under Ngwane 11I, the first leader to settle in present day Swaziland, the descendants of this group

saw expansion to the west and north. Subsequently, his grandson, Sobhuza I, continued this policy of expansion and of engendering of the Swazi nation.

The pre-eminent King Sobhuza II died in 1836, and his successor Mswati II inherited an extensive kingdom and reigned during the mid-19th century and also gave his name to the tribe. It was he who established a sound political foundation of the nation, which became known as Swaziland, 'the land of the people of Mswati' (Swaziland Government 2002). The Swazi conquered many of the tribes to the north but relinquished territorial claims north of the Crocodile River and the Lydenburg Republic in the 1880s to settlers. According to Johnson, R.W. (2004: 84-85):

"The Swazis were the only big and relatively strong African group not to opt any form of military opposition to the advancing tide of Boer or British power. Their King, Mswati, played his cards well. The Swazi established good relations with the Boers, gave them land, and signed a treaty with them in exchange for cattle and support against the Zulu and the Pedi. In 1885 Mswati gave away land along the north bank of the Phongola for Boer settlement in order to strengthen his position against the Zulus. In 1875 a new treaty was signed with the Transvaal according to which the Swazi accepted a semi-dependent status by agreeing to the appointment of a Transvaal official to supervise their external policy although not to rule them. They also agreed to keep their trade routes open to the Boers and allowed a railway to be built through their territory. In exchange the Swazi received assurances of support against the Pedi and Zulus".

Despite this and despite British backing during the 1880s, they lost land to the Boers in the west and to the Portuguese in the east. By the end of the 1880s

Swazi authority had been completely undermined by land, mineral, trade and other concessions as settlers, mineral prospectors, traders and others crisscrossed their strategically placed territory (Johnson, R.W. 2004: 84-85).

2.4.2 Colonial Period: Overview

The colonial history of Swaziland is closely tied to that of Botswana and Lesotho. From the late 19th century, until the period of self-government and independence, the British administered all three as the High Commission Territories. The Resident Commissioner in the territory reported to the British High Commissioner in South Africa, who was the top British official in this area of the British Empire.

Swaziland was the smallest of the three territories. For years, during the colonial period, there was an active dispute over who should control Swaziland – the Transvaal Republic in South Africa or Great Britain. The Swazi people are reported to have refused a proposal to institute South African Administration in 1893, but the next year an agreement was signed establishing virtual administration by South Africa without annexation. After the Anglo-Boer war and the institution of British control of Transvaal in 1903, its British governor was empowered to administer Swaziland and to legislate by proclamation. In 1906 these powers were transferred to the High Commissioner for Basutoland (Lesotho), Bechwanaland (Botswana), and Swaziland. In 1906, Swaziland became a British Protectorate, following in the footsteps of Botswana and

Lesotho, both who had sought British protection in the face of encroachment, in 1885 and 1868 respectively. Thus, through a paper conquest, the Swazi were drawn into the British colonial empire (Britannica Encyclopedia, Volume 27).

In their Swaziland territory, the British adopted a *laissez faire* policy of colonial administration, permitting the operation of the traditional political system alongside the Western system. The King, during the colonial period, lost his status as king of Swaziland. Menelisi Genge explains this position very clearly in his thesis stating that in 1898 the Swazi king lost his original status as King of Swaziland at least in the eyes of the Transvaal and British governments and those of Europeans in Swaziland, when the British and Transvaal governments expropriated from him some of his major administrative powers, and restyled him Paramount Chief (Genge, M. 1999: 249).

Thus the Paramount Chief exercised powers in the section of the territory which was considered the native regime. The British Resident Commissioner had ultimate responsibility for policy in Swaziland. The new title of paramount chief was in keeping with British trends in Africa, where the title of King was abolished and replaced with the term Paramount Chief. Unlike in other colonized territories though, the traditional authority in Swaziland was not incorporated into colonial administration. Rather, the Paramount Chief and the chiefs were left to deal with civil matters of Swazi law and custom independently of the British. One important implication of this *laissez faire* policy was that chiefs were not regarded as

administrative stooges by the local population and, therefore, retained their authority throughout most of the rural area. Significantly, however, their authority was restricted to the countryside (Rosen Prinz, 1976:85-87).

Jackie Viecelli argues along the same lines and asserts that the British colonial administration hardly interfered with existing traditional political arrangements. Unlike in most British colonies where indirect rule was introduced, the colonial authorities in Swaziland did not practice the traditional system of indirect rule but developed a type of dual administration whereby the traditional native authority coexisted with the British colonial administration. In the urban areas, Western systems of administration were introduced. In the rural areas, matters relating to Swazi traditional administration, particularly Swazi law and custom, including the control and distribution of land in the so-called 'native reserves' remained the prerogative of the King, the Queen mother and their chiefs and counsellors. The traditional authorities played no part in the administration of the territory outside the native authority (Viecelli, 1982; Rosen Prinz, 1976:85-87).

According to some historical accounts, South Africa had during the colonial period viewed the three territories potentially a part of South Africa. Contributing to this view was the tentative nature of the British commitment to these territories. The South African Act of 1909, establishing the Union of South Africa, carried an addendum explicitly noting that the three High Commission Territories were expected to become part of the Union in due course. The British seemed to

share the South African view that the logic of geography, economics, and ethnic ties between and amongst the peoples of the High Commission Territories and the Union of South Africa pointed to incorporation as the sensible path to the future (Carter M, & O'Meara, P. 1979:223).

It was precisely the fear of incorporation that led to the people of the High Commission Territories to resist the move (Carter M, & O'Meara, P. (1979). Although long expected to eventually form part of South Africa, the people of Botswana, Lesotho and Swaziland rejected this alternative in favour of separate independence. Under the diplomatic leadership of King Sobhuza II, crowned in 1921 as King of the Swazis but viewed by the colonial power as Paramount Chief, Swaziland's independence drive was peaceful. Whilst Botswana and Lesotho both raised their flags in 1966, Swaziland raised hers in 1968.

2.5 URBANISATION IN SWAZILAND

Towns were developed during the colonial period as administrative, commercial and industrial sites. The roots of urbanisation were laid in the 19th century at the time when European concessionaires were streaming into Swaziland in search of land and minerals. Tiny European settlements were founded at Bremersdorp, Mbabane, Piggs Peak, and Siteki, marking the sites for future towns. In each case, the settlement consisted of a trading store and an inn, built to serve the needs of the concessionaires.

In 1890, the provisional government set up by the British and Transvaal governments to deal with European matters established its Headquarters in Bremersdorp (now the city of Manzini), then a small trading centre strategically located in the centre of the country and in the heart of the Middleveld. A small village gradually grew up around this trading area consisting of the government offices and a courthouse, a few small stores, some dwelling houses built of wood and iron, a jail and a few police huts (Matsebula, JSM, 1972: 71).

Some reports indicate that Bob Rodgers, a European trader from South Africa took advantage of the business opportunity offered by the large number of concessionaires, setting up a trading store in 1885 in the then Manzini village on the banks of the Mzimene river. The store was subsequently sold to a hotel owner Albert Bremer in 1885 after whom the town (Bremersdorp) was named. The governing committee of the area at the time bought the hotel owned by Bremer to be used for administrative purposes. There was a condition to the sale made by Bremer, which was to the effect that Manzini should be called 'Bremersdorp.' This was accepted and the town was officially given the name 'Bremersdorp'; but to the indigenous people, (who tended to associate a local area with traditional authority), the place remained ka-Manzini, part of the chieftdom of Chief Manzini Motsa (Rosen Prinz, 1976: 50-82).

When the South African Government (Transvaal) took over the administration of Swaziland in 1895, Bremersdorp, was maintained as the Headquarters. At the

outbreak of the Anglo-Boer War (1899) the administrative officials departed, after ordering all Europeans residents to leave Swaziland. Bremersdorp was virtually deserted and during the War the town was set on fire and razed to the ground. It was subsequently rebuilt, and has developed steadily into its present position as a commercial centre of the country (Rosen Prinz: 1976: 84).

At the end of the Anglo-Boer War (1901) the British, as the victors, assumed control of Swaziland, choosing to set up their Headquarters in the rugged Highveld where the climate was very much similar to that of the mother country, England – cool, wet, and misty. Bremersdorp was rejected because of its hot and dry climate. The chosen site was near the Mbabane river named after Lubabe, a bitter shrub used for fattening cattle, and was part of the chiefdom of Mbabane Kunene. A tin mining camp and trading station already marked the site of the future administrative capital (Matsebula 1972:44; Rosen Prinz, B. 1976).

To facilitate effective administration, the British divided the country into six districts Mbabane, Mankayiyane, Siteki, Hlatikulu, Piggs Peak and Manzini, each headed by a District Commissioner (DC). The districts were units of administrative control only; unlike chiefdoms their boundaries were drawn arbitrarily and could be altered without the consent and even knowledge of the inhabitants (Kuper, H. 1947: 93). The DC was chief of the office, distinct from chief by birth; he had a limited amount of land to distribute (that demarcated as crown land). The relationship between him and the inhabitants was impersonal

based on Weberian principles. His appointment and removal from office were directly controlled by central administration; transfers were frequent and the departing official would leave his house and his office to his successor, relinquishing all his ties with the people and the post. The District Commissioner's authority crosscut that of traditional hereditary chiefs and his responsibilities included directing and co-ordinating the activities of the traditional authorities (Rosen Prinz, B. 1976:84-87).

Although British administration often consulted with the paramount chief, the responsibilities of the traditional Swazi authorities were limited in practice to the collection of taxes and to matters that were strictly within the traditional sector, always proving that tradition was not 'repugnant to natural justice' (Vilakati, 1979:270-273).

As in other African territories, the towns became magnets, offering employment, money, health and educational services – in short the 'good life'. As a result of rural – urban migration, the total African urban population swelled from 654 in 1946 to 21 959 in 1966; and by 1972 the total urban population of the two largest towns, Mbabane and Manzini, was estimated to be between 35 000 and 45 000 (Rosen Prinz, 1976:123-125). The growth of towns as administrative and commercial centers created the need for close administration, in order to effectively regulate and administer basic municipal services.

The first step towards introducing local government was taken in 1912 with the Urban Areas Proclamation, 1912, which dealt with the general administration of declared urban areas. It empowered the High Commissioner 'to make regulations for good government of towns and of areas adjacent thereto', and recognized the District Commissioner as urban authority. This proclamation is thought to have given impetus to the creation of an administrative structure for the running of the urban area on modern principles i.e. to administer an urban area and to provide basic municipal services for which charges may be levied. The proclamation gave the District Commissioner the authority to make regulations dealing with *inter alia* sanitation, traffic, building inspection, recreation facilities, rubbish collection, the keeping of animals, cemeteries, water supply, markets, street lighting, drainage, and zoning.

Another significant step in the development of local government was taken in 1964 when the Town Management Proclamation was issued, establishing semi-autonomous municipalities in Mbabane and Manzini (Denning, B.H. 1969:3-12). Modelled on the law in the Cape Province (Republic of South Africa), the proclamation contained provisions for the declaration of Board areas, their establishment and composition, the conduct of meetings, the employment of staff, and various financial matters. Owing to this proclamation, the Manzini urban area was declared the Manzini Town Management Board in 1964. The proclamation empowered the Board to levy rates (property tax) in its area of jurisdiction.

This position is supported by Rosen Prinz who argues that in the early 1960s new forms of political organization grew in the towns and some, like urban committees, town management boards and town councils, were imported from the West, while other, e.g., *emabandla* (urban councils), had their roots in Swazi traditional political structure. The representative style councils were established initially in the two major urban centres (Mbabane and Manzini) which until then, had been administered by the District Commissioner, recognized since 1912 as urban local authority (Rosen Prinz, B. 1976:173).

Rosen Prinz further argues that the representative model of local government was intended to involve all members of the urban community in a single decision making arena. In the larger towns, the District Commissioner was advised by two elected committees (a) the Urban Areas Advisory Committee, consisting of the representatives of the white community and (b) the African Township Committee, comprising of representatives of the freehold section of the African location. Though both committees were subsequently incorporated into the new Town Management Boards, the Europeans maintained a majority and thus retained control over local authorities (Rosen Prinz, 1976:173-182).

When the representative model of local government was introduced in Swaziland in the 1960s it was quite clear that it had failed to achieve its goals in other British African territories. By independence in 1968 the boards had not become strong, viable and popular institutions (Rosen Prinz, B. 1976:8).

2.6. DECENTRALISATION: CONCEPTUAL FRAMEWORK

In this section, the thesis considers key issues pertaining to the theory of decentralization. The section briefly indicates the case for decentralisation in Africa, the challenges encountered in its implementation, and the prerequisites for success; by so doing it provides a conceptual framework for the discussion of the country perspective, which will follow shortly.

Decentralisation has been accepted by most governments in Africa as an indispensable tool for transforming and improving public administration. In an era of persistent economic problems and continuing dissatisfaction with service rendering, many national governments in Africa have been persuaded to withdraw from certain activities and reduce the services they provide directly. Justification for government withdrawal from providing certain goods include resource constraints, and the fact that development experience has shown that the highly centralised and top-down approach to service delivery is expensive, cumbersome, inflexible, and prone to abuse (Wunsch, 1999).

Although the private sector can and should provide some of the services, the problem is that most of the services provided by the state are non-profitable public goods. In these cases, the most logical requirement is for the services to be provided by sub-national or local government (African Development Report 2001:164). Thus, for most African countries, including Swaziland, decentralisation is the strategy that has been adopted to facilitate the efficient

and effective delivery of services, promote local self-government, as well as advance the goal of socio-economic development.

A major feature of public administration in the African continent immediately after political independence was the overt centralisation of governmental administration. In British territories, the colonial government's attempt to introduce some form of decentralisation had not yielded the expected positive results, such that at independence, by and large, government administration was centralized. Upon the attainment of independence, many African countries for a while retained the inherited structures. This resulted in considerable reliance on centralised institutions and this often meant the neglect or suppression of local self-government or the absence of any meaningful grassroots involvement in governance. Other consequences of centralisation were: the distortion of the development process; the stifling of the contribution that local talent and initiative can make to development; and under-mobilisation of local resources or failure to utilize them to best advantage (United Nations, 1962).

The 1970s and 1980s in Africa were characterised by various attempts to remedy the problems associated with centralisation. African governments, to varying degrees of success or failure, began to experiment not only with new approaches to development but also with new political and administrative arrangements, including decentralising authority to states, regions, districts and local agencies,

field units of central ministries and local government, to give more power to people at the grassroots level (Cheema and Rondinelli, 1983:10).

The decentralisation process derived impetus from three forces: firstly, from disillusionment with the results of central planning and control of development activities; secondly, from the implicit requirement for new ways of managing development programmes and projects that were embodied in growth-with-equity strategies that emerged during the 1970s; and thirdly, from the growing realisation that as societies become more complex and government activities begin to expand, it becomes increasingly difficult to plan and administer all development activities effectively and efficiently from the centre (Cheema and Rondinelli, 1983:10).

The need for decentralisation in African countries is undeniable in light of the failures attributed to the centralised state. Decentralisation is considered to be the essential counterpart of development. It, inevitably, results in the creation of local government, the level of government that is the focus of this study. There is no doubt about the value of meaningful and effective local government in contemporary society. The importance of local government institutions derives from their responsibilities of service provision. Local government institutions, from this perspective, are the providers and administrators of basic services in specified areas or localities, intended to meet the needs of the people.

Besides, decentralising power to local government is widely acknowledged as an indispensable element of democracy because it fulfils democratic aspirations. Any country that aims at democratising its institutions and entrenching democracy will only be successful if it commits itself to far-reaching political and administrative reforms that effectively redistribute power to the other levels of government (Reddy, 1992). Evidence in Africa, however, suggests that decentralisation has been a good theory but poor practice; the governments' policy declarations on decentralisation have appeared faultless on paper; yet in practice, there is, ostensibly, a wide gap between what is promised and ultimately delivered, such that theory departs from practice. A weakness of the decentralisation process in Africa, from this perspective, is that the national government appears unwilling to share power with local government.

Reports on the experience of African countries with decentralisation indicate quite clearly that there are serious constraints that prevent the sharing of power between national governments and local governments. Contrary to the official rhetoric about decentralisation, resources and key functions remained centralised at the national level, leaving local government not only under-resourced but also performing rudimentary and insignificant functions. The African Development Report 2001 [164], for instance, indicates that in some African countries e.g. Kenya, local authorities have remained weak in terms of raising their own revenues as well as being in charge of services at a local level. The central government has had to assume the financing and running of health and

education, at national level, thus reducing municipal governments to peripheral services such as the regulation of markets and provision of water and sanitation. Even in providing these minor and peripheral services, municipal governments have performed poorly, demonstrating weak governance, leading to the mushrooming of autonomous peoples' organisations in the form of neighbourhood associations, that are perhaps more representative of peoples' interests, to fill the political space, by providing services such as security, sanitation, garbage collection, water and even to collect rates for electricity (African Development Report 2001:167).

The tendency towards deconcentration has been particularly evident in the policies of a number of the African governments trying to decentralise governmental functions. Decentralisation is considered to have had limited success because there was no significant transfer of high-level personnel from the national level to the provinces and districts. This was the case, for example, in Zambia, where despite the government's stated commitment to meaningful decentralisation, the bulk of governmental activities continued to be performed by central government. Since it was necessary to have some of the activities or functions decentralised, the government went ahead with decentralisation but sought to enforce tight ministerial control. Thus, the major principle that underpinned Zambia's decentralisation programme of 1969 is what was termed '*decentralisation in centralism*' which was understood to mean a measure whereby the government will decentralise functions while retaining effective

control from the centre, in the interest of unity (Mutahaba, G: 94-98). In the case the purpose of decentralisation in the words of the President of Zambia was:

“to ensure that the influence of government is felt at all levels of society right down to the village and to make doubly sure that government policies and intentions are clearly explained to and understood by the ...people” (Mutahaba, G. 1989: 98).

This approach to decentralisation is reminiscent of the indirect rule system, which was essentially a form of decentralisation with strong co-ordination from the centre. The emphasis, in the Zambia experience, was on decentralisation along deconcentration and the revival of a strong prefectoral system in the provinces and districts. The system is prefectoral because the principal agent of central government in the field exercises control over all field officers as well as supervising locally elected authorities and thus becomes part of the chain of command between central headquarters and the areas covered by all government services (Mutahaba, G: 94-99).

There has been in the past two decades a decline of devolution in Africa e.g. in Nigeria and Cameroon in favour of deconcentration; and the phenomena of one party states and military rule in the 1970s served to increase the concentration of power and resources at the centre, to the detriment of the regional and local governments Olowu and Wunsch (1990).

It is obvious from the above that, for African countries, the inadequacies in technical, financial and human resource capacity, and the imperative to maintain social cohesion and secure national political stability or unity took precedence over the question of 'power sharing', resulting in the emergence of strong central governments shadowed by weak territorial governments. Under these circumstances, most of the key governmental functions (housing, education, health, infrastructure service provision, law and order) and the authority to make decisions were not decentralised. Lacking the requisite power or autonomy and capacity, local government has remained an appendage of the national government, performing rudimentary functions and relying on national government for financial support and for qualified personnel (African Development Report 2001: 167).

Flowing from the foregoing comments, it may be argued that real commitment on the part of the national government to share power with local government is evidenced by the transfer of power, from national government to the institutions charged with the responsibility of carrying out the decentralised functions, which should:

- be granted meaningful rather than symbolic government functions;
- be afforded adequate financial and human resources to undertake the government functions that have been assigned to local government;

- possess power to raise income through local taxes and to diversify income sources;
- possess authority to make and implement decisions regarding local affairs in response to variable needs, and
- provide for the strengthening of capacity at local level to undertake the range of services assigned to local government.

In the final analysis, the success of the decentralisation process rests partly on the satisfactory fulfillment of the above; otherwise, the decentralisation process is likely to achieve only limited results.

2.7 DECENTRALISATION: THE SWAZILAND EXPERIENCE

The attainment of independence by Swaziland in 1968 provided an opportunity to further develop and strengthen the decentralisation process in Swaziland. The post independence years have been ones of gradual evolution of local government, particularly since 1969, when Parliament passed the Urban Government Act, Act, No 8, of 1969 - a statute that established town councils and town boards in all the country's major towns. Some thirty-six years after its enactment, the Act is still the principal instrument providing the legal framework for matters pertaining to urban local government in Swaziland and is administered through the parent ministry, the Ministry of Housing and Urban Development.

Since it is applicable only in urban areas, the Act covers only about 30% of the country's population. It does not extend to areas outside the major towns and cities - to what has been referred to as chiefdoms. Chiefdoms are found in Swazi Nation Land (SNL), which is land in the country's villages and/or rural areas, where the majority of the people (approximately 70%) live under the authority of chiefs, who are appointed by the King and are accountable to him. A different system of local government administration (*Tinkhundla*) was created formally in 1978 in respect of rural areas. Therefore, since 1978 the country has maintained two types of local government. The first consists of urban local government, created in terms of the Urban Government Act, 1969, in all areas recognized as towns. These institutions are mandated to serve primarily urban populations. The second type consists of the *Tinkhundla*, which are found in all areas that are not covered by the Urban Government Act, 1969.

It is argued that the division of the country into districts during the colonial period set the tone for the institutional arrangements that were to emerge after independence. The British heritage of districts headed by district commissioners was not abandoned completely at independence. In fact, this system was practiced for a while and then subsequently modified. In the independence period, the districts were reduced in number from seven to four – Manzini, Hhohho, Lubombo and Shiselweni. Furthermore, as part of the changes and modifications that were introduced in the 1970s, the term *district* was substituted for *region* and the title *district commissioner* discarded in favour of *regional*

administrator. Thus, each region was to be headed by a regional administrator appointed by the King as per the provisions of the Establishment of Parliament Order of 1978 and the Regional Councils Order of 1978. Since Swaziland is a unitary (section 1 of the constitution) and not a federal state, the regions are not considered another level of government and do not enjoy a degree of autonomy as is the case in a federal system.

Unlike district commissioners, regional administrators are not involved in the management of urban areas notwithstanding that their offices are situated in the major towns. The regional administrators currently have limited powers, which include the responsibility of promoting development efforts within the regions. They must co-ordinate development initiatives within a region by working together with chiefs, *Tindvuna* (headmen) and government officials.

It is noteworthy that the office of the regional administrator has been recognized in the New Constitution, which comes into effect in February 2006. In terms of Chapter 7 of the Constitution, under section 83, the regional administrator is appointed by the King on the recommendation of the Minister responsible for the *Tinkhundla*. The regional administrator has the same status as a deputy minister and will convene and preside over meetings of the Regional Council, established in each of the four regions consisting of persons nominated by each *Inkhundla* in a region from amongst the *Bucopho* (a consultative committee in chiefdom).

The Regional Council must advise the regional administrator on the administration of the region and co-ordinate social and economic development of the region and perform such other functions within the region as may be prescribed. During the time of conducting this research, the responsibility for regional administration and development functionally falls under the Deputy Prime Minister's Office (DPM), a situation which may change in the future, since this responsibility can be discharged by any ministry, depending on what is considered to be an appropriate portfolio allocation.

In this arrangement, the ministry responsible for the *Tinkhundla* and regional development is expected to play a pivotal role in terms of promoting socio-economic development, in general, and service delivery in particular countrywide. Thus, the ministry responsible for the *Tinkhundla* and regional development has two broad functions for which it is responsible. Firstly, the ministry is responsible for community development, a responsibility that entails motivating the rural population to apply their skills in self-development at the individual, homestead and community level. Secondly, it is responsible for promoting regional development in Swaziland. The regional development function places a responsibility on the ministry responsible for the *Tinkhundla* to assist in co-ordinating the activities of all government agencies involved in the provision of services in areas outside those under the control of urban authorities. To this end, the ministry responsible for the *Tinkhundla* must work in conjunction with the Regional Administrators.

2.7.1 *Tinkhundla*

King Sobhuza II (King of Swaziland from 1923 - 1984) is credited with the creation of the *Tinkhundla* - a system of government that has been practiced in Swaziland for more than two decades (Sabela T, R. 1999:225-226). Sabela traces the *Tinkhundla* system to 1973. However, it is argued in the current research that the *Tinkhundla* system of government legally came into effect in 1978. The ideas that underpin the *Tinkhundla* are, however, much older and may be traced to the pre-independence period. This argument is supported by the Decentralization Policy Document published by the Swaziland Government which states that the *Tinkhundla* system was launched by King Sobhuza II as far back as January 1955, to decentralise administrative work thus bringing it within reach of everybody and provide the people with real service leading to decentralisation and delegation of authority from the central body (Decentralisation Policy: GOS: 2005: 5). If this official version is accurate, this will have happened during the colonial era, when King Sobhuza II was still regarded by British authority as a paramount chief with jurisdiction only over areas controlled by traditional leaders.

A further argument concerning the origin of the *Tinkhundla* is made by Rosen Prinz who contends that the philosophy underpinning the *Tinkhundla* system is indeed considered to be old and founded on hereditary chieftainship as well as traditional cultural norms and values. The Swazi people had, during the pre-colonial period, developed their own system of local government in which

hereditary chiefs and councils were incorporated into a hierarchical structure of authority at the head of which was a hereditary King, of the aristocratic Dlamini clan, who ruled in conjunction with a select group of senior counsellors. Colonial rule did not abolish the traditional authority structure but actually maintained it. Thus, *Tinkhundla* may be considered as a revival of this old and cherished idea (Rosen Prinz, 1976); and the whole structure was intended to decentralise government and elevate the authority of traditional leaders.

The reason, probably, why Sabela believes that the *Tinkhundla* came into effect in 1973 is that in April of the same year King Sobhuza II repealed the Independence Constitution. The repeal of the Constitution in Swaziland in 1973 happened against a background of similar actions in other African countries. This was a period of general dissatisfaction with independence constitutions in Africa. When repealing the independence Westminster constitution of Swaziland, King Sobhuza II declared that it had failed. The Constitution was seen as a cause of unrest or tension and an impediment to free and progressive development in all spheres of life. According to this view the constitution permitted the importation of highly undesirable political practices alien to and incompatible with the Swazi way of life – practices that were designed to disrupt and destroy the Swazi democratic method of political activity.

Whereas the King's proclamation to the nation, banning political parties and providing for rule by decree is of 1973, evidence suggests that having made his

proclamation to the nation, the King proceeded to rule by decree for five years until 1978 when he launched the *Tinkhundla* system. This was done through the promulgation of the Establishment of Parliament Order, 1978 and the Regional Councils Order, 1978. The new system of *Tinkhundla* was projected as a uniquely Swazi alternative to the Westminster Constitution. Under this system the authority of the King was increased and he became an executive monarch; thus he ceased to be the constitutional monarch, which he was in terms of the 1968 independence Constitution. The King continued to rule by decree without any threat from politicians with possible different political ideas. Therefore, the *Tinkhundla* system came into effect in the latter part of the 1970s and not in 1973. This position is made clearer by the following contribution:

“Although the Tinkhundla system of government and its origins date back to the colonial era and was a useful mechanism for enlisting the participation of the people in community affairs, it was not until the promulgation of the Regional Councils Order of 1978 that it became an instrument of official government policy designed to provide a basis for local government from grass-roots to the highest political levels” (Dlamini, MP. 1999:58- 60).

The *Tinkhundla*, a system that espouses traditional values may be very perplexing when discussed in the context of modern public governance. It may be difficult to comprehend how the *Tinkhundla* system works because of the dual role assigned to it. It is noteworthy that, since 1978, the *Tinkhundla* have been associated with both political and administrative functions. The dual role is clearly manifest when the *Tinkhundla* are used both as electoral centres and structures

for the local administration of public services. As electoral centres, which is a political function, *Tinkhundla* serve as constituencies from which aspiring politicians may stand for national parliamentary elections; thus a candidate who wins the elections may represent his *inkhundla* (constituency) in the national Parliament. As local councils, which have an administrative function, *Tinkhundla* are considered (by government) to be the main vehicle of decentralisation; and from the latter perspective, the *Tinkhundla* (councils) help to promote grassroots participation in areas outside the towns and cities by bringing government and public services closer to the people.

Each of the *Tinkhundla* (an *inkhundla*) consists of 3-6 chiefdoms. There are currently approximately 55 *Tinkhundla* in the whole country providing services to quite a large proportion of the population (approximately 70% of the people live in rural areas).

2.7.1.2 Objectives of the *Tinkhundla*

According to the Regional Council's Order No. 22 of 1978, the *Tinkhundla* were intended to:

- serve as meeting places for discussing local issues;
- serve as centres for mobilisation
- promote the social and economic development of rural people;
- establish strong local government and decentralise administration;

- identify and initiate projects that could directly contribute to the development of the country;
- serve as focal points for the provision of rural social services;
- serve as rural employment centres;
- serve as points of contact between government and the people; and
- generally uplift the economic, health and educational standards of the region; and to act so that peace and harmony might prevail throughout the kingdom.

2.7.1.3 Role of the *Tinkhundla*

The *Tinkhundla*, from a government perspective, are centres where the members of the community participate in the political, social and economic development of their areas and the country at large. Below are listed some of the functions that should be performed by the *Tinkhundla*:-

(a) Political Functions

Tinkhundla play a vital role in the politics of the country. Thus an *inkhundla* can be viewed as a forum for:

- electing members of Parliament, whilst serving as a constituency.
- making proposals/resolutions to the Regional Councils for the promulgation and or amendments of the laws at national level; and
- receiving information from and providing feedback to communities.

(b) Socio-Economic Functions:

The socio-economic function of the Tinkundla are:

- to implement national and Government Policies and projects at Regional and *Tinkhundla* levels as assigned to them by the Regional Councils Order Section 5 (1) 1978;
- to co-ordinate national activities i.e. cultural and traditional at Regional Level;
- to liaise with the Swazi national Council in all matters affecting Swazi law and Custom through *Indvuna yeTinkhundla*;
- to keep the Government and the Swazi national Council informed of all major economic or political activities taking place within their Regions also through *Indvuna yeTinkhundla*;
- to identify and initiate priority projects that meet the needs of people residing in their regions in accordance with the National Development Plan; and
- to generally do all such things as they may deem fit to promote the economic, health and educational standards for their Regions, and to act so that peace and harmony might prevail throughout the Kingdom;

The overall administration and co-ordination of the *Tinkundla* as well as the system of regional administration fall under by the ministry responsible for regional development which in 2005 was the Office of the Deputy Prime Minister.

The government relies on the regional administrative structures and the *Tinkhundla* to spearhead development in the regions and in the rural areas of Swaziland where the majority of the citizens live.

From the government's point of view, all socio-economic and political issues are to be discussed in the various *Tinkhundla*. Whilst citizens within chiefdoms are at liberty to discuss those issues as well within their chiefdoms, those matters found to be of common interest to and affect neighbouring other chiefdoms are forwarded to the *Tinkhundla* for discussion and joint determination. The chairman of the meetings that take place at the *Tinkhundla* is the *Indvuna Yenkhundla* (headman). Under the current dispensation, an *Indvuna Yenkhundla* is elected by local citizens at the local level during national elections. The winner in the elections represents the residents of the *inkhundla* in Parliament and the runner up in the parliamentary elections becomes the *Indvuna Yenkhundla*.

The meetings at the local level are expected to expedite the identification of priority projects based on the needs of the rural residents, as well as facilitate the transmission of the proposed projects to national government for consideration and possible implementation; and facilitate the implementation of national government policies and projects at the local level.

With regard to their socio-economic functions, *Tinkhundla* are required to play a pivotal role in the implementation of government policies, programmes and

projects at the regional and *Tinkhundla* levels; co-ordinate national activities of a cultural or traditional nature and *Tinkhundla* levels; co-ordinate national activities of a cultural or traditional nature, liaise with the Swazi National Council on matters affecting Swazi law and custom, identify and initiate priority development programmes and projects at the regional and *Tinkhundla* levels. In formulating the *Tinkhundla*, its architects envisaged a non-party and decentralised institutional framework that would lead to a shift by central government away from making decisions and issuing orders to helping people at the grass-roots level make decisions through the familiar traditional administrative structures.

Accordingly, the official view is that the *Tinkhundla* political system is the embodiment of a unique blend of Swazi democracy, which unlike any other system empowers people at the local level to take full responsibility for their lives and destinies while at the same time enabling them to actively participate in the socio-political and economic development of the country. However, this view is arguable, given the multiplicity of problems and challenges facing the country's system of governance, such as confusion and overlap of functions, lack of understanding of the role and functions of *Tinkhundla*, inadequate financial resources, including the inability of the political system to guarantee good governance, transparency, accountability and participatory democracy through a multi-party political dispensation.

2.7.2 Urban Government

The country, as already alluded to, has three categories of urban local government - city councils, town councils and town boards. To a large extent, this categorization serves to distinguish between local authorities on the basis of the stage of development and/or maturity they have reached. City councils are those found in the two higher order towns of Mbabane and Manzini and town councils exist in the intermediate towns of Piggs Peak, Siteki and Nhlanguano whilst town boards, the lowest category of urban local government, are found in the country's smaller towns of Matsapha, Hlatikulu, Mankayane, Vuvulane, Ezulwini and Lavumisa.

The Urban Government Act, 1969 does not seem to draw a clear distinction between a municipal council on the one hand and a town council on the other. The Act defines *council* to mean a municipal or town council, as the case may be, established under the provisions of Part 2. Section 5(1) provides that "in every municipality there shall be constituted by the Minister...a municipal or town council". It is clear that the Act envisaged that there would be municipalities and that there shall be different types of such municipal authorities such as, for example, city councils, town councils and town boards.

As for the composition of municipal authorities, the Urban Government Act, 1969 originally provided for the appointment of councillors by the Minister and did not

provide for elections. The Act was subsequently amended in the 1990s to allow for the direct election of councillors and the appointment of some of them by the Minister responsible for local government.

2.8 NEW DEVELOPMENTS

For the period during which this research was conducted there are two developments taking place in Swaziland that are likely to impact on local government administration in both urban and rural areas in the future: (a) the coming into effect of the new constitution and (b) the strengthening of the decentralisation programme through the enactment of a decentralisation policy.

The new constitution is a product of several years of a consultative exercise – an exercise that was, by and large, managed by the government – during which a constitutional review commission, established by the King, enlisted and received submissions from individuals (but not organised formations) around the country for the purpose of formulating a constitution that would reflect the popular will. The constitutional review commission, having received submissions, eventually gave way to a constitutional drafting committee, which was tasked with drafting the country's constitution based on the submissions made to the constitutional review commission and also based on further submissions made to it by individuals. The constitution was ratified in 2005, whilst this research was ongoing, and comes into effect in 2006. The ratification was done using both

modern and traditional methods i.e. through Parliament and the Swazi National Council. With the coming into force of the Constitution in 2006, it is envisaged that new structures formed by the constitution, including those for local government would be established, al-be-it, gradually.

It is noteworthy, though, that the approach that was adopted in producing the country's Constitution triggered serious debate in the country and protest from organized groups in society (civil society) who observed that the consultation process had not been inclusive enough (did not allow individuals to organise themselves or articulate their views around common political positions) and was being stage-managed, conducted as a government project, to guarantee a particular outcome that would be favourable to the ruling regime, especially the traditional authorities, rather than to produce a document that reflects the popular will. An illustration of this point is that the Constitution that comes into effect in 2006 does not provide for pluralism and the election of a government through political parties. Whilst the Constitution provides for freedom of association, there is no clarity as to how the freedom can be exercised by those who wish to elect a government of their choice or those who want to change the government that is already in power. Notwithstanding, the above weaknesses of the Constitution, observers have noted that some of the provisions of the new Constitution are progressive and not at all dissimilar from those of leading democracies e.g. the provision relating to the bill of rights and the independence of the judiciary.

Apart from the Constitution, and concerning the second development, it is noteworthy that in 2005, the national government produced a decentralisation policy with the support of outside agencies, particularly the United Nations, which was tabled before Parliament for approval as government policy. It is obvious that the decentralisation policy is intended to influence the approach to local government administration countrywide. At the time of conducting this research, the national government was considering the modalities of implementing this policy, enacting a new statute that would replace the Urban Government Act, 1969, already referred to above.

At this point it is appropriate to comment briefly about the provisions of the constitution and the decentralisation policy that are of relevance to this research and their implications for local government administration in the country.

2.8.1 New Constitution

The new Constitution replaces the 1968 independence Constitution, which was repealed through the King's Proclamation to the Nation of 1973. There are a number of provisions in the new Constitution relating to local government. It can be argued that as in other countries, the Swaziland Constitution espouses the values of public administration that have to be given effect through the enactment of laws and the creation of the relevant structures that would in turn deliver services that meet the needs and aspirations of the people.

As an illustration, Chapter V of the Constitution, subsection 58 (1) and (2), articulates the values of public administration:

"Swaziland shall be a democratic country dedicated to the principles which empower and encourage the active participation of citizens at all levels in their own governance.... In the conduct of public affairs the state shall be guided by the principle of decentralization and devolution of government functions and powers to the people at appropriate levels where they can best manage and direct their own affairs".

According to the Constitution, the system of government for Swaziland is to be a democratic and participatory system, which emphasises devolution of state power from central government to *Tinkhundla* areas, and individual merit as a basis for election or appointment to public office.

2.8.1.1 Local government system

The Constitution provides that Parliament shall provide for the establishment of a single-country wide system of local government, which is based on the *Tinkhundla* system of government, hierarchically organised according to the volume of the complexity of service rendered and integrated so as to avoid the urban/rural dichotomy. It is suggested that the primary objective of the *Tinkhundla*-based system of government is to bring government closer to the people so that the people at sub-national level or local community level progressively take control of their own affairs and govern themselves. Local government is expected to be organized and administered, as far as practicable,

through democratically established regional and sub-regional councils or committees. This provision is to be interpreted to mean that there will be local government institutions established in accordance with the provisions of the Act governing local government matters.

2.8.1.2 Local government areas

The constitution provides that Parliament shall provide for the division of Swaziland into as many local government areas as the Elections and Boundaries Commission may from time to time recommend. In defining local government areas the Commission may integrate urban and rural areas where necessary; take into consideration – the population, the physical size, the geographical features, economic resources, the existing or planned infrastructure of area with a view to ensuring that a local government area is, or has the potential for becoming economically sustainable; a town may be divided into two or more areas of local government; such local government areas maybe rural or urban or partly rural and partly urban subject to the recommendations of the Commission; (Swaziland Constitution, section 219).

2.8.1.3 Duties of a local government authority

The constitution (section 221) provides that the following will be the functions of a local government institution:

- to ensure in accordance with the law the efficient management and development of the areas under jurisdiction
- to protect life, public property, improve working and living conditions, promote the social and cultural life of the people, raise the level of civic consciousness, preserve law and order within its area, and generally preserve the rights of the people of that area
- organise and promote popular participation and co-operation in respect of political, economic, cultural and social life of the area under its control.

2.8.2 Decentralisation Policy

As noted, whilst the study was in progress, the government initiated a new policy on decentralisation. The country's decentralisation programme requires the enactment of a new statute or statutes that must be in conformity with the country's new Constitution. It is envisaged that to bring the policy into effect, two pieces of legislation – the Local Government Act and Local Government Planning, Budgeting, Finance and Audit Act – will have to be promulgated.

The government policy on decentralisation accepts the need for commitment to participatory approaches and methods and capacity building to facilitate and

enhance efficient and effective quality service delivery at the decentralised levels within a good governance framework embedded in the management culture at all levels. As stated in the policy document:

" the goal is to provide an enabling environment for promoting and enhancing sustainable and participatory local and national economic political and social development within a decentralized governance framework and is based on the fundamental principles of subsidiarity, empowerment, responsibility, partnership, connectivity, accountability, transparency, effectiveness, participation, consensus, democratic representation, and respect for the rule of law" (GOS: Decentralisation Policy, 2006:8).

The writers of the policy noted that the new policy which amounts to a promise to ensure efficient service delivery and equitable development amongst communities in the region is premised on the fact that authority, responsibility, resources, decision making, and service delivery mechanisms and processes were and still remain centralised and not immediately accessible to the majority of the population, particularly in the rural areas. Furthermore, there is inadequate and inequitable distribution of resources mainly between the urban and rural communities and populations (GOS: Decentralisation Policy 2006:).

According to the policy, devolution is to be effected gradually and incrementally to local government. There are four levels (types of institution) mentioned in the policy – the regional, *inkhundla*, chiefdom and urban government levels. It is envisaged that a number of co-ordinating bodies shall be established to facilitate the implementation of the decentralisation programme. The Regional

Administrator is expected to assume greater responsibilities similar to that of Provincial Premier. The Local Government and Decentralisation Act mentioned above is expected to articulate the following broad legal provisions: (Decentralisation Policy:2006).

- ❑ definition of local government,
- ❑ determine the home ministry for local government
- ❑ factors to be taken into account in the demarcation of local government
- ❑ objections to demarcation proposed
- ❑ local government elections to coincide with the national elections
- ❑ devolution of functions from central government to decentralised institutions
- ❑ powers, election, membership, vacation, qualification and regulations, accountability, auditing, control and supervision of local government authorities.

In summarising this section on new developments, it is worth highlighting the fact that the social and political environment in Swaziland as in any other country is in a state of flux, always changing, al-be-it in a gradual and incremental fashion. In this case, research therefore must be cognisant of the changes particularly those that take place in the political environment (new policies on decentralisation) and those that take place in the legal environment (constitutional and statutory changes), since those changes will inevitably have a bearing on the future of local government.

The following observations can be made about the implications of the new Constitution. The new constitution imposes an obligation on the government to effect legislative amendments. Thus, if the Constitutional provisions are given effect, there will in the future possibly be two new statutes, replacing the current one. The first will deal with the issues already mentioned in the foregoing paragraphs, e.g., functions, powers of local government, elections, demarcation of boundaries and so on. The second will deal with the financial aspect of local government. An observation that can be made is what appears to be a central contradiction in the Constitution about the nature of the proposed local government. It would appear from the provisions of the constitution that the framers of the constitution were obviously aware of the problems associated with the dual nature of the system of local government and hence they articulated, as part of the provisions of the Constitution, the need to create a single countrywide system of local government. At the same time the Constitution provides for both types of local government – urban government and local government in rural areas.

The decentralisation policy adopted by the government contemplates a higher level of devolution. Regarding the devolution of power, the present research will comment only about situation up to the end of 2005. It is beyond the scope of the present research to determine whether the government will succeed in sharing power with local government in the urban areas.

The constitutional provision section relating to administration of local government areas states clearly that local government in the country is to be: *rural* or *urban* or *partly rural* or *partly urban*. Thus, both types of local government (urban and rural) are provided for. Given the nature of the constitutional provisions as well as the political and cultural realities of the country, local government in Swaziland will continue, for the foreseeable future, to be dual in nature, consisting of both urban government (municipal authorities) and local government in rural settings.

A significant provision of the Constitution relates to the composition of local government. The Constitution provides that an area shall be administered by an elected or appointed or partly appointed council or committee, as Parliament may prescribe; and subject to re-election or reappointment, the term of office of a council or committee shall be similar to that for members of Parliament. It may be surmised that the provision relating to elections, will be taken on board in the new Acts still to be formulated, and that the election of council members (councillors) will apply specifically to local government in the urban areas and not the rural areas (Swaziland Constitution, section 220).

In addition given the socio-political and economic realities of the country, the provisions relating to power to raise revenue, to levy and collect taxes, rates, duties and fees (Swaziland Constitution, section 222) can be understood to refer

to urban government given that the Tinkhundla cannot at least for the foreseeable future be expected to perform these tasks.

2.9 PROFILE OF THE RESEARCH SITES

2.9.1 Manzini City Council

The city of Manzini is situated at the centre of the country, in close proximity to the industrial site of Matsapha, and 40 km away from Mbabane, the capital city. Manzini serves as the regional Head Quarters of the Manzini region as well as the major commercial centre in the country. Because of its strategic location, Manzini has, since independence grown in leaps and bounds witnessing rapid development in terms of infrastructure.

The Manzini region is the most populous of the four regions in Swaziland, with 30,3% of the country's population and is also the most urbanised, with 32% of the population resident in the urban areas. The population of Manzini including the adjacent communities is 70 000, whilst the population of the urban area (the Manzini municipality) stands at 31 382. The city covers an area of 2 447 hectares.

The city of Manzini has most of the characteristics of an urban area as stated, for example, in Cloete and Thornhill (2005):

- ❑ parts of it, known as suburbs, are reserved for division into building stands which are numbered and on which houses, churches and shops are built;
- ❑ parts are reserved for streets and pavements
- ❑ parts are set aside as parks, sports grounds and cemeteries;
- ❑ parts are zoned as business areas, and there is a central business districts (CBD)
- ❑ parts are divided into industrial sites on which factors may be built; and
- ❑ parts are set aside for the construction of public buildings such as schools, municipal facilities, government buildings such as police station, prisons, magistrate offices and railway stations.

In the vicinity of the city of Manzini are peri-urban areas and informal settlements, with large populations. This population is considered to impose a heavy burden on the inhabitants of the urban area under the jurisdiction of the Manzini City Council because it, directly or indirectly, benefits from some of the services offered by the City council of Manzini.

2.9.2 Nhlanguano Town Council

The town of Nhlanguano is located in the southern part of the country, close to the border with South Africa. The town of Nhlanguano has an estimated population of 4 000, a figure which is multiplied six times during the day when people from the rural and peri-urban areas visit the town for commercial and other reasons. The

building blocks of a town at Nhlanguano were laid during the colonial period. Then, the town was given the name Goedgegun. Under colonial rule, Goedgegun was not one of the strategic towns because unlike Manzini, which was a central urban area and a major European settlement, the former was a peripheral town in the south.

The single most important historical event about this town is that it was the site for the landing of King George VI of Britain, the Queen, and their daughters Elizabeth (presently the reigning Queen of England) and Anne during their tour of Southern Africa in 1947. As part of his tour, the King of England and his entourage came to Swaziland, then a British protectorate, where they met Sobhuza II, the King of the Swazis, at Goedgegun. At independence the town was renamed Nhlanguano, which means 'the meeting place', to honour and celebrate the above royal visit.

The Urban Government Act, 1969 paved the way for the minister to appoint town boards. Accordingly, town boards were created for the town of Nhlanguano along with other towns in Swaziland (Hlatikulu, Piggs Peak, Mankayiyane, Lavumisa, Siteki). As pointed out earlier, the Urban Government Act replaced the Town Management Proclamation, which had applied mainly to the bigger towns in Swaziland, Mbabane and Manzini. In 1993, the town of Nhlanguano, shed its 'board' status and assumed that of 'council', along with Piggs Peak, and Siteki.

The distinction between town council and town board is one based on the degree of autonomy enjoyed by the urban local authority i.e. town councils have a degree of autonomy whilst town boards are mere agents of national government. The example of this would be that town councils have a measure of discretion to recruit junior staff without reference to central government whilst town boards often rely on staff seconded from central government ministries. Thus, in the normal course of events, town boards must evolve to assume the status of 'town councils' and town boards may be created in new towns. Indeed some of the towns that were designated as town board areas in 1969 (such as Nhlango) have, over the years, evolved to assume the status of town councils and new town boards have been created in areas recently declared as towns (such as Ezulwini).

2.9.3 Mankayiyane Town Board

Mankayiyane, a small town located in the Manzini Region and run by a town board, exhibits features that are distinctly different from those of the other two urban areas already described above. It is a town that is very much at an embryonic stage. There is no major activity that drives the local economy, such as for example factories or agro- business. There is, however, some commercial activity such as shops and a few government buildings such as a hospital and police station.

A significant feature of the town of Mankayiyane is its location in a predominantly rural setting. The small town is surrounded by a number of chiefdoms, communities which are outside the town's jurisdiction and which are administered under the country's *Tinkhundla* system. The town of Mankayiyane serves as the best example of an urban environment in Swaziland where the country's modern and traditional institutions of government converge. This is because the town board of Mankayiyane has to manage its affairs in a modern manner, using Western systems, in a locality where adherence to culture and traditional systems is still a dominant way of life.

2.10 FUNCTIONS AND RESPONSIBILITIES OF LOCAL AUTHORITIES

Local government has been recognized in the Constitution of the Kingdom of Swaziland. In terms of section 222 (1) - (5), a local government authority is expected to ensure the development of the areas under its jurisdiction, promote popular participation and co-operation in respect of the political, economic, cultural and social life of the area under its control; and depending on its level of development, determine, plan, initiate, and execute policies, taking into account the national policy or development plan. From this it can be deduced that local government in Swaziland is in the forefront of service rendering. The responsibility of meeting the objectives of local government, set out in the Constitution, rests with the 12 designated urban local authorities in the country, of which two are city councils (Mbabane and Manzini), three are town councils

(Nhlangano, Piggs Peak and Siteki), and seven are town boards (Mankayiyane, Hlatikhulu, Lavumisa, Matsapha, Ezulwini, Ngwenya, and Vuvulane).

2.10.1 Functions and Responsibilities

The following illustrates what the functions of local government in Swaziland are. The specific functions and mandate of the municipal authority derive from the provisions of the Urban Government Act No. 8 of 1969.

Box 2.1 Functions and responsibilities of a municipal authority

- ❑ controlling, managing, and administering the council,
- ❑ maintaining and cleaning all public streets and open spaces vested in the council or committed to its management and restraining all public nuisance,
- ❑ safeguarding public health and providing sanitary services for the removal and disposal of all kinds of refuse,
- ❑ establishing or taking over and maintaining, subject to the extent of its resources, all public utilities service which it is authorized or required to maintain under any law and which are required for the welfare, comfort or convenience of the public,
- ❑ managing and developing, all land/property owned or leased by the council,
- ❑ creating an environment conducive to private sector investment and development
- ❑ establishing or taking over and administering, subject to the extent of its resources, housing schemes for the inhabitants of the municipality, and
- ❑ generally promoting public health, welfare and convenience, sanitation, and the amenities of the municipality.

Source: Urban Government Act, No. 8, 1969

The above are services that need to be tailored to the needs and circumstances of the urban residents. Whilst it is possible for these services to be provided centrally, it is considered that local authorities, are well placed to strike the balance in terms of meeting national policy goals and fulfilling the particular needs and aspirations of the locality precisely because local government is the level of government that is closest to the people, and therefore is in a stronger position to act in a more efficient, effective, responsive and accountable manner than national government.

An observation that may be made about the above functions is that local government in Swaziland does not perform many of the functions that are widely accepted in developed countries as core local government functions, such as education and health. In Swaziland these functions are discharged by the national government.

A critical examination of these functions also reveals the outdated nature of the Urban Government Act, 1969 in the sense that many of the responsibilities outlined above have since been taken over by public enterprises. Public utilities, for instance, are the domain of public enterprises such as the Water Services Corporation, the Swaziland Electricity Board whilst the Swaziland National Housing Board is responsible for housing. Thus, the growth of public enterprises in the post-independence era in Swaziland witnessed the gradual erosion and

depletion of some of the functions of local government. This is a particularly significant point because the functions that would potentially generate more income are performed by public enterprises and not by local government. This is considered as the main reason why local government is unable to generate sufficient income.

2.10.2 People in local government

The Urban Government Act, No. 8, 1969 of Swaziland and the Constitution of the Kingdom of Swaziland (section 221) provide for local government elections, a process whereby the urban community elects, as councillors, individuals from the locality who have been nominated and have agreed to stand as candidates. In terms of the aforementioned section of the constitution, a local government is to be administered by an elected or appointed, or partly elected and partly appointed council or committee as Parliament may prescribe (through the relevant legislation). It may be noted at this point that a new statute will, in all probability, be enacted in the future to replace the Urban Government Act of 1969, as required by the Constitution. However, it is expected that any future local government legislation will, in keeping with the letter and spirit of section 221 of the Constitution, continue to provide for elected councillors, and quite possibly for appointed ones as well, for this level of government.

The elected and/or appointed councillors represent the political component of the council. In addition to councillors, the Urban Government Act, 1969 and the municipal authorities' policies and procedures provide for the employment of members of staff to perform a variety of administrative roles as part of the responsibility of serving the community. The members of staff represent the administrative wing of the municipal authority.

The Town Clerk or Clerk to Council is the administrative head of a municipality and is supported by other members of staff who report to him. The size of the workforce of a municipal authority varies according to the size of the organisation. Thus, city councils have more staff than town councils whilst the latter, invariably have more staff than town boards (Annual Reports: Manzini, Nhlanguano, Mankayiyane. This position will become clearer in the discussion of staffing in the three selected municipal authorities of Manzini, Nhlanguano and Mankayiyane, which will follow shortly. At this stage the research turns to a consideration of the functions of local government, drawing from the experience of the three selected municipal authorities.

2.10.3 Functions of major role players

Municipal bodies as corporate bodies, when constituted become juristic persons with specific powers and capacities. They are under the direction and control of an elected council (in Swaziland the council also includes a small number of ministerial appointees). The activities within the different municipalities can be

classified into four distinct categories. The activities are – political executive, administrative, and operational.

Box 2.2 Functions and activities in a typical local authority

- a. The political area - embodies the senior local officials who formulate policy and are directly accountable to the community for all decisions made in respect of that policy.
- b. The executive area - embodies the senior local government officials within the municipalities, including the clerk and departmental heads who act as policy adviser on policy initiatives and amendment to existing policy.
- c. The administrative area – embodies those municipal officials who hold middle-management positions and are primarily responsible for the administrative functions
- d. The operational area - embodies the officials at the lower levels of the hierarchy that have a responsibility to give effect to the designated work in order to achieve the objectives and resolutions of the political representatives and executive officials.

Source: Cloete, 1997:46-51; Fourie, L. 2000:37-38

It can be deduced from the foregoing observations that in Swaziland, as in other countries, there are three main role players in local government administration and management.

- *Councillors* - they represent the political wing of a municipal authority. At present the majority of councillors are elected by the electorate in the various constituencies, which are referred to as wards;

- *Staff* - they represent the executive, administrative and operational wing of a municipal authority. As the local government employees, they are to be appointed on merit and in accordance with the procedures set out in the municipal authorities' terms and conditions of employment; and

- *Community* - this refers to the inhabitants i.e. the customers of local government. They are the inhabitants of the areas designated as towns and include all ratepayers (individuals, companies etc).

It is important to briefly consider the responsibilities of the major role players in local government, drawing from the experience of the city council, town council and town board of Manzini, Nhlengano and Mankayiyane respectively.

(a) Role of Councillors

Whilst serving their term as the elected representatives, which currently stands at two years, councillors are expected to provide policy guidelines for and govern the local authorities. This places councillors in a unique position to respond to the needs and aspirations of their community, ensure that public services are delivered efficiently and effectively. In addition to this, whilst in office, councillors have an important role to play in terms of providing the kind of leadership that assists in developing and sustaining thriving urban communities.

The new orientation towards performance requires that councillors focus on achieving results and search for innovative ways to improve the quality of services in order to achieve excellence and value for money. Councillors have a responsibility to ensure that wherever their clients live (which in this case are the areas designated as urban and falling within the authority's jurisdiction) they have access to good quality services, delivered in a responsive, equitable and accountable manner.

(b) Role of Staff

The council has an administrative component headed by the Town Clerk. The Town Clerk leads a team (executive) composed of heads of department. In Manzini, for instance, the council currently has the following departments: clerk to council, human resources, environment and health, planning and community development, engineering and treasury. The members of staff in the various departments (constituting the administrative wing and operational wing of the municipality) must, just like their political masters, the councillors, work towards the realisation of the goal of service delivery. However, the town council of Nhlengano has fewer positions compared to Manzini. It is noteworthy that some of the staff e.g. the town engineer for Nhlengano had been seconded by the national government due to problems of capacity in the town council. There were even fewer positions in the Town Board of Mankayiyane.

2.11 CONCLUSION

This chapter has reviewed the decentralisation process, in particular the initiatives taken by the national government to meet the desired objective of sharing power with local government. This chapter considered at length the experience of Swaziland. The discussion reveals that a major feature of public administration on the African continent immediately after political independence was the tendency towards centralisation of governmental administration. In British territories, the colonial government's attempt to introduce some form of decentralisation had not yielded the expected positive results such that at independence, by and large, government administration was centralised. Upon the attainment of independence, new factors emerged to warrant a review of the way governmental structures were organised.

The decentralisation process derived impetus from at least three forces: firstly, from disillusionment with the results of centralism; secondly, from the growing realisation that as societies became more complex and government activities continue to expand, it becomes increasingly difficult to administer all the affairs of the state as well as deliver services effectively and efficiently from the centre; and thirdly from the implicit requirements for new ways of managing development that takes into account the need for good governance, including popular participation in decision making to empower people at the grassroots level.

The discussion shows that to a large extent, Swazi society is predominantly traditional and conservative in that traditional norms and values permeate almost the entire fabric of the society. Traditionalism is the cornerstone of the governmental system, an official ideology whose origins date back to the early beginnings of Swaziland and the nation.

The *Tinkhundla* system, at its core, is designed to facilitate the practice of both Western and traditional styles of government, in a country where development is pursued following the political philosophy of traditional leadership. The dualism that characterises the governmental system is an enduring legacy of colonialism; it derives from colonial policy in Swaziland, which permitted the existence of a parallel structure of administration consisting of the British colonial administration and the traditional authority system. At independence, the dualism was retained and it is likely to continue for years to come, as it has been the case for more than thirty-six years now.

Swaziland found it appropriate to adopt administrative reforms to improve service delivery. Decentralisation is the main strategy that was adopted to facilitate the efficient and effective delivery of services, promote local self-government as well as advance the goal of socio-economic development. Accordingly, a great emphasis has been put on developing local government in the country. In Swaziland, local government is the second level of government.

The dualism that is such a dominant feature in the political landscape in the country is clearly manifest in the local government system that emerged from the enactment of the Urban Government Act, 1969 and the Establishment of Parliament order 1978 as amended in 1992. The architects of the decentralisation programme in Swaziland constructed a system of local government consisting of the modern municipal authorities found in urban areas and *Tinkhundla*, which is the traditional system found in rural areas mainly.

The dualism that characterises local government is firmly entrenched in the country's political and constitutional dispensation and deeply embedded in the social and cultural values, such that it is unlikely to disappear even with the coming into effect of the Constitution. In fact the constitution is drafted in a way that provides for the diverse nature of the local government system, notwithstanding the reference to a single countrywide system of local government. The decentralisation policy document itself makes reference to four levels of local government - regions, *inkhundla*, chiefdom and urban government. In a unitary state this comes down to the simple fact that there are two levels of government, the national government and the local government. The latter is organised in such way that there are two types - rural and urban.

The importance of local government institutions in Swaziland as in other countries is derived from their responsibilities of service provision. Local government institutions, from this perspective, are the providers and administrators of basic services in specified areas or localities, intended to meet

CHAPTER 3

MANAGING FOR SERVICE EXCELLENCE IN LOCAL GOVERNMENT

3.1 INTRODUCTION

The subject of public sector performance has featured prominently in the literature, along with other topical subjects, in the context of the debate about the proper role of government in contemporary society. The view that public institutions, in their various service-rendering activities, ought to demonstrate good performance has gained widespread approval. The requirement to show that performance is well managed, measured and improved is increasingly being mentioned as an essential prerequisite for effective public administration and management. Improving the quality, efficiency, and value of public services at all levels of government, especially in times of rising expectations and scarce resources, has become an important policy issue for all countries. This chapter examines the question of public sector performance in relation to the need to manage for excellence in local government in Swaziland.

Performance, as defined in the Oxford dictionary, is the ability (of an organization) to move quickly and operate efficiently. Its synonyms include such terms as *accomplishment*, *achievement*, *realisation*, and *fulfillment* (Oxford dictionary). Most of these terms, in the context of this discussion, have to do with the objective effect of public actions but some relate to the subjective sense of satisfaction experienced as a result of an authority's action. Naturally, the public

management literature emphasises the former meaning, not only because of its direct implications for the population being served, but also because subjective satisfaction is extremely difficult to measure and impossible to quantify.

Emphasis on performance in the public sector derives impetus from the fact that the activities of government bodies have very profound implications for individual citizens and the society in which they live. Yet, many of those activities are often undertaken in ignorance of their immediate, intermediate-term and long-term effect (Smith, P 1996:8); and also, as they carry out their activities, government bodies often do not seek to link the objectives they set to measurable outputs (Dilulio, J.J., Garvey, G. & Kettl, D.F. 1993:46). According to this view, in the government sector, there is often inadequate information about whether or not public institutions are achieving anything at all with the large amounts of financial and other resources at their disposal.

On this point, Peter Smith argues:

The form - and indeed existence - of many parts of the public sector is more an act of faith than a reasoned response to incontrovertible evidence. The absence of hard evidence relating to the effects of public sector activity is understandable. Functions are undertaken in the public domain when markets fail. Market failure often occurs when information is poor, or when individuals cannot make informed decisions. The difficulty of identifying and measuring effects is, therefore, often a reason for an activity being undertaken by the public sector, not a consequence (Smith, P.1996:8).

Understandably, public sector reformers have sought to remedy this deficiency i.e. the lack of information about the impact of public sector activities on individuals and the community, by drawing attention to the need to pay more attention to the question of performance. It is widely acknowledged that there is need to have performance indicators (measures of success) in the public sector in the same manner that there are clear and objective performance indicators (such as profit) in the private sector. But if performance indicators are supposed to indicate performance, the questions that arise then are: what exactly is performance in the public sector? What is the public sector's equivalent for the long-run profits sought by firms in the private sector? Should government performance be measured? If yes, how?

The view of various scholars is that, if such a corresponding measure of performance exists in the public sector, it should be the *outcome* for society of the government intervention. Outcome is seen as encompassing the ramifications throughout society of the relevant public sector intervention e.g. a project of a city council to construct a new bus terminal, replacing an old one or an urban renewal project of a city council designed to improve the living conditions of the city inhabitants by relocating all or a percentage of them to a planned settlement. The issue of performance, from this perspective, relates to whether particular government activities assist in meeting the community's needs and expectations. It also relates to the value society places on these activities (Smith, P. 1996:6).

In the light of the foregoing observations, *performance management* - the strategies designed to establish frameworks for managing the work of government competently in all its various domains – has been identified as an important subject that requires serious consideration. Accordingly, in this chapter, the various strategies and frameworks underlying performance management are examined. More specifically, the discussion considers the frameworks that are intended to increase *efficiency*, enhance *effectiveness*, maximise *economy*, and promote *equity* with regard to service rendering by local government. Given the focus of the present research on urban areas in Swaziland, the discussion inevitably involves assessing whether the local government system in the country's urban areas is geared towards service excellence in the manner that is proposed by the performance management movement. Therefore, the aim of this chapter is to:

- assess the motivation for the performance-focused approach in government;
- assess the argument – which is the underlying premise of this chapter – that the aim of all performance-based frameworks is to serve the people better;
- review international experiences pertaining to the implementation of performance measures, including the Swaziland experience;

- review the theoretical frameworks relating to performance management in order to provide a model as well as bring into focus the more recent insights on this issue;
- highlight the 4E framework - *efficiency, effectiveness, economy, equity* – and explain why it is useful as a tool for analysing and evaluating performance in the public sector; and apply the 4E framework to the analysis of service delivery by urban government in Swaziland.

3.2 JUSTIFICATION FOR THE PERFORMANCE-BASED APPROACH

In the final two decades of the 20th century public dissatisfaction with the inability of governments to deal effectively with critical problems and meet the welfare needs of the people had reached a very high level, as evidenced by the emergence, during this period, of the reform movement advocating a radical transformation of the public sector. Public services in most countries were seen as institutions in serious trouble. In Africa, for instance, the machinery of government was considered problematic and in need for reform. Governments had for too long clung to outdated structures, systems and procedures, and archaic instruments of development. Whilst these systems and procedures might have been fairly adequate in previous periods when the function of government was limited to simple and routine functions, such as the maintenance of law and order, they were found to be lacking in a constantly changing and dynamic environment (<http://www.iog.ca/publications/policybrief.pdf>).

Public sector reformers began to challenge what they perceived as the bankruptcy of bureaucratic government. The government sector, it was thought, required reinvigoration and redesign as a vital component of strategies to re-dimension the state (Turner, M. & Hulme, D. 2002:106). In arguing the case for reform, Osborne & Gaebler state:

Modern governments with their large, process-driven, centralised bureaucracies and standardized one-size-fits-all services were not up to the challenges of a rapidly changing information society and knowledge-based economy (Osborne, D. & Gaebler, T. 1992:XIII).

Commenting on the same subject Quade E.S. (1980) observes: *"We see signs everywhere of ineffective programmes, wasted money, and unresolved problems. There are complaints that the solutions being proposed range from poor, at best, to counter-productive, at worst "*. In the same vein, Steiss and Daneke argue that: *"In some quarters, the focus of government resources on a problem could well be a guarantee of failure rather than of success"* (Steiss and Daneke, 1980: I).

The above comments, made in the latter part of the last century, were as much a cynical and skeptical view of government performance as they were a call for better and more competent administration of public services. The demands for a more performance-oriented system of public administration have not suddenly

come to a halt in the first decade of the present century, the 21st century, a strong indication that the issue of public sector performance continues to occupy center stage in the study of Public Administration and is one that ought to remain at the top of the agenda for governments, including those in Africa.

Dissatisfaction with the public sector stems mainly from the apparent low correlation between public spending and service delivery. Governments, it is argued, have promised a lot but delivered little, spent more but achieved less and raised more taxes but accomplished little. The main thrust of the argument about government performance is that public services are inefficient and ineffective and that the problem is inherent in the government's way of doing things (Osborne, D. & Gaebler, T. 1992: 138 –140).

The disenchanting citizens, whose expectations are not met, may not understand the reason why public services are being delivered in an unsatisfactory manner. Consequently, the people who work in public institutions have been berated. The dissatisfaction that so many citizens have about public officials, the service providers, derives from the perception that they are concerned with meeting their own needs, not those of citizens. The public organisation too often seems in business for itself or perhaps for some special interest groups with special access to decisions. The problem with the governmental system is considered by some writers to be systemic. It is argued that public officials, the service providers, are not necessarily the problem; it is the systems employed in the

government sector where they work that create problems. For instance, in government, the focus has tended to be on *process* rather than *outcomes*. Since the administrative system is process–driven rather than outcomes–driven, the process tends to take precedence over outcomes and often becomes an end in itself rather than a means to an end (Dilulio, J.J., Garvey, G. & Kettl, D.F. 1993:46; Osborne, D. & Gaebler, T. 1992: 139).

In the same vein, it has been argued that government institutions often lack adequate capacity to define goals, measure results, and relate them to spending. This deficiency is significant because it makes it impossible to define what performance truly means or to measure how well government institutions are doing in terms of meeting the needs of the people. It also renders it impossible to reward employees for performance (Smith, P 1996:8; Dilulio, J.J., Garvey, G. & Kettl, D.F. 1993:46).

On this issue, Osborne & Gaebler note – *“that with so little information about results, bureaucratic governments reward their employees based on other things: their longevity, size of their budget, the staff they manage, and level of authority. So the employees assiduously protect their jobs, and build their empires, pursuing larger budgets, larger staffs and more authority”* (Osborne, D. & Gaebler, T. 1992:140).

The foregoing approach, it is suggested, does not lend itself to excellence but contributes to failure in service rendering; consequently, the gap widens between public expectations and service delivery. Commenting about the USA, Steiss and Daneke argue that municipal authorities, particularly those that they had observed, stand as glaring examples of the widening gap between public expectations and service delivery (Steiss, A.W. & Daneke D.A. 1980:1-2).

The foregoing observation about the gap between public expectations and performance, with respect to municipal services in the USA, has been echoed in many other countries. Concerning Africa, for instance, it is reported by the African Development Bank that despite the good efforts of some governments on the continent to decentralise or devolve power, the local government system has not been effective and, by extension, public expectations regarding service delivery by local government have not been met adequately; hence, the requirement to build management and institutional capacities at this level of government (African Development Report 2001: 164).

Whilst there are many complexities, arguments and counter-arguments concerning the operation of the government system, there is one indisputable point about what ought to happen in the interaction between government institutions and citizens. Citizens expect to be treated as customers, with responsiveness and consideration. A government institution is, first and foremost, in business to serve citizens, to provide goods and services that elected officials

have decided are in the public interest. Citizens expect those goods and services to be delivered competently; and they want their needs to take priority over the needs of those who are providing the goods and services (Dilulio, J.J., Garvey, G. & Kettl, D.F. 1993:48-51).

3.3. SERVICE EXCELLENCE AS THE AIM OF PERFORMANCE MANAGEMENT

It can be postulated that meeting the needs and expectations of the people through improvement in service delivery is a major goal of the modern public institution. Service to the people is not only an objective for the modern public organisation but is also what defines it. Excellence in service delivery is a close corollary of the private sector's total quality management (TQM) approach, which holds that customers, ultimately, determine quality. In government, an approach to quality and performance builds on the fundamental precept: to make citizens the focus of service and to make responsiveness to them a primary goal (Dilulio, J.J., Garvey, G. & Kettl, D.F. 1993:49).

The advocates of performance management contend that this approach, potentially, can lead to more efficient management systems, increase public satisfaction with public services and, in the end, mitigate 'the crisis of confidence' in government. The performance management drive, it may be reiterated, is not confined to national government but extends to local government. Reforms have been implemented within local authorities in a number of countries, reshaping the function and purpose of local authorities, as demonstrated in the relevant section

below. A major objective of the local government reform initiatives is the introduction of improved managerial practices, designed to foster better performance and to ensure a more competent and responsive service to the community being served (Hesse and Sharpe, 1991:607).

The contributions by Neil Marshall invite attention to three factors that underlie this broad thrust. The first factor is managerialism, or the new public management. Managerialism has been particularly influential in shaping the substance of reform and transformation processes from the 1980s when many governments around the world started reforming their public sectors with a view to promoting greater efficiency and effectiveness of operation. To achieve these goals, they introduced a series of measures or strategies, including management styles based on private sector approaches. It was simply assumed or accepted that such measures and strategies were necessary and desirable for the entire government system and should be adopted by the local government sector as well (Marshall, N. 1998:647).

A second important factor influencing local government transformation is the recognition that a more effectively managed and performance-oriented local government sector can make a significant contribution to the social and economic development of communities. Through the efficient delivery of services, local government is seen as providing the essential foundations upon which national socio-economic development could be built. Though local

government institutions have long contributed in this capacity, it was not until the more recent period of time that the value of this sector's strategic role was fully appreciated (Marshall, N. 1998: 647).

A third factor influencing reform in the local government sector is the recognition that local government's role in the national polity, and its contribution to social and community objectives generally, have broadened substantially in more recent years. Councils have become increasingly absorbed into national policy initiatives and strategic objectives and have come to be seen as significant contributors to urban renewal strategies and other development activities in urban areas. By requiring local government institutions to embrace corporate management strategies and to improve their management practices, national governments have provided councils with more scope to become involved in a wide range of services and activities (Marshall, N. 1998: 647-648).

The foregoing comment about the purpose of performance management is likely to have resonance for all countries that seek to reform the local government system. From the perspective of the present research and its focus, the significance of performance management is underlined by the fact that, ultimately, the aim of all performance-based frameworks is to achieve excellence in service rendering. At this point, the discussion turns to a discussion of a few international examples of the growing strength of performance management in government including the local level (or sphere) of government.

3.4 PERFORMANCE MANAGEMENT: INTERNATIONAL EXPERIENCES

Evidence, as already suggested, indicates that in a number of countries, new managerial strategies have been or are being introduced within municipal authorities to improve performance. For instance, institutional reform has taken place at the local government level in the 'Anglo-cluster' of countries e.g. United Kingdom, Australia and New Zealand – due to the realisation that the administrative conditions of local authorities have, in the course of the past few decades, been in a precarious state (Hesse and Sharpe, 1991: 607; Marshall, N. 1998: 643-645).

The reforms have included devolution of authority, accompanied by more stringent expectations in terms of performance and accountability, as well as an emphasis on quantifiable outcomes. Corporate management practices are now required along with encouragement to adopt private sector business approaches, including improved responsiveness to client needs. The respective roles of elected councillors and council employees have been more clearly defined with councillors now setting overall directions and being made responsible for policy outcomes. Councillors are also charged with exercising leadership and vision for their communities and must abide by certain standards of behaviour e.g. a code of conduct. New approaches to human resource management have changed significantly the terms and conditions of employment of staff such that senior

managers are now appointed on the basis of merit and placed on fixed-term performance contracts. Clearly, in all these initiatives, considerable emphasis has been put on the function of local government as an efficient and effective provider of public services (Marshall, N. 1998:644-648).

From the perspective of Africa, particularly Southern Africa, it is worth mentioning some of the more recent attempts to direct attention to performance management, particularly in relation to local government. The South African experience offers a good example of the growing emphasis on performance management and performance measures in all spheres of government. Consequently, the local sphere of government in South Africa has undergone transformation since 1994. A strong system of local government capable of exercising the functions and powers assigned to it is viewed as a prerequisite for service delivery in the local sphere of government (Cloete and Thornhill. (2005:41). It is appropriate to mention a few of the initiatives in the form of statutory guidelines that signal the intention to establish a performance management system for the local sphere of government in South Africa, namely, the White Paper of Public Service Delivery, Local Government Municipal Structures Act, 1998 and Local Government Municipal Systems Act.

The White Paper on Public Service Delivery, already cited in chapter 2 of this research, outlines the eight principles — *consultation, service standards, access, courtesy, information openness and transparency, dealing with complaints and*

value for money — which are guidelines designed to instil a service-oriented ethos within the government sector. As part of these guidelines, government bodies must develop service standards that can be used to assess performance; there must also be a monitoring of service delivery through a performance management strategy. The eight principles contained in the White Paper apply to local government as much as they do to the other two spheres of government (Van der Waldt, G. 2004:319; Government's White Paper/*WPTPS* – 1995).

In addition to the foregoing the Parliament of South Africa passed the Local Government Structures Act, 1998 (Act No.17 of 1998) and then subsequently the Local Government Municipal Systems Act, 2000, (Act No. 32 of 2000). The latter in particular outlines the core principles and mechanisms that are needed to allow municipalities to move progressively towards the socio-economic upliftment of all communities as well as facilitate wider access to essential public services. The Act requires that a municipal council administer its affairs in an economical, effective, efficient and equitable manner and must for, this purpose: give effect to its integrated development plan and its transformation programmes; establish a performance management system commensurate with its resources and best suited to its circumstances; and promote a culture of performance management amongst its members, committees and functionaries, and its administration (Cloete and Thornhill 2005:98; Van der Waldt, G. 2004:319; Local Government: Municipal Systems Act No. 32. 2000).

It is evident from the foregoing discussion that local government administrations in Britain, New Zealand, Australia, and South Africa, have undergone change that has culminated in the emergence of municipal governments that are required to be more performance-oriented, more service-oriented and more competent. From the foregoing international experiences, it can be deduced that performance-oriented public institutions, in the shape of municipal authorities, can provide the essential building blocks for the social and economic upliftment of people in the communities being served, for example, the urban community. Therefore, the research accepts as a point of departure the argument that performance management is an important strategy for bringing about change and improvement in the operations of the government sector in general, and local government, in particular. The discussion turns to a consideration of the Swaziland experience.

3.5 PERFORMANCE MANAGEMENT: SWAZILAND EXPERIENCE

With governments the world over repositioning themselves to serve their citizens better, it is worth noting that the Swaziland government too has expressed the need and commitment to reform the public sector to achieve better performance in service delivery. The last ten years have witnessed various attempts to promote a performance-oriented culture in public management in Swaziland.

It is appropriate at this stage to highlight briefly the Swaziland experience, in terms of the implementation of reform initiatives and transformation strategies. The reform initiatives in Swaziland were given impetus by economic factors, particularly, the economic crisis of the 1990s. From the early 1990s the country started experiencing economic difficulties, which manifested in a growing budget deficit. Concerning the economic crisis it was observed in the late 1990s that:

"In the past six to seven years, Swaziland has been faced with deteriorating economic performance. Between 199/93 and 1994/95, the government budget ran into deficit with expenditure far exceeding the revenue. Among the expenditure items, personnel costs took the largest share and absorbed more than 40% of the revenue. This economic performance contrasted sharply with the economic growth rates that were achieved by the country in the late 1980s and at the beginning of the 1990s." (GOS, PSMP, 1999:3).

At the time of doing this research up to 2005, the economic situation described in the preceding paragraph had not changed for the better. This adverse economic situation in the country necessitated a change in the way government conducted its business. The Swaziland government came to the realisation that scarce government financial resources had, in the past been consistently or continually misallocated. Accompanying this realisation was the concern that the public service was bloated and too costly to maintain. Furthermore, it was acknowledged that services were being delivered poorly by many government

departments and that the day-to-day management of the public service was inadequate.

The Swaziland government, therefore, saw the need to embark on reform initiatives that emphasised the need to adopt prudent fiscal management, instill discipline in financial management, meet targets and uphold important principles such as affordability, efficiency, and effectiveness in service delivery (GOS, The PSMP, 1999: 4).

In 1994, the government instituted an internal structural adjustment programme, a locally developed policy adjustment programme which focused on assisting government to diversify revenue and control expenditure. From the internal structural adjustment programme emerged the Public Sector Management Programme (PSMP) which was created in 1995 to assist the national government in addressing the economic difficulties that stemmed from the administrative crisis. Subsequently, in 1997 the Economic and Social Reform Agenda was launched, followed seven years later by the Smart Programme Economic Empowerment Development (SPEED). It is appropriate to explain briefly each of the above initiatives.

The PSMP was entrusted with the responsibility of enhancing the capacity of the public service to perform at consistently higher levels to meet the expectations of the national government and the people concerning the proper role of

government in a changing and globalised world. The overriding purpose of the programme was to raise the standards of service delivery and to realise greater efficiency and effectiveness of the public service in Swaziland. The specific objectives of the PSMP were stated as follows (GOS, The PSMP, 1999:5-6):

- to develop clear and appropriate ministerial missions, objectives, strategies, structures and staffing levels;
- to identify areas where government needs to be reduced or is found to be appropriate, and to increase the participation of the private sector, non-governmental organizations and individuals in the provision of services;
- to improve the productivity of the public service for effective and efficient delivery of services, through new or revised operating, technical and management systems and new human resources management systems;
- to build the capacity of operational staff, middle level and senior public sector managers, through training;
- to create awareness and disseminate information to public servants and the nation at large about the goals, objectives and activities of the programme in order to encourage support and ownership of the PSMP.

At the time of completing this research the PSMP, in pursuit of its mandate, had already started giving effect to some of the initiatives aimed at improving public

sector performance. The first initiative was concerned with developing a policy and regulatory framework for the alternative delivery of public services. The objective was to explore the possibility or feasibility of privatizing or commercializing some of the functions that are currently performed by the government. The second initiative involved determining the state of service delivery in the government of the Kingdom of Swaziland. In this regard, the main purpose was to assess the level of satisfaction with public services amongst the citizens of Swaziland, and to establish the areas where improvements were needed as well as consider ways of effecting the improvements.

It is noteworthy that as part of the attempts to improve public sector performance the government launched the Economic and Social Reform Agenda (ESRA). ESRA was the brainchild of the Government of Swaziland [1997-2002]. This initiative was projected as an action programme with quantifiable targets aimed at assisting government departments to improve their efficiency and effectiveness by working towards meeting targets, which had been identified by the government. The monitoring was to be done at the highest level of government i.e. by the Prime Minister's office. ESRA lasted as long as the Prime Minister i.e. the Head of Government who had initiated it was in office. With the appointment of a new Prime Minister in 2002, the Government of Swaziland announced a new reform programme - the Smart Programme Economic Empowerment Development (SPEED), effectively replacing ESRA.

In addition, prior to instituting these measures, government had undertaken to strengthen the national government planning system by establishing the National Development Strategy (NDS). The NDS was projected as the vision for the development of Swaziland over a twenty-five year period and was based on the inputs received from stakeholders and major players in the economy. Another indication of the Swaziland government's desire to introduce and promote a service culture manifests in the requirement that is now imposed on all government ministries to produce annual performance reports. In this regard, it suffices to mention that the requirement for performance reports is a relatively new innovation, associated with performance budgeting. Traditionally, it was considered sufficient for the executive authority to provide an account to parliament in the form of treasury annual reports indicating how public money had been spent and whether it had been spent according to legal mandates. This approach was eventually judged to be inadequate because it failed to emphasise the outputs of government activities i.e. what the various ministerial departments were achieving with the allocated funds. As part of budgetary reform, each government department must now, at the end of each financial year, in addition to financial reporting, produce and submit before Parliament a performance report detailing what it accomplished from the expenditures incurred.

Most of the aforementioned performance improvement initiatives in the public sector in Swaziland are fairly recent. Some are still underway in terms of implementation. The majority of them targeted the problems of performance in the national government. It is considered that, primarily, the driving force behind

the above reform initiatives in Swaziland was the need to address the economic crisis. A secondary objective was to address the administrative crisis. Since the economic crisis of this period was associated with national government, much of the interest on performance management and improvement tended to be confined to that level of government. Therefore, the main critique of the foregoing reform initiatives is the preoccupation with the problems of national government and the almost total neglect of local government, even though the latter, as an integral part of the public sector and of the service-rendering effort, receives substantial resources in terms of public money and must, like other all public bodies, experience improvement in performance and in service delivery.

Box 3.1 Swaziland's Performance Management Strategies 1990- 2003

- 1990s - formulation of the National Development Strategy (NDS)
- 1990s - creation of the Public Sector Management Programme (PSMP)
- 1990s - formulation of the Economic and Social Reform, Agenda (ESRA)
- 2002- to date - the Smart Programme Economic Empowerment Development (SPEED)

Much remains to be learnt about the success of the initiatives outlined above in increasing public sector performance in Swaziland. To evaluate these initiatives or for that matter to follow them in any detail would be beyond the scope of the present research. At this point, the discussion turns to a discussion of the frameworks that are designed to assist public bodies, particularly local government, to increase performance in order to meet the objective of service excellence.

3.6 PERFORMANCE MANAGEMENT: FRAMEWORKS AND TECHNIQUES

In this research it is accepted that performance in the public sector is an important issue for consideration and that public organisations need to be performance-oriented as well as results-oriented. Therefore, it is argued that it is important to have a system of assessing and evaluating whether productivity and performance have been enhanced in public bodies (Leeuw, F. & Sonnichsen, R. 1994:1). It is therefore important, from this perspective, to evaluate performance in local government institutions, quite apart from evaluating whether the financial resources raised by or appropriated to them were spent in accordance to legal mandates. Evaluating performance is important because public institutions such as Swaziland's urban municipalities have limited resources at their disposal and so the most prudent and responsible utilisation of the limited resources they have is important.

However, attaining measures of organisational performance is not an easy task in the public sector. In contrast with the private sector, the public sector is seen as having a service orientation. The public domain is where service is accepted as the main measure of success (Pauw, J.C, Woods, G, Van der Linde, G.J.A, Fourie, D. & Visser, C. B. 2002:1). In the private sector, criteria such as profit or loss and market share can and are used to establish some measure of performance. In the public sector, however, particularly the non-commercial sector, such as local government, the notion of a market has limited applicability.

For example, local councils in Swaziland are responsible for 'generally promoting public health, welfare and convenience, sanitation and the amenities of the municipality', an objective that is not amenable to quantitative measurement. For this reason, different criteria need to be used to measure performance, usually criteria pertaining to aims and objectives (Smith, P. 1996:1-2; Boyle, R. 1989:17).

A distinguishing feature of performance in the public domain is that it is guided and assessed by multiple standards of efficiency, effectiveness, economy, and equity. Evaluations or assessments, when carried out, are to establish and report whether the scarce resources (human, financial and material) are procured, protected, and utilised in the most economical, efficient, effective and equitable manner by the implementing agency e.g. a city council or town council or town board and whether organisational goals are being achieved or realised (<http://www4.od.nih.gov/ccr/org-ombuds.htm>).

3.6.1 Outcomes approach in government

It is argued that the fundamental aim of public management is to manage public resources in such a way that public goods and services are delivered to a given individual, group, community and society in a responsive and an optimal way. Osborne and Gaebler (1992:14) explain that in attempting to control virtually everything in government people become so obsessed with regulating the process and controlling the inputs that they ignored the outcomes i.e. the results.

This is what has contributed to what Peter Drucker (1980:103-106) referred to as the sins of public management and administration or bureaupathologies in government: slow and inefficient processes. However, today's environment demands public institutions that are flexible and adaptable. It demands institutions that deliver high quality goods and services and value for taxpayers' money. It demands institutions that are responsive to their customers, offering good quality services; that give their employees a sense of meaning and control, and even ownership. It demands institutions that empower citizens rather than simply serve them (Van der Waldt, G. 2005:32-79).

As Osborne and Gaebler (1992: 32) also note convincingly, "those who steer the boat have far more power over its destination than those who row it". Public managers should act as entrepreneurs - i.e. use scarce resources in new ways to maximise productivity and effectiveness; search for more efficient and effective ways of managing; abandon old policy programmes and methods; be innovative, imaginative and creative (Osborne & Gaebler, 1992).

Matheson (2002:7) also argues persuasively that traditional rule-governed bureaucracies can definitely be performance-focused. An important part of the performance orientation is motivating officials towards goals and discouraging them from giving attention to matters that do not relate to performance. Matheson emphasises the requirement to develop new ways in government to improve

results and to transform departments into high-performance institutions that are also outcomes-focussed.

Outcomes-focused management is about ensuring that government decision-making and government action take sufficient account of how those decisions and actions impact on the society. It is an approach therefore that is of fundamental importance to public management and indeed to good governance. It is considered that this approach is desirable because: it strengthens the organisation; it increases the focus on the expectations of citizens; and it ensures that government bodies are delivering services properly aligned to the public interest and with efficient use of resources (Matheson, 2002:19).

3.6.2 Elements of Performance Management

Performance management is described as a more systematic and responsive approach compared to conventional approaches in public administration. It is a perspective that combines the traditional approaches of public administration with contemporary concepts of systems analysis, planning and budgeting in an attempt to achieve a coherent process capable of yielding more rational public policies and decisions (Steiss, A. & Daneke, G. 1980:1-2).

It is concerned with deciding in advance what an organization should do in the future (planning), determining who will do it and how it will be accomplished

(management), and monitoring and enhancing ongoing activities and operations. According to (Steiss, A.W. & Daneke D.A. (1980:1-2) the following elements (constituting a procedural framework) identify the intended scope of performance administration: (1) Establish overall strategic goals and select appropriate objectives for particular public programmes (the strategic plan); (2) determine requirements to meet identified goals and objectives and establish the necessary procedures, operations, and/or activities to carry out the strategic plan, including a selection of the best sequence for performance (planning and programming); (3) determine the available resources (fiscal, personnel, materials, equipment, and time) required for public programmes as a whole, and judiciously allocate these resources in accordance with some system of priorities (budgeting); (4) schedule the entire programme from the point of commitment to completion and exercise control by reacting to (and anticipating) deviations between predicated and actual performance (control); and (5) Monitor activities to determine whether or not reasonable, feasible, and efficient plans and programmes are being produced and executed adequately, and if not, why not (performance monitoring and evaluation).

According to Van der Merwe (1992:114) a clear vision and understanding for any balanced judgment of the performance of a particular organisation boils down to the following: (1) a clear vision and understanding of the objectives of the different functions, programmes, services, for which it is responsible, and why; (2) the availability of data or information relating to the economy, efficiency and

effectiveness of programmes; and (3) the use of correct and valid yardsticks to evaluate the economy, efficiency and effectiveness of different programmes. The same author makes the point that performance assessment can take the form of monitoring or evaluation. The two forms of assessment can be differentiated in terms of frequency and focus.

Performance monitoring – looks at what is done, at what level, at what cost, with what effect and how efficiently.

Performance Evaluation - is concerned more with a fundamental appraisal of the activity or service under investigation – with how things are done.

Performance Assessment (whether by regular monitoring or by a single comprehensive evaluation) does not usually involve an absolute statement of efficiency and effectiveness. Rather, for comparative purposes, performance is judged against some referent. The following are the most common referents:

- comparison over time: for example, comparing this years performance with last year's;
- comparison against targets/standards: for example, examining the number of housing repairs over last month against projected repairs;

- comparison with other organizations: for example, by contrasting the performance of one local authority in road maintenance with another authority;
- comparison within organizations: for example, by comparing the performance of benefits offices in different parts of the country.

In the performance framework, the key words or concepts are: objectives, inputs, process, outputs, outcomes and quality of service. *Objectives* are the basic building blocks on which performance measurement is found. They identify the purposes that the individual or organization is seeking to achieve. *Inputs* are the resources consumed for a particular activity; for example staff, building, and equipment. *Process* has been defined as 'how we work' or how services are delivered. *Outputs* – are the things produced by an organization and may be divided into intermediate and final outputs. Intermediate outputs refer to the capacity to provide the service, such as the number of hospital beds and school places. Final outputs refer to the services actually provided or performed; for example, benefits paid, or education delivered to a child. *Outcomes* are the impact a service has on recipients, such as when poverty is relieved or illness cured. On their own, measures of output, process, output and outcome reveal only a limited amount of intelligence about how an organization is performing. The relationship between the measures is also important. The most commonly used concepts to describe these relationships are efficiency and effectiveness, often described as the two key aspects of performance. *Quality of service* refers

to the provision of a fault-free service to a client. The important point about quality of service is that it looks at performance from the consumer's point of view. Indicators of quality at the process/output level could include such examples as the time it takes to process a claim, and delays in the delivery of letters. At the outcome level, an example would be then development of indicators of the quality of life in nursing homes (Boyle, R. 1989: 7).

3.7 PERFORMANCE MANAGEMENT IN SWAZILAND: THE 4E FRAMEWORK

The more recent literature on performance management identifies three aspects that are needed to achieve public objectives - *efficiency*, *effectiveness* and *economy*. To the three concepts of efficiency, effectiveness, and economy may be added a fourth – *equity* for reasons that will be explained shortly.

The thesis argues that *efficiency*, *effectiveness*, *economy* and *equity* are four different but related aspects of performance. The 4Es are not only key principles in performance management but are also concepts that provide a useful model for assessing performance in a public organisation such as a local government authority. At this point, the essay turns to a discussion of each of these four concepts. The section also incorporates the findings on local government in Swaziland concerning the subject of performance.

3.7.1 Efficiency

The question to be addressed in this section is whether the local government system in Swaziland is geared towards efficiency as well as managing for excellence in service rendering. *Efficiency* - is concerned with the relationship between the goods and services produced (the outputs), on the one hand, and the resources used to produce them (the inputs), on the other. Organisations must be efficient, which is considered to be the ability to produce maximum output from any given set of inputs, such that there is maximum productivity and lower unit costs. Efficiency is measured by the ratio of inputs to output.

Thus a local authority in Swaziland that is geared towards efficiency will seek to minimise inputs, to maximise outputs, or to do both. If for instance the budget of the city council had not increased from previous years, the council should be able to upgrade the infrastructure in the town – in terms of roads and amenities – using available resources without compromising the quality i.e. spend less but achieve more. Depending on where the focus of attention lies, a distinction may be made between output efficiency (maximising desired output with a given level of inputs) and input efficiency (minimising inputs for a given level of output). An efficient entity produces the maximum output from any given set of inputs. Alternatively, it may require minimum inputs to achieve a given quality of and quantity of output. This will be reflected in increased productivity and lower unit

costs. In summary, efficiency means ensuring that maximum output of goods and resources has been gained from the resources used in their production, which means, spending well (Boyle, R. 1989: 17-24; Jane-Erik-Lane 1993). To this technical definition of efficiency may also be included reference to timeliness in service delivery – the ability to move with speed and to accomplish the task within set deadlines.

This section incorporates the findings on local authorities in Swaziland on the subject of efficiency. The question to be addressed is whether there is any evidence of efficiency in the operations of local government and an emphasis on service excellence.

Table 3.1 Performance of the local government system - Manzini

Manzini	Excellent performance	Average performance	Poor performance	Total
Efficiency	13	72	15	100
Effectiveness	16	60	24	100
Economy	19	54	21	100
Equity	12	43	45	100

Most residents of the affluent neighbourhoods in Manzini – Fairview, Madonsa and Coats Valley are neither satisfied nor too dissatisfied with the efficiency which the local government delivers its service. Most also report that the services are delivered timeously. For example refuse is collected on a fixed day per week. A majority of residents in Fairview pointed out that local government rarely delivers the services in an efficient manner, although a few are of the view that

local government always delivers the services efficiently. In the poor neighbourhoods of the city – Ngwane Park (and its constituent wards) the level of satisfaction is lower compared to the affluent neighbourhoods. The majority of the respondents give local government in Manzini an average rating with regard to the efficiency of municipal services because a majority of them said they are rarely satisfied and in some wards not a single person said he or she is satisfied with the quantity and quality of municipal services and very few said they were extremely dissatisfied. A substantial proportion of residents in this area say local government services are rarely or never delivered timorously.

Table 3.2 Performance of the local government system – Nhlangano

Nhlangano	Excellent performance	Average performance	Poor performance	Total
Efficiency	3	59	18	80
Effectiveness	4	54	22	80
Economy	4	49	27	80
Equity	12	19	49	80

In Nhlangano very few respondents were satisfied with the efficiency of the town council. The majority of the respondents reported that the council rarely delivers services efficiently. From the responses in Nhlangano it can be concluded that very few of the residents consider the performance of the council to be excellent.

In Mankayiyane very few respondents were satisfied with the performance of the town council. The majority of the respondents reported that the council rarely or never delivers services efficiently.

Table 3.3 Performance of the local government system – Mankayiyane

Mankayiyane	Excellent performance	Average performance	Poor performance	Total
Efficiency	3	8	9	20
Effectiveness	4	7	9	20
Economy	2	5	13	20
Equity	1	5	14	20

3.7.2 Effectiveness

This section incorporates the findings on local authorities in Swaziland on the subject of effectiveness. The question to be addressed is whether there is any evidence of effectiveness in the operations of local government and an emphasis on service excellence.

Effectiveness - is concerned with achieving predetermined objectives (specific planned achievements) or goals and with the actual impact (the output achieved), compared with the intended impact (the objectives). Using a range of performance measures and indicators, it is possible to assess an entity's effectiveness. In summary, effectiveness means ensuring that the desired results, objectives, targets or policies have been successfully achieved.

Municipal bodies are expected to be effective - which is judged to be the ability to formulate policies and deliver the goods, standards, and services for which the local government body was created. It is a measure of its success in achieving objectives.

Effectiveness is concerned with outputs and the relationship between outputs and outcomes. Effectiveness is more of a problem concept than efficiency because definitions vary considerably. However, it is widely accepted that effectiveness equates the degree of success of activities or services in meeting their objective; thus, the outcomes specified in the objectives are achieved. This raises the question of whose objectives are to be taken into account. In determining effectiveness, it is necessary to specify clearly which stakeholders should be recognized and what their objectives are. In the public sector, (local government) three main organisational participants (role players) can be recognized: the politicians, staff, and clients. These groups may hold common objectives for a particular programme, or they may have their own particular, perhaps competing, objectives (Boyle, R. 1989: 17-24).

Only a small proportion of the respondents in the affluent areas reported that the services they receive from local government are delivered in an effective manner. The majority expressed a moderate level of satisfaction with very few expressing the view that the services are never delivered in an effective manner. The same distribution is observed with regard to the level of satisfaction with the quantity

and quality of services received. As for the poorer section of the city of Manzini local government there is only a moderate level of satisfaction with the effectiveness of the local government; residents report they are rarely delivered in an effective manner. The residents are either moderately satisfied or very dissatisfied with the quality and quantity of municipal services, no health inspections or punitive measures for littering residents, and those without proper drainages whose water swamp the streets.

The majority of respondents from Nhlanguano report a moderate level of satisfaction with effectiveness followed by those who are extremely dissatisfied with the effectiveness of the town council. Only a small proportion expressed the view that the town council has been effective. A similar picture is revealed in Mankayiyane.

3.7.3 Economy

Economy - is concerned with minimizing the cost of resources (staff, material, and equipment) used for an activity in the pursuit of objectives. An economical organization acquires its input resources, of the appropriate quality and quantity, at the lowest cost. Public organizations must observe due economy which is understood to mean that in their spending decisions, organizations must avoid avoidable costs i.e. must not spend more than is necessary or justifiable for the purpose. Therefore, economy is about ensuring that the assets and services purchased by a public body are produced and maintained at the lowest possible

cost consistent with a specified quality and quantity. The concept assumes particular importance in government because of scarcity i.e. the assumption that the resources available to government are limited and ought to be spent prudently. In summary, economy means minimizing the cost of resources used for an activity, having regard to quality.

([http: www.naresa.ac.ik/sleva/pdf/kandasamy.pdf](http://www.naresa.ac.ik/sleva/pdf/kandasamy.pdf)).

The question to be answered is whether the local government system is geared towards ensuring the economic utilization of resources as well as managing for excellence in service rendering. Residents of the up market neighbourhoods are dissatisfied about the rates because they report that they are very high and unreasonable. Residents report that the resources are never utilised in a manner that is satisfactory because there is no attempt to utilise the resources in an economic manner. Only a small proportion of the residents reported that the resources are utilized efficiently. As for the residents of the poorer sections, the survey reveals that very few are satisfied with the utilisation of resources. The majority reported that local government rates are very high yet the resources are never used in an economic manner they hold the view that the resources are not utilised in an economic manner. The high rates and the high levels of poverty lead to default of rates. Rate collection is poor and there is no follow-up on defaulters. Residents in the poorer sections did not full appreciate the justification for paying rates since they haven't been paying them before and also have a poor understanding of the mandate of the City Council. There were no significant

differences in the views of the respondents according to whether the local government is a city council, town council or town board.

3.7.4 Equity

Equity – is concerned with fairness in the manner in which citizens are treated. It is about ensuring that all members of society feel that they have a stake in it and do not feel excluded from the mainstream. The outstanding characteristic of the concept of social equity is that it requires fairness, reasonableness and honesty in dealings with the public (Cloete, 1986:26). Social equity requires the support and maintenance of the well-known principles of democracy. This means that when financial decisions are taken and financial policy is determined, great care should be taken neither to harm the interest of one group, nor advance the interests of another group undeservedly or to the detriment of other groups (Gildenhuys, 1997: 55).

Therefore equity requires all groups, especially the most vulnerable to have opportunities to maintain or improve their well being. A government body is oriented towards equity when its clients are treated fairly in the provision of goods and services, which implies that they will receive a fair share and/or what they deserve. Receiving a fair share from public services is different from receiving an equal share, where everybody receives exactly the same amount and/or is required to make exactly the same input. In summary, equity is about

ensuring that the customers get fair treatment, such that they get the quality and quantity of services they deserve (Pauw, J.C, Woods, G, Van der Linde, G.J.A, Fourie, D. & Visser, C.B 2002:7).

Equity assumes particular importance because of the realisation that the recipients of government services, the people, deserve to be treated fairly such that they are satisfied with the services they receive. As well as asking whether resources were spent *efficiently, effectively, economically*, the question must also be asked whether the people, whose needs are being served and who are at the end-point of the activities of public institutions, have received a fair share from the services being rendered by public bodies. In any country there may be factors (barriers) that prevent a fair and equitable delivery of public services e.g. gender inequality, race, age, social and economic class. As an illustration, services may be delivered very effectively in the affluent neighbourhoods of the city and very inadequately in the poorer or disadvantaged areas of the same city (social and economic class). Women may have limited access to services due to gender-based stereotypes (gender inequality). The senior citizens may not get services due to them because of lack of mobility (age discrimination). Public organizations, therefore, must seek to promote equity by observing standards of fairness in service rendering such that people of all races, ages, social and economic class, men and women have access to public services and get a fair share or receive what they deserve from public services. This may require that the barriers to access be identified and removed (Gildenhuys, JSH .1997:224-5).

This section incorporates the findings from the local government institutions in Swaziland. The question to be resolved is whether the local government system is geared towards equity in the provision of municipal services in Swaziland. The majority of respondents reported that they have difficulty in accessing local government services. They also reported that the municipal services do not fully address the needs of the poor sections of the community. Most residents of the poorer sections report that they have difficulty accessing local government services and the services rendered only moderately address the needs of the poor sections of community. The responses from Nhlanguano reveal overwhelmingly that the respondents are of the view that the local government services are delivered in an inequitable manner. The picture is less clear with regard to Mankayiyane where the Respondents reported a moderate level of satisfaction with equity in local government services. The reason for this could be that there are fewer urban residents in the town Board areas.

3.7.5 Link between Efficiency, Effectiveness, Economy and Equity

The 4E's are all linked. Economy is about inputs, effectiveness is about outputs, efficiency is about both inputs and outputs (Jones, R. & Pendlebury, M.1988:3-5) and equity is about access and the people's satisfaction with public services felt when organizations attempt to strike the right balance between input and outputs. Therefore, economy is about minimizing the cost of the input resources.

Efficiency is about the relationship between outputs produced (the goods and services) and the input resources used to produce them. Effectiveness is about the extent to which an entity's predetermined objectives have been achieved. Equity is about the extent to which the needs of the people, the recipients of public services, are met through service provision, in relation to other people in the same community (Jones, R. and Pendlebury, M.1988:3-8).

The 4Es when optimally combined produce what has been termed “*value for money*”. However, they may not always work together. For example, an organization may be providing an effective service but may be using more staff than necessary to do it, and hence be inefficient. Similarly, a service that is being run efficiently may not be meeting the objectives it was designed to achieve. The achievement of economic, efficient, effective, and equitable resource utilization depends on the existence of good management controls.

Economy, efficiency, and effectiveness if put together, relate to the extent to which government resources are expended economically and efficiently and the extent to which the related programmes are effective and equitable in meeting their objectives. Due regard to economy requires that resources of appropriate quantity and quality be obtained at least cost.

3.7.6 Performance Initiatives

As part of the investigation the study sought to establish whether municipal authorities in Swaziland have adopted strategies to improve performance. Evidence was found of a number of initiatives that are associated with performance improvement. Firstly, in all councils, it was discovered that the managerial staff have short term contracts that are renewable. It was reported that performance was the main basis for the renewal of the contract. However, the difficulty that stem from this is that contract renewal of town clerks in particular has been the main reason for the divisions that have been observed amongst councillors. So serious are some of the disputes that councillors are diverted completely from their objective of monitoring the delivery of services.

Secondly, it was found that all councils have embarked on strategic planning and all had infact produced strategic plans as an approach to performance management. This is a new development in councils that is designed to assist them in linking objectives, resources and targets.

Thirdly, only the Manzini city council had experimented with private sector approaches in service delivery. Where this had been done, it involved entering into commercial joint ventures with the private sector that would assist in diversifying the source of income for the council. In these commercial ventures e.g. construction of shopping malls, the council's contribution has been the land where the structures were built.

CHAPTER 4

LOCAL GOVERNMENT AND ITS ENVIRONMENT

4.1 INTRODUCTION

Organisations do not exist in a vacuum but within a broader environment from which they cannot be separated. As such, they are continuously shaped by it. As well as being shaped and conditioned by the environment, organisations are thought to express and influence its nature, through constant interaction (Pettinger, R. 1996:36; Giddens, A. 2005:573; Wraith, R: 1972: 27). From this contention, it is clear that there are a variety of factors, ranging from cultural factors to economic factors emanating from the environment which impact on organisations including public ones e.g. municipal authorities.

The research accepts, as a general premise, the argument that the activities of local government in a country involve conducting and maintaining formal relations within the broader social system; and more importantly, that local government institutions quite often shape their environment and *vice versa*. In this section, therefore, the research is concerned mainly with how the local government system in Swaziland is shaped by factors associated with its environment and surroundings. Accordingly, the discussion identifies and considers the most crucial of these factors. The discussion leads to conclusions about the nature of local government in Swaziland and the extent to which it is shaped by the various factors examined.

Various models are utilised by social scientists to analyse the interaction between organisations and their surroundings. In this regard two concepts are worthy of special mention: *ecology and systems theory*. Ecology is a scientific construct or metaphor for studying and analysing relations between organisations and their surroundings and has been widely utilised by different writers such as those associated with the Chicago school (Giddens, A. 2001: 573). Systems theory, is a concept developed by David Easton (1965:212) to assist in explaining how political institutions influence and/are influenced by factors that are external to them (Anderson, J. 2003:1992:14-15). Below, both concepts are explained and an indication given of how they assist the understanding and appreciation of urban local government in Swaziland.

4.1.1 Ecological approach

The term *ecology* is borrowed from a physical science. The Oxford dictionary defines ecology as: *the scientific study of the relation of plants and living creatures to each other and to their environment, alternatively, the branch of biology dealing with living organisms' habits, modes of life and relations to their surroundings*.

Ronald Wraith argues, persuasively, that it is useful to think of local government, especially at its embryonic stage, in these terms; firstly that local government is an *organism*, something that is dynamic and which cannot be contained for ever - or even for very long - in a particular set of statutes, rules, and regulations, but

which is constantly changing and adapting itself to new circumstances; and secondly, that local government is related to habits, modes of life and surroundings (the environment). It will differ from one country to another, or even within one country. Ronald Wraith argues that the factors which bring about these differences and help to determine different patterns and purposes for local government are very complex and include the *historical*, the *geographical*, the *political*, the *economic* and the *sociological* (Wraith, R. 1972:27).

From Ronald Wraith's assertion, two inferences can be drawn. Firstly, local government institutions in Swaziland - city councils, town councils and town boards - have important links with their environment. Secondly, the influences emanating from the environment are critical in shaping the purpose and function of the local government system in Swaziland. Therefore, the interaction between local government and the external environment merit some attention in this discussion.

4.1.2 Systems theory

As no organisation exists in isolation from its environment, the nature and extent of the relationship and interactions between the two may be understood in terms of systems theory. Systems theory analyses the political system's response to demands arising from the environment. The political system, as Easton defines it, comprises those identifiable and interrelated institutions and activities (government institutions and political processes) in a society that make

authoritative allocation of values (decisions) that are binding in society (Anderson, J. 2003:14).

The environment consists of all phenomena – the social system, the economic system and so on – that are external to the boundaries of the political system. Inputs into the political system from the environment consist of demands. Demands are the claims for action that individuals and groups make to satisfy their interests. In the case of local government, the demands would emanate from the inhabitants of the locality. Support is rendered when groups and individuals abide by election results, pay taxes (such as the rates in local government), obey laws, and otherwise accept the decisions and actions undertaken by the political system in response to demands. The amount of support for a political system indicates the extent to which it is regarded as legitimate, or as authoritative and binding to its citizens (Anderson, J. 2003:14).

Within the black box called the political system the demands are converted into outputs. Outputs of the political system include laws, rules, decisions, by laws and resolutions. Regarded as the authoritative allocation of values, they constitute public policy. The concept of feedback indicates that public policies (outputs) made at a given time may subsequently alter the environment and the demands arising there from, as well as the character of the political system itself. Policy outputs may produce new demands, which lead to further outputs and so on in a never-ending flow of public policy (Anderson, J. 2003: 15).

There is general consensus amongst writers on systems theory that organisations, such as local government institutions, are open systems rather than closed systems (Pettinger 1996:30). Open systems are those that require or are exposed to constant interaction with their environment to make them work, whilst closed systems are those that are self-contained and self-sufficient, and do not require other interactions to make them work. There are very few systems that are genuinely closed.

Box 4.1 An open system

INPUT (external)	PROCESS (the system)	OUTPUT (outputs)
Supplies Demands → Resources (financial and material)	Technology, Energy → Expertise	Products Services → Waste

Source: Pettinger, R.1996

It is argued that organisations are subject to a variety of *economic* and *legal* pressures which they must be capable of accommodating if they are to operate effectively. In some cases there are strong *religious* and *cultural* effects, and also local traditions which must be capable of effective harmonisation. Furthermore, organisations need access to workforces, customers, and clients; and to technology, equipment, and financial resources (Pettinger, R.1996:30).

The above point is best illustrated by the economic, legal and financial constraints that characterise the local government system in Swaziland.

Evidence suggests that from the 1980s economic performance in Swaziland has been on the decline. The economic crisis that has saddled Swaziland, evidenced by a growing budget deficit and low levels of economic growth, inevitably reduces the amounts of money available in the budget to meet the various national government financial commitments. This includes financial assistance to pay for local government services i.e. grant aid, an item that is now almost a permanent feature of the national budget. When faced with an economic crisis the amounts that the national government can provide in terms of grant aid to local government is bound to be severely limited. As argued in the relevant sections of this chapter, local authorities in Swaziland, particularly some of them, experience acute shortages in terms of financial resources to the extent that some of them were even unable to meet their basic financial commitments e.g. paying salaries.

There are legal pressures that somewhat ought to be accommodated too. In this regard it is worth noting that the legal framework can impose some constraints on the performance of local authorities. For instance, the existing statute in Swaziland, the Urban Government Act, No. 8 of 1969 is not considered to be enabling. It has already been observed that this statute is outdated having been promulgated more than three decades ago when emphasis was still on control rather than on good governance. At the time of writing this thesis it had been mooted that the Act will be amended to bring it up-to-date and in line with prevailing political and social values articulated in the Constitution.

Thus, the relationships between organisations and their environment may be simply summarised as: *environment domination* – where there are overwhelming legal, social, and political pressures on the organisation and those that relate to strong local histories and traditions; and/or *organisation domination* – where the environment is dependent on the organisation for the provision of work, goods and services (Pettinger, R. 1996:36):

Lastly, in the above framework, it is strongly suggested that the best organisation-environment relationships are generated if the right balance is struck. For instance, if the right matrix is not generated and the environmental pressures are too great, the organisation will become dysfunctional in that particular environment. Thus, organisations such as municipal authorities are likely to succeed when those in their leadership are aware that success is built on awareness of the environment as opposed to a casual view of the environment (Pettinger, R.1996:36).

It is obvious that there is a lot in common between the contributions by Wraith and Pettinger. For this study, the work by Ronald Wraith may be credited with identifying the five factors – *historical, political, economical, geographical, and social* factors – that impact on organisations and which can be used as a framework in a study of local government utilising the ecological approach. The work by Pettinger may be credited with mentioning three key aspects that are important for a study that utilises the systems approach, namely, the *legal*

framework, finance and culture. Based on the foregoing observation, it can be postulated that the legal framework, finance and culture are important aspects that merit special consideration for the current study on local government in Swaziland.

The first aspect, the legal framework (constitution and local government statute), is important because it determines the power and authority of local government in a particular country, including the functions it must perform. In the ecological model, alluded to earlier, the legal framework may be discussed, quite appropriately, under the political factors. The examples of these are the Urban Government Act, 1969 and the Constitution of Swaziland, 2006.

The second aspect, finance, is equally important to the operations of local government and indeed of any organisation. It has been said that ‘money talks’ (Penguin Dictionary of Clichés). In the context of the present discussion, this cliché emphasises that the availability of financial resources can determine the success and viability of an institution, particularly local government. Thus a local government institution that is adequately funded – through locally generated taxes grant aid and so on, has the wherewithal to successfully carry out most of its activities. Conversely, a local government institution that is under-resourced is bound to struggle to meet its service delivery obligations. In the ecological model, described above, the financial aspect of the local government system may be considered as part of the economic factors.

The third aspect, culture (the customs and social institutions of a particular group of people) is an important aspect that requires serious examination, especially in Swaziland where culture, as explained in Chapter 1 has remained strong and has arguably been on the ascendancy. In the ecological model described above, this variable can be subsumed under the social factors.

4.2 ENVIRONMENTAL FACTORS OF LOCAL GOVERNMENT IN SWAZILAND

At this stage, the discussion turns to a consideration of the environmental factors of local government in Swaziland. The section uses the ecological model, casting local government in Swaziland against the backdrop of its wider environment. The various factors that are thought to shape public organisations, including local government institutions, are examined. In this case particular attention is paid to those that are identified by Ronald Wraith – the *historical, geographical, social, political* and *economic* factors – all which clearly constitute the environment or the surroundings of local government in Swaziland.

Table: 4.2 Environmental factors for urban government in Swaziland

<i>Historical</i>	<i>Political</i>	<i>Geographical</i>	<i>Social</i>	<i>Economic</i>
Colonial Heritage	Constitution Legal framework Political system	Human environment Physical Environment	Culture Social institutions	Economic growth Finance

4.3 HISTORICAL FACTORS

History is considered an important factor that can significantly influence the political system to such an extent that local government can only be fully understood in terms of its history. It has been argued that as nations evolve, they often carry something from the past which has significance in many matters which are considered important today. For instance, in England, local government preceded central government and this historical fact largely accounts for the unusually prominent part which local government plays, relative to the national government, in public administration. The immediate inference to be drawn from this is that a particular set of historical circumstances peculiar to this one country helped to cast local government in a particular mould (Wraith, R. 1978:28-30).

For Swaziland, historical influences must of necessity include the colonial background. However, only a brief reference to history is necessary since the thesis has already alluded to this aspect in chapter two. It suffices to state that the colonial era is of course an important part of the Swazi history and its influence will always be important. For instance, the foundation for the current system of local government in Swaziland was laid during the colonial period. The system of local government in Swaziland exhibits the British heritage. The model followed by Swaziland in respect of urban local authorities indicates this point clearly.

In addition, the country's governmental system at both the national and local levels, characterised by dualism, was conditioned by the colonial system. During the colonial period, the colonial officers operated a *laissez faire* system, permitting a parallel system of government, consisting of the traditional authority system on the one hand and the Western system on the other. It is considered that colonial policy in Swaziland was favourable to the traditional leaders in the sense that unlike in other territories, the colonial government maintained the traditional authority system such that the traditional leaders emerged from colonialism very strong. This allowed the traditional authorities in Swaziland to continue playing a significant role in the political affairs of the country even after independence.

The dual system of government described above was not abolished at independence. In fact this system was preserved and even further developed in the post-independence period. Through the Urban Government Act, 1969, the government created local government (town councils and town boards) only in urban areas. Through the Establishment of Parliament Order and the Regional Council Order, 1978, the government also created the *Tinkhundla*, as local government in rural areas. By so doing the Swaziland government institutionalised a dual system of local government - one for the urban areas (based on Western systems) and another for the rural areas (based on the

traditional authority system). The dualism that is manifest at the local level of government in Swaziland is no doubt an enduring legacy of the colonial system.

Thus, notwithstanding the fact that colonialism was an era of little less than a century, it left an impact on the country's political landscape. As a result of the colonial experience, significant differences between local government in urban areas and local government in rural areas in Swaziland can be observed. Concerning the differences between local government in urban environments and local government in rural areas in Africa, which are due to the impact of history, Wraith observes:

In the countries of the third world in particular the differences between local government in rural areas and the large cities (towns) are so great that it is difficult to write about them both in general terms. Urban and rural authorities differ not only in their constitution, membership and staff but in their principal purpose (Wraith, R: 1972: 33).

Thus, whilst urban government in Swaziland does expressly include notions of development and efficient and effective service delivery, this cannot be said of the *Tinkhundla*. The latter are structures that to a large measure still lack the basic characteristics of local government, including the wherewithal to perform service delivery in an efficient and effective manner. The national government has tended to emphasise the political objective of the *Tinkhundla* e.g. using these

structures to conduct national elections whilst paying lip service to the other important functions – i.e. the *Tinkhundla*'s developmental functions.

4.4 GEOGRAPHICAL FACTORS

Geography (both the physical environment and human environment) can be a great influence on the shaping of local government. The physical environment i.e. the natural world – climate, mountains, rivers and deserts - obviously impose their stamp on the way people are governed and administered. The rivers can directly or indirectly determine the development of both provincial and local government. Similarly, the human environment – the pattern of population – also has direct influence on local government. Local government is influenced by the growth of the population as well as its shifts – e.g. the movement of large numbers of people from rural areas to the towns (Wraith, R.1972).

It is possible to identify a number of factors associated with the physical environment that shape local government in Swaziland. The most outstanding of these factors are the mountains, the climate, the rivers, the topography, natural resources and the landlocked nature of the country.

The aforementioned features of the physical environment influence local government in Swaziland in the sense that they determine: where towns are built and how they expand; where the central business districts (CBD) are situated;

and where residential areas, industrial areas, recreational facilities are located *vis-à-vis the CBD*. In addition, the physical environment determines whether a particular urban area (town or city) will possess the capacity to attract investment that will enable it to sustain its growth and economic prosperity. Thus, because of its location in a region with the least developed infrastructure and limited natural resources, the town of Nhlangano has fared badly in terms of attracting investment and moving forward in terms of development. Similarly, because of its location in a mountainous area with very limited natural resources, the town of Mankayiyane has performed very poorly in terms of development.

The human environment, it is argued, takes on an even higher level of significance in terms of influencing local government in the urban areas of Swaziland. It is reported that the cities of the world have, in recent decades, have been growing at an unprecedented rate. At the turn of the current century, almost 3 billion people lived in urban areas, nearly half the world's population. The phenomenal growth of cities and the high concentration of people they represent have created some acute environmental problems both outside and inside city limits.

Te foregoing is best illustrated by the prevailing situation in Swaziland where the urban environment has experienced a rapid growth in recent years such that by 1995 Manzini and Mbabane (the country's principal economic, administrative and political centres) together accounted for 56% of the country's urban population,

making the Manzini-Mbabane corridor areas of high population density relative to the other communities in Swaziland. The Manzini and Mbabane corridor of economic activity attracts a significant number of migrants from outlying areas and other smaller towns and villages. The urbanisation process is projected to increase in the years to come as shown in the following diagram.

Table 5.3: Urbanization trends in Swaziland, 2000-2030.

<i>Year</i>	<i>Level of Urbanization (%)</i>	<i>Urban Population</i>
2000	26,4	266 000
2015	32,7	481 000
2030	42,3	813 000

Source: UNCHS (2001)

Manzini is the largest and fastest growing city in the country. It is reported that during the period 1986-1997 the urban area of Manzini grew at an average rate of 5 percent (CSO, 1997). Significantly Manzini is located close to Matsapha, the largest industrial site in the country that in large part is the main driving force behind urbanization in Swaziland (World Bank, 2001). The expansion in employment opportunities in Matsapha make the city of Manzini a magnet for migrants coming to urban areas. Based on present trends the projection is that the Manzini area will have a population of 129,000 before 2010 (Government of Swaziland and UNDP 2003:29). It has been observed that the increased levels of rural-urban migration have placed enormous stress on existing land and available infrastructure in the city of Manzini (Zamberia, A.M, 2006:21).

Cities represent an artificial environment; they absorb vast quantities of resources from surrounding areas and create high concentrations of wastes to be disposed of. There are acute environmental problems that occur within many cities, particularly in the developing world (Middleton, N. 1999:159). The environmental threat posed by this level of urbanisation is typified by the rapid growth of informal settlements in the vicinity of the towns/city, e.g. in Manzini and Nhlangano. The urban population living in informal settlements reside in large, unplanned settlements with high densities that lack water supply, sanitation and other services. According to some reports, more than 60 percent of the population residing in the Mbabane - Manzini corridor lives in informal, unplanned communities in sub-standard structures on un-surveyed land without legal title (Report: Government of Swaziland, 1995).

The growth of informal settlements has in many countries often outpaced the ability of urban authorities to provide adequate services. These informal settlements are the temporary homes of the poorer sections of the population in Swaziland. These are individuals who are either unemployed or are in the low income bracket. Related to this, reports indicate that urbanisation in Swaziland has resulted in serious social problems including violent crime in Urban areas. The crime rate increased significantly in the 1990s partly due to the problem of high unemployment, coupled with a high number of layoffs in the textile and apparel industries in the industrial centre of Matsapha.

The low levels of service provision in the towns and cities of Swaziland are exemplified by the highly inadequate conditions in the boundaries of the urban areas of Manzini and Nhlangano and to, a lesser extent Mankayiyane. These conditions can be attributed to the government's inability to provide adequate services such as the collection of household garbage or the provision of housing of the acceptable quality or the provision of infrastructure such as water and sewerage in these settlements (Davis et al. 1985: 9; Zamberia, A.M, 2006:23).

Middleton notes quite correctly that although the environmental problems associated with garbage do not disappear with its collection, uncollected garbage exacerbates many of the environmental hazards. In developing countries where escalating urban growth rates and lack of finance make such provisions inadequate, it is usually the poor sectors of urban society that are at risk from environmental hazards. Such hazards include the pervasive dangers of high pollution levels (Middleton, N. 1999: 171-173). Urbanisation can result in numerous impacts on water quality. Many rivers that flow through urban areas are biologically dead, due to heavy pollution. The state of urban rivers in developing countries is bad. Most rivers in third world cities are literally large open sewers. The quantity of water is another critical environmental issue. Many cities experience severe shortages. Adequate provision of water supply and sanitation are designed to offset the risk of disease. In Swaziland less than 50 percent of the urban and peri-urban population has access to safe water and fewer than 20 percent are connected to a waterborne sewage network (World Bank, 2001).

The general quality of the environment in cities is also a function of the infrastructure and services, which tend to be inadequate in poorer areas. Studies of the distribution of infant mortality, a good indicator of the quality of the environment, show clear correlations with income levels and basic service provision. Overall infant mortality rates in poor suburbs of the city are higher than those in the more prosperous areas, and infant mortality rates by avoidable causes (including tetanus, respiratory infections) have been found to be higher in the poorest zones. The most critical environmental problems faced in urban areas of the developing world, however, stem from the disease hazards caused by a lack of adequate drinking water and sanitation. Water borne diseases (diarrhea, dysentery, cholera, and guinea worm) water hygiene diseases (typhoid and trachoma) and water habitat diseases (malaria) both kill directly and debilitate sufferers to the extent that they die from other causes. Again it is poorer sectors of urban society that are most at risk (Arrossi, 1996).

Miles (2001:113) reports that in Swaziland the rapid annual rates of growth in the cities of Swaziland have posed a challenge to urban government. The rapid urbanisation has had a marked effect on government's ability to provide adequate housing, jobs, health and education for the population. For instance, more than 60% of the population in the two cities of Swaziland lives in inadequate housing (World Bank, 2001; Zamberia, 2006:22).

In Swaziland the challenge of informal settlements and the environmental threat this poses are further complicated by the fact that urban government does not see informal settlements as their problem in spite of the fact that the statute specifies that municipal authorities will be responsible for housing development in the towns and cities. Yet many of the informal settlements are not only within the boundaries of the municipality but are in close proximity to the city centres. The reason why municipalities have not prioritised the upgrading of informal settlements is that there exists another body, the Human Settlements Authority, created by the national government, which is tasked with addressing the problem of informal settlements.

In addition, the government has, with World Bank financial assistance, embarked on urban development projects, coordinated by the ministry of Housing and Urban Development. The urban development project is aimed at improving the housing infrastructure in urban communities. Housing development and the problem of informal settlements are not seen as the sole responsibility of the municipal authorities, but an issue that requires a multi-sectoral approach involving various government agencies. Consequently, the improvement of the housing infrastructure has been slow due to the government bureaucracy which derive from the cumbersome processes of procurement and tendering, delays in the allocation of land, and construction of houses as well as inadequate budgetary provision.

4.5 SOCIAL FACTORS

Social factors refer to the phenomena that determine the way people live – their laws and customs, their family groupings and habits, their patterns of authority and power (Wraith, R. 1978). This aspect is discussed in relation to Swaziland and its influence on the local government system considered. Special premium is placed on the traditional authority system, given that Swaziland is a monarchy where traditional institutions and values have remained vibrant in the post-independence era in spite of their diminishing importance in the continent. Consideration is also given to the interaction of traditional authority and municipal authority in Swaziland's urban areas.

In many countries the question of culture means less in the cities than in the rural areas because there is a universal Western and urban influence at work affecting the way in which the municipal authorities operate. However, In Swaziland the influence of traditional authority has not greatly diminished inside the boundaries of the town and cities. Traditional authority has remained vibrant and has even gained recognition in the new Constitution. This is partly because the status of traditional leaders (chiefs) was never completely eroded during the colonial period. In the post independence period, traditional authority in Swaziland has been resurgent. It can be argued that traditional authorities have more power today than they had during the colonial era. The chiefs are considered as major

role players in rural areas, which are administered under the traditional system of local government i.e. *Tinkhundla*.

Significantly, the influence of the traditional authority is also felt in the urban areas. In more recent years the boundaries of municipalities have been expanding to incorporate land previously under the control and authority of chiefs. In consequence, as town boundaries have expanded residents have had to choose whether they want to be inside the boundaries of a particular municipality i.e. title deed land (TDL) or to be outside the municipality under land that is controlled by chiefs i.e. Swazi Nation Land (SNL). Those who choose to be incorporated into the municipality have to comply with the rules and regulations governing urban areas. For instance, the buildings they construct must conform to specifications and as urban residents they must pay taxes corresponding to the value of the property.

The experience of Manzini is that the city council has not always succeeded in asserting its authority in the areas that are in the outskirts of the municipality and which previously were part of Swazi Nation Land. Consequently, whilst the residents of such areas are technically within the council's jurisdiction, they have tended to disregard the rules and regulations of the city council, preferring to live their lives the way they have always done. For example, the research found that some of the residents do not pay rates and are not considering paying the rates until they start receiving what they consider to be adequate municipal services in

their area. From, this it can be deduced that the expansion of boundaries to traditional areas does not immediately transform the attitudes and mindsets of individuals who have lived in those areas for a long time.

In Mankayiyane the situation was even more challenging because the local government (town board) has not yet succeeded in asserting its authority fully in the areas within their jurisdiction - areas which previously were part of Swazi Nation Land and under the control of chiefs. It was found that there were residents who have continued living their lives in the traditional way. For instance they don't pay rates; live in substandard accommodation similar to rural homesteads, and have no respect for council rules and regulations. It is an example of interaction of traditional culture and Western culture or co-existence of traditional and Western norms in an urban area.

4.6 POLITICAL FACTORS

The nature of politics in a particular country must also have great influence on how local government develops. In parliamentary democracies the division of work between the centre and local government tends to be based on work which it is thought can be done locally rather than centrally, and not on a political theory or philosophy. In the West parties oppose each other on matters which have a genuine political content. The councils are organised along party lines and are local versions of the parliamentary model, with a majority controlling group in

charge of the determination of policy and a minority group or groups whose principal task is to scrutinise, criticise, and oppose policies put up by the majority. Local government in parliamentary democracies has also a greater or lesser degree of freedom from central government control subject to the requirement to facilitate uniform standards countrywide through equalisation grants. However, in transitional systems such as one-party states or no party states different considerations apply because foreign inherited forms of democracy have failed to take root. Because of the low levels of legitimacy and the aim of government to promote unity, there are many instances in Africa where local government has been suspect because it is thought that it could be divisive. In those situations the conditions of parliamentary democracy are likely to be absent and questions of autonomy and pragmatism hardly arise (Wraith, 1972; Alexander, A.1982: 74).

It is important to briefly consider the extent to which the democratic tradition that exists in parliamentary democracies is present at the local level in Swaziland, in terms of the vibrancy of political debate and autonomy in local government. The political factors that are of relevance to this discussion have to be considered in terms of the constitutional framework. From 1978 until 2005 the country was governed through a constitutional framework – the Establishment of Parliament Order 1978 – which assumed that Swaziland is a non-party state governed through the *Tinkhundla*. At national level, the elections have since 1978 been based on individual merit i.e. candidates campaign for elections as individuals with no political party affiliation. Consequently, elections at the local level

government are informed by what happens at the national level. The provisions governing municipal elections assume that candidates will be elected based on individual merit.

During the period of this research Swaziland was a country in transition. In Swaziland, the process of democratising the country's political and administrative institutions is still underway. The new Constitution that comes into force in February 2006 does not explicitly provide for pluralism. This means that at least for the foreseeable future, pending new developments in the constitutional dispensation, elections at both levels of government will continue to be based on individual merit as was the case before.

The elected councils established for each of the twelve urban local authorities exercise the powers of council - policy formulation, enactment of bylaws, preparation of the budget, overseeing the performance of the council and its staff - as provided for in the statute. However, in the absence of a common political platform on which to administer council affairs, there is little evidence that councillors are pursuing coherent policies or for that matter practicing responsive and accountable forms of administration. Councillors have tended to get embroiled in rancorous petty politicking (for example over appointments of the management personnel and perceived corruption) a practice that has tended to derail councils from their main functions – i.e. making service delivery their main priority.

It is argued that the legal framework is a vital political factor that determines the autonomy, powers, functions, purpose and vitality of local government in any country. The Local Government Act was enacted in 1969 when the emphasis was still very much on control and close supervision of local government by national government. Since the Act has not been amended or replaced by a new one, local institutions do not enjoy sufficient power and autonomy. The councils do not perform significant functions such as education, health, and security. Some of the functions that possibly could have been performed by local government were assigned to public enterprises. The city councils have a higher level of autonomy, whilst town councils have less autonomy than city councils. It is not possible to entertain any notion of autonomy, political or financial, in the administration of a typical town board in Swaziland.

4.7 ECONOMIC FACTORS

Economic factors are bound to shape the local government system in a country. This relates to the purpose of local government to advance and promote development in local communities through the services they provide. To achieve credibility local government has to assist in local economic development through public service delivery. In Western countries the business of local government is considered to be that of collecting revenue from a local tax i.e. a rate (on property) and with the assistance from central government to provide schools, health services, public works transport, markets and a wide range of amenities.

In many African countries the same could be said of local government in the large towns except for the fact that their resources - money and staff - are inadequate for such purposes. In rural areas the picture is quite different because rural local government lacks adequate sources of income and capacity to meet the responsibility of service provision. As Wraith, R. (1978:38) argues, rural local government will find it difficult to be relevant unless it can generate income and advance local social and economic development.

In Swaziland, it has been observed that the Tinkhundla do not have their own sources of income and as such these structures rely entirely on central government for revenue; hence it is difficult to see what services rural local government can provide outside those that are provided by other government community development structures in the rural areas. Urban government officials in most countries spend vast amounts of time thinking and worrying about how revenues will be generated to pay for the growing number of municipal services.

On this the comment by Cloete and Thornhill is instructive:

“local government needs money to perform its functions in the same way that a private enterprise needs money to stay in business The municipality needs money to obtain the services of personnel and equipment with which to provide services, and to pay for the services rendered to it by other institutions and individuals. No expenditure is possible without income. The collection, safekeeping and spending of money are significant activities of municipalities (Cloete and Thornhill: 2005:131).

Revenue can be classified in terms of whether it is tax, a user charge, and administrative fee, a license, a debt service, or a grant-in-aid (Frank S. So. 1979). In Swaziland, the municipal authorities have adopted a simple classification i.e. their income is classified into three broad categories—government grant aid, local taxes, and miscellaneous sources. In the following table is described the sources of income and the proportions that are generated from each source.

Table 5.4 sources of income for municipal authorities: Year 2006/07

Name of Municipality	Grant Aid	Rates	Miscellaneous Sources	Total
City Council - Manzini	E 4, 8 999 676	E 23 718 213	6 2172 000	E 34 790 011
Town Council - Nhlngano	E 550 000	494 400	550 000	E 1 545 000
Town Board - Mankayiyane	E 565 000	E 73 000	E 103 461	E 707 461

Table 5.5 sources of income as a percentage of total income

Municipality	Grant Aid	Rates	Miscellaneous
City Council – Manzini	14%	74%	8%
Town Council – Nhlngano	56%	32%	14%
Town Board – Mankayiyane	76%	10%	14%

Although local authorities may receive some percentage of their revenue from government grant aid, and although there are good reasons why this should be so, it is obvious that if local government is going to have any real meaning the authorities must be able to raise a comparable amount from their own sources. Most local government institutions make attempts to achieve this objective. There is a legal foundation to the raising of revenue. In Swaziland, the urban Government Act contains provisions enabling all municipal authorities to raise revenues from own sources. Statutes govern the types of taxes that may be levied by local government, thus in Swaziland, the statute governs what a municipal government may borrow in terms of both purpose and amount, and a large number of other requirements. In Swaziland the councils raise money through charging rates and also receive grant aid. The most important item of the locally generated income is rates on property, based on the value of the property and improvements made. This applies to all immovable property – residential and commercial buildings.

Manzini City Council budget indicates that more than 70% of its income is raised from rates and 14% from grant aid. The picture is different for a typical council (such as Nhlanguano town council) because whilst it is able to raise only a certain proportion of the income from rates, this amount is inadequate and they must depend on central government financial support to survive. A typical town board, such as Mankayiyane is virtually depended on central government for income. It

is noteworthy that the Mankayiyane Town Board started charging rates only from the 2005 financial year. For years previous to that, the Board relied entirely on grant aid and miscellaneous sources. For city councils, the amounts raised from local sources exceed the income which comes from the national government as grant aid.

In Swaziland grant aid is a permanent feature of the budget. Grant aid is designed in such a way that the bigger municipal institutions get a higher amount in absolute amounts compared to town councils and town boards. It has been argued that the relationship between national government and local government can to some extent be deduced from the amount of grant aid which a government gives to local authorities. In Western counties e.g. USA and Canada, the average amount raised locally is about 70% and consequently local government in the aforementioned countries is independent (Wraith, R, 1972:119). In the Swaziland situation described in the above table, it is clear that a typical town board relies on grant aid. The amount generated from local sources is the smallest proportion of the total revenue. In Swaziland the city councils have relatively more autonomy than town boards because city councils raise a substantial proportion of their income from local sources yet town boards are almost entirely dependent on central government financial support. Consequently, the national government has tended to intervene more on board affair is that they do on the affairs of city councils.

In Swaziland the types of miscellaneous sources and the amounts raised from them vary from one municipal authority to another. Miscellaneous sources include:

- Borrowing (applicable only to city councils)
- commercial undertakings and joint ventures (applicable to city councils)
- Charges for recreation facilities, toilets, markets, bus stations (applicable to all municipal authorities)

4.8 CONCLUSION

It has been argued in this chapter that municipal authorities, like most organisations in society, are shaped by their environment. The environmental factors of local government in Swaziland were assessed because of the compelling argument that the environment does shape organisations; and that high-performing organisations are those that have leaders who have an awareness of the environment. The environmental factors of local government are political, social, geographical, economic and cultural. The research contends that all the above factors are instrumental in shaping the nature, direction and purpose of urban government in Swaziland.

It is found that historical factors played a major part in engendering the current governmental system by creating the political and administrative structures that were inherited at independence and which to a large extent were perpetuated by

post-independence rulers. This includes political and administrative structures at local government level.

Geography too is considered to be of great influence on the shaping of organizational systems, such as urban government. The most significant of the geographical factors in urban government in Swaziland is the fast rate of urbanisation and the environmental challenges that this phenomenon poses. Municipal councils have very limited capacity to deal with the formidable challenges – informal settlements, disease, crime, pressure on land and the infrastructure – accompanying rapid urbanisation. It is argued that the population shifts of more recent years and the problems they present are likely to test the capacity of the country's burgeoning municipal authorities to respond to them.

Social factors are found to have had an influence on urban government in Swaziland. The traditional authority system is found to be the most decisive of the social factors. In the post independence period, culture and traditional authority systems in Swaziland have been resurgent to the extent that they have gained recognition in the new Constitution. Swaziland is an example of a country where culture is an issue that has real serious implications for development, given that some of its manifestations are positive whilst others are negative. Often, it is necessary to enlist the support of traditional authority in the major decisions. Hence, in a traditional setting such as Swaziland it is not possible to pursue development policies, such as decentralisation, without taking into account the cultural dimension.

Political factors are also bound to impact on urban government. It is found that the legal framework is a vital political factor that determines the autonomy, powers, functions, purpose and vitality of local government in any country. The Local Government Act was enacted in 1969 when the emphasis was still very much on control and close supervision of local government by national government. Since the Act has not been amended or replaced by a new one, local institutions do not enjoy sufficient power and autonomy. Neither do councils perform significant functions such as education, health, and security. Some of the functions that possibly could have been performed by local government were assigned to public enterprises. The city councils have a higher level of autonomy, whilst town councils have less autonomy than city councils. It is not possible to entertain any notion of autonomy, political or financial, in the administration of a typical town board in Swaziland.

Finance is found to be the single most important economic factor impacting on urban government because its availability and scarcity determine the ability of the local government system to finance projects and programmes and to make a difference in terms of improving the livelihoods of individuals and communities. Municipal authorities in Swaziland must raise money to finance their operations i.e. carry out functions bestowed upon them by the Urban Government Act, 1969. The research identified three sources of income for urban government: grant aid, rates, and miscellaneous sources. A significant feature of urban government

finance is the varying abilities amongst municipal authorities to raise income from home sources. It is concluded that a city council has a greater ability to raise money from own sources than a town council. A town board has the least ability to do this and the bulk of its income comes from the central government.



CHAPTER 5

IMPROVING LOCAL GOVERNANCE

5.1. INTRODUCTION

Along with the attention that is given to the performance aspects of public organisations (the subject of discussion in chapter 3) there is renewed focus on their governance aspects as well. The terms governance and good governance have featured prominently in debates about how public organisations in contemporary society ought to be managed if they are to succeed in their mission. The current emphasis on governance, particularly good governance in Africa, is indicative of the fact that the political dimensions of public management, to be examined in this chapter, were given insufficient attention in the past and that scholarly and public interest in governance have increased remarkably in the more recent period of time.

It has been observed that Africa's history over the last fifty years has been blighted by weaknesses in two areas: firstly, *capacity* - the ability to design and execute policies; and secondly, *accountability* - how well the state and/or public bodies answer to the people. Improvements in both are judged to be a necessary condition for the emergence of effective public institutions that can promote development through the effective and efficient delivery of public services. In the same breath the research notes that along with the weaknesses in accountability in African states, deficiencies have also been observed in relation to the other

components of good governance, to be discussed in detail in the relevant sections of this chapter. Whilst improvements have been reported in getting systems right i.e. capacity building and building governance across Africa and the situation is considered to have improved markedly from a decade ago, much still has to be done in this regard (Commission for Africa, 2005: 133; Economic Commission for Africa, 2005).

Governance and good governance are highlighted in this inquiry to underscore the compelling argument that reforms – the various strategies designed to enhance the effectiveness of public bodies to deliver services to their people – ought to be purposeful and comprehensive. Even more crucially, such reforms should be a coherent package because the problems they address are interlocking. Thus, without progress in building effective governance, all other reforms will have limited impact (Commission for Africa, 2005:133).

Governance describes the process of decision-making and the process by which decisions are implemented (or not implemented). In this system, public institutions provide public services, manage public resources, and guarantee the realisation of basic human rights. *Good governance* accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law (wikipedia.org/wiki/governance).

In general terms, governance is accomplished through various interdependencies i.e. through methods that involve governments and the state bureaucracy; through linkages that involve local government institutions; through market mechanisms operating under government regulation; and through networks involving public-private partnerships or with the collaboration of community based organisations (wikipedia.org/wiki/governance). The typical criteria for assessing governance in a particular context include the degree of legitimacy, representativeness, popular accountability, and efficiency with which public affairs are conducted. It is considered that good governance defines an ideal which is difficult to achieve in its totality. However, to ensure progress towards a desirable form of society characterised by sustainable development it is vital that actions be taken to realise the ideal of good governance (Turner and Hulme 2002:231).

For Africa, this new century has often been described as the democratic century (African Development Report 2001:179). The renewed interest on democratic governance coincided with the period of time, dubbed the second wave of independence, when awareness in the continent of Africa increased about the need to reform the political and administrative structures, which until then were clearly dysfunctional and associated with failure. Several factors have combined to propel the issue of governance, particularly good governance, to the top of the agenda in the development debate. One of the factors is the strong revulsion that people now have of corruption as well as the rising public awareness of its

adverse effects. Pervasive corruption weakens government, undermines the ability to function effectively, and severely detracts from the efficient and effective provision of public services. The other driving force behind the growing emphasis on governance is the rise of the pro-democracy movement demanding good governance and more responsive forms of government (World Bank, 2000).

It has been observed that the subject of governance is broad and has many aspects or dimensions: international governance, national governance, corporate governance, economic governance and local governance. This chapter considers the question of governance in the context of local government. On this, writers have observed that in the past decade the question of local governance - the political process that enables citizens to influence the determination of decisions in their own communities - emerged as an issue for substantive debate by analysts and other stakeholders (Marshall, N. 1998:643-5).

Based on the assumption that local governance has emerged as a substantive issue for intellectual debate, the research discusses this aspect in detail. Given the focus of the research on Swaziland, the various components of good governance are identified, discussed and applied to urban government in the country of Swaziland. An attempt is made to assess whether urban government has embraced the democratic principles and values of public administration. The discussion reveals whether there is progress in constructing a local government system in Swaziland's urban areas that is oriented towards good governance –

which is an approach that potentially will increase the capacity of the administration to deliver services more competently.

5.2 GOOD GOVERNANCE

The trend toward democratic governance is a global phenomenon. The terms good governance and bad governance are being used with increasing regularity in the literature. Bad governance is increasingly regarded as the root of evil within modern societies whilst good governance is regarded as the most desirable form of governance. Infact, since the 1990s it has been argued convincingly that the various good governance elements can contribute significantly to the strengthening of public administration capacity in particular and to the achievement of developmental goals in general. Hence, a major development in public sector reform internationally has been governments' commitment to adopt the principles associated with good governance. (World Bank, 2000; African Development Report, 2001:50).

On the continent of Africa, at the present time, there is growing realisation that good governance in its political, social and economic dimensions, underpins development. Consequently attention is increasingly being devoted to good governance in a significant number of countries, a strong indication that the promotion of a democratic culture is a growing trend (African Development Report 2003).

New Partnership for Africa's Development (NEPAD) has provided impetus to the reforms of recent years aimed at promoting democracy and good governance in Africa. There is a view in Africa, associated with the good governance project that trends in the continent will need to change radically for the recovery process to materialise. This will require better and/or effective governance – developing stable and representative constitutional arrangements, implementing the rule of law, managing resources transparently, and delivering services effectively to communities.

The governance project in Africa is partly a partnership between Africa and the international community. Increasingly major donors and international financial institutions are basing their aid and loans on the condition that reforms be undertaken to ensure good governance. NEPAD from this perspective is seen as a bargain game with the international community in terms of which in return for increased aid, investment, debt relief and trade access, Africa will commit to good governance, democracy, human rights and conflict resolution (Vil-Nkomo, S. 2002). The World Bank and the International Monetary Fund (IMF), for instance, are increasingly basing their aid and loans on the condition that reforms ensuring good governance are undertaken; wikipedia.org/wiki/governance).

It is postulated in this discussion of local government in Swaziland that better urban governance is a vital element in the service rendering efforts of local authorities. Any local government institution that wants to succeed in the service-

rendering endeavour needs to give priority to good governance. In underlining the importance of good governance in local government, writers note that whilst the national government has placed considerable emphasis on the function of local government as an efficient provider of services, this perspective is also been accompanied by a concern to foster democratic values. Municipal councils are required to take important decisions on behalf of the communities they represent. Each municipal authority should ensure that the decisions it takes are aimed at meeting the needs of the local community, and benefit the local area. It should account to local residents for the decisions it takes, and for the way in which it spends public funds. For example, councillors and administrators must manage scarce resources, decide which services are most urgently needed and on what basis to allocate limited resources. These responsibilities have to be carried out within the framework of democratic, accountable and development-oriented local government, if municipal authorities are to successfully meet the challenges (Ismail, et al 1997:76-77; Fourie, L. 2000:33).

In this research, the following elements of good governance have been selected for discussion: *accountability and transparency, representativeness, responsiveness, participation and leadership*. The aforementioned principles are offered as the essential pillars for effective administration and management in government in general and local government in particular.

It is postulated that these elements are essential prerequisites not only for effective service rendering but also for social and economic development; and that they serve as potentially important benchmarks of success in the future. To succeed in service rendering, the local government system, especially in urban areas, must pay attention and/or give priority to all of them.

As already alluded to, evidence was collected from the selected municipalities to determine whether urban government in Swaziland does adhere to good governance principles in their day-to-day practices. The results from the survey are presented in summary form on the table below.

Table: Performance on good governance

City council - Manzini	Excellent performance	Average performance	Poor performance	Total
Accountability	13	59	23	100
Tranparency	11	-	84	100
Responsiveness	7	66	22	100
Representativeness	18	49	27	100
Participation	-	58	31	100
Leadership	40	-	31	100
Town council - Nhlngano	Excellent performance	Average performance	Poor performance	Total
Accountability	9	42	29	80
Tranparency		64	10	80
Responsiveness	1	40	39	80
Representativeness	9	47	28	80
Participation	8	49	25	80
Leadership	17	-	63	80
Town Board - Mankayiyane	Excellent performance	Average performance	Poor performance	Total

Accountability	-	8	12	20
Tranparency	-	7	13	20
Responsiveness	-	8	12	20
Representativeness	-	6	14	20
Participation	-	5	15	20
Leadership	-	2	18	20

The figures (being the absolute number of respondents) indicate how the councils were rated in relation to known indicators of good governance – accountability, transparency, responsiveness, representativeness, participation, and leadership. In the following sections these issues are elaborated further.

5.3 ACCOUNTABILITY AND TRANSPARENCY

In this section the research considers the issues of accountability and transparency with reference to urban government in Swaziland. The question to be determined is whether the local government system in Swaziland’s urban areas has been re-oriented towards good government and is accountable and transparent.

5.3.1 Accountability

Accountability is a broad yet complex concept. It has assumed special significance in the context of public administration. Its attainment is a leading objective of most public sector reforms. It is a significant factor that generates the impetus for key players, such as councilors and the staff of municipal authorities,

to be responsible for and ensure good public service performance (Turner, M. & Hulme, D. 2002: 122-123; Paul, S. 1991:5).

Traditionally, accountability mechanisms were designed to prevent the arbitrary exercise of power by political and bureaucratic leaders. This principle has now been recast broadly to encompass all activities that help to ensure that the activities, transactions and performance of public officials are in accordance with legal mandates and also meet the highest expectations of institutional stakeholders. At its core, accountability refers to the obligation imposed on public officials to provide information, explanations, and justifications concerning their actions, inactions, decisions and performance to overseeing bodies and to the people. It is answerability for one's actions, inactions or behaviour (Romzek & Dubnick, 1987: 228).

It may focus on regularity where public servants are expected to follow formal rules and regulations set by a bureaucratic type organisation to influence or control behaviour. More recently the notion of performance accountability has embraced effectiveness and the achievement of goals in a public organisation. Financial accountability, for instance, is no longer a matter of probity but also encompasses an evaluation of whether public officials achieved particular targets which they had set and whether services of the appropriate quantity and quality were delivered to citizens (Hulme & Turner 2002:122-123).

Accountability is considered to be fundamental to the legitimacy of a state. Governments must answer to all their people – the citizens of all races, ethnic groups, ages, sexes, social and economic class, educational levels, and political persuasions. Accountability to all citizens is a prerequisite for better access to public services, political stability as well as for development in general. A local government system is accountable when its leaders, the councillors, are responsive to the demands of the governed. As stated by the Report of the Commission for Africa – since good intentions are obviously not enough, mechanisms are needed to make sure that the voices of citizens are heard, to monitor how governments respond to what they hear, and to enforce the rights of ordinary citizens (Report of the Commission for Africa, 2005:145).

Accountability can be enforced through regular procedures, including elections, financial accounting, recall, and referenda. In constitutional democracies, the accountability of the government officials to the citizenry facilitates the citizen's responsibility for the acts of government. The most obvious example of this two-directional flow of responsibility and accountability is the electoral process. A member of a local government council is elected by citizens and thereby vested with authority and power in order to achieve those goals to which s/he committed himself/herself at election time. At the end of the term of office, the electorate has the opportunity to judge performance and to reelect or dismiss the elected member from office. Governmental institutions must be accountable to the public and to their institutional stakeholders. In general organisations and institutions

are accountable to those who will be affected by decisions or actions (Encyclopedia Britannica (Vol. 16:6912b).

For the different mechanisms of enforcing accountability to function properly, it is important that the public have access to government information e.g. information on the services provided by the public body. Public access is critical to the work of the mass media - press, radio, TV especially with respect to their role as public watchdogs on the conduct of government business. A widely acknowledged index of weak accountability and lack of transparency is the phenomenon of corruption especially as this relates to the abuse of public office for private gain (Adamolekun, L.1999: 1-10).

The dominant view amongst the residents of the poorer sections of the Manzini municipality is that the local government system rarely or never acts in a publicly accountable manner. A striking observation is that the Manzini city council has more favourable ratings in the affluent neighbourhoods (*Coates Valley, Fairview, Madonsa, Selection Park*) than in the poor sections of the municipality (*Ngwane Park, Zakhele and Two Sticks*). Even in the affluent areas of the city, the majority of the respondents gave the city council average ratings in terms of accountability, which is to say that there is a certain level of accountability which however does not reach the desired level or a satisfactory level. The ratings for Nhlanguano and Mankayiyane are similar to those of Manzini, in the sense that the council does not get a high approval rating, even though the council is not

judged to be not accountable at all. The reason for the average ratings could be that there is a sense that the council is not always accountable.

5.3.2 Transparency

Transparency in a public body such as a municipal authority is a vital component of good governance. In a municipality, for instance, openness about policies and decisions makes it easier to hold the elected and appointed councillors to account for their actions. It makes it more likely that existing resources and capacity will be better utilised. It reduces the scope for inequitable allocation of resources, which leaves sections of the community, such as the poor, inadequately provided for. It minimises the possibility that financial resources would be diverted from public use to private use. Greater access to information about the local government's activities strengthens the community's ability to participate in the policy making process by making their voices heard. This increases the commitment and ownership which citizens feel (Our Common Interest: Report of the Commission for Africa: 145).

It is vital that transparency be observed in relation to public finances. As reports of misappropriation and other forms of corruption have been on the increase there is growing concern about who spends particular budgeted amounts and how that money is spent and for whose benefit, at all levels of government particularly local government. The values of good governance require that local government institutions observe transparency in their day-to-day activities.

Budget transparency is one of the most critical areas where transparency can promote better governance. Budget transparency is facilitated when citizens have a right to information about how budgets are spent. In this regard, transparency is seen as a means of preventing corruption. Without budget transparency, corruption goes undetected (Our Common Interest: Report of the Commission for Africa: 145).

The survey considered this aspect specifically in the investigation of the compliance with good governance principles in urban government in Swaziland. The survey sought to gather evidence regarding the level of transparency demonstrated by the local government system. The respondents were to comment on whether or not the local government in their area acts in a transparent manner. With regard to budget transparency, it is found that the town council does not practice budgetary transparency. Most residents reported that they do not have easy access to information concerning council matters and hence, they were ignorant about the city council and its activities or services. This suggests that they have not had much contact with their local authority. It was reported by most that they had never seen the annual financial and performance reports of the council. Even though the legislation requires the publication of the financial report this was not the practice in the urban governments save in the Manzini municipal authority. Most respondents were also not aware that they as residents are not aware that they are entitled to get annual reports.

5.4 REPRESENTATIVENESS

The issue to be addressed in this section is how effectively councillors in urban government in Swaziland perform their role of being representatives. To represent refers to the right to make binding decisions on behalf of the body or person that is being represented. It means to be present on behalf of someone else who is absent. In this regard the councillors act as representatives of the local community, empowered to make and enforce decisions which are binding on the citizens within the council's jurisdiction. This role results from the election process that takes place to constitute a municipality as a political institution based on representative democracy (Fourie, L. 2000: 24).

Theoretically, those in office, the councillors, must conduct themselves as the representatives of their constituents. Elections of course are not the only means of securing representation or of ensuring the representativeness of government. The elected status of officeholders is sometimes considered no guarantee that they will be truly representative of their constituents, unless they share with the latter certain other vital characteristics, such as race, religion, sex and age. Hereditarily kings considered themselves and were generally considered by their subjects to be representatives of their societies. As the level of government that is closest to the people, which is grass roots, and responsible for performing the functions of service delivery, adequate representation and participation are expected from local government (Encyclopedia Britannica Vol. 16:6912b).

The survey reveals that councillors sometimes do consult their constituency regarding council matters and sometimes give them feedback. The ratings consistently indicate that the residents are neither satisfied nor dissatisfied with representatives. This may be due to the fact that the system provides for the direct election of councillors and they are aware that they are in local government as their representatives. The dissatisfaction apparently stems from the rather low level of interaction between the councillors and the constituents.

5.5 RESPONSIVENESS

Responsiveness has emerged as an important component of good governance. A responsive administration is one that is sensitive to the needs and views of the citizens and whose personnel represent their interests and serve their needs. Institutions that are responsive try to serve all stakeholders to satisfy their needs, demands, grievances, and aspirations and within a reasonable time frame.

Responsiveness is one of the positive benefits of decentralisation. Decentralised organisational systems may bring government into closer contact with citizens or client groups. Government is improved because local representatives are best placed to know the exact nature of local needs and how they can be met in a cost-effective way. Through the creation of social territories, government's response to client needs and problems can be better and effective. The means of

achieving responsiveness include – consultation, debates, advisory bodies, public meetings and freedom of speech (Smith B.C 1985: 18-30).

The issue of responsiveness is examined with reference to urban local authorities in Swaziland. Evidence was collected on this aspect of governance from the key players in the urban government system. Evidence reveals that there is average level of satisfaction. The main problems identified were that the communication systems for addressing complaints from the residents were not clear; residents do not know where to report their problems, thus the relationship between the city council and residents remains fluid due to poor communication channels. Local government sometimes meets the residents' demands and expectations; yet some respondents report that their grievances are never adequately addressed.

5.6 PARTICIPATION

The term participation holds a variety of meanings but in essence it is about people expressing their views and taking part in the decisions that affect their lives. Policies often fail because they are created without a full understanding of the local situation, people or history. Participation is advocated because it is considered that people have a clearer idea of the problems and opportunities affecting their communities than outsiders do. According to this view, local expertise should be invested in. For many years in the past participation was associated with community development projects, yet it is obvious that this

process is required broadly - from projects to local government and to national government - because of its many advantages. Creating opportunities for people to be heard has the potential to inform policies, improve accountability and improve service provision (Commission for Africa, 2005: 141).

Participation in decision-making has long been a feature of many African societies. Traditional leaders for instance claim to derive their legitimacy from collective decision-making which is to say that their actions are allegedly founded on resolutions that are taken after consultations and after entertaining the views of and receiving inputs from the various stakeholders. Within participatory approaches, it is suggested that experts and the educated have given insufficient attention to participation due to their assumption that they know best and partly due to institutional pressures for quick and anticipated results, whilst the more powerful often have not allowed participation because of vested interest in maintaining the status quo. Meaningful participation is a political phenomenon and requires that those who traditionally make decisions relinquish some of their control and hear voices they may not agree with or may not usually listen to, including those of women and youth. Social disenfranchisement, lack of confidence, and respect for social and gender norms will disproportionately restrict some people from being heard (Commission for Africa, 2005: 141).

Local authorities are a good entry point for democratic debate. Every municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance. Councils

must demonstrate increased scope for community involvement in decision making by creating an environment that allows residents to have more say in their government. In this regard they should respect, encourage and create conditions for local community participation, easier access by citizens to the process of government and better information about its activities (Thornhill and Cloete, 2005; Marshall, N: 1998: 644). Thus, on this issue the following aspects are worth highlighting specifically:

- participation should be by both men and women;
- participation requires the removal of obstacles to full inclusion that prevent the poorest people from being able to participate;
- participation could either be direct or through legitimate intermediate institutions or representatives;
- participation also means freedom of association and expression on the one hand and an organised civil society on the other hand;
- Decision makers should allow for long time frames for participation and ensure that the least powerful are able to express themselves.

The question to be addressed is – to what extent is the community afforded the opportunity to participate in council affairs in Swaziland? Residents fall into either of two opposing views. The first view is that local government has moderately effective mechanisms for community participation and the second view is that there are no mechanisms for community participation all.

5.7 LEADERSHIP

Strong leadership, committed to change is one of the key drivers of progress. Developing the capabilities of leaders at all levels and in all spheres is critical to development (Commission for Africa: Our common interest: 2005:139). Within municipal authorities leadership is about deciding what ought to be done and how it ought to be done and mobilizing people to work towards achieving what has been determined as the principal goals and priorities of the municipal authority. The main goal is to ensure that the local government body succeeds in advancing development in urban communities, providing the kind of services that improve livelihoods and fulfill the needs and aspirations of the people. The responsibility of leadership rests with the councillors.

Evidence was collected to establish whether municipal authorities possessed the kind of leadership that is needed to advance development goal in communities. The respondents were required to report on whether the individuals who are elected to councils possess leadership potential or provide leadership. This question was posed in the context that local government just like national government requires effective leadership, the kind of leadership that will enhance rather than hinder the process of development. In all areas residents express a high level of dissatisfaction with the leadership abilities of the individuals who are elected as councillors. In all cases the overwhelming majority of the respondents were dissatisfied with the quality of leadership in municipal authorities.

5.8 CONCLUSION

In examining the issue of service delivery, the research is anchored in a governance approach. Good governance is highlighted as an important issue because it implies a focus on accountability for performance and results in local government. Good governance directs attention to the need to provide public services to citizens in a competent and responsive manner – a paradigm shift that is of vital importance for the functioning of the public sector.

The question the study sought to examine was whether urban government in Swaziland had been re-oriented to good governance. To this end, the discussion identified several elements of good governance which are offered as potentially the essential pillars of effective administration and management in local government in Swaziland. Those that were discussed were the following:

- *Accountability* – how well the public institution answers to the people;
- *transparency* – the openness about policies and decisions and greater access to information about the authority’s activities as a strategy to counteract corruption;
- *representativeness* – the right to make binding decisions on behalf of the body or person that is being represented;
- *responsiveness* - being sensitive to client needs, problems and views and taking action to meet the needs in a cost –effective way;

CHAPTER 6

CONCLUSION AND RECOMMENDATIONS

6.1 INTRODUCTION

The purpose of this concluding chapter is firstly, to present a summary of the research design; secondly, to present a summary of the findings in relation to the questions examined in the previous chapters of the research; thirdly to offer a conclusion and, fourthly, to outline the implications of this inquiry for further research.

The focus of the study was on the requirements for competent administration in urban areas to ensure effective and efficient service delivery. The research has examined the subject of public service delivery against the backdrop of what may be considered as core governing principles that when embraced by the government sector could increase the capacity of public organisations to fulfil their primary purpose in society – the delivery of public services in a manner that improves the quality of life of citizens. Examined in the case analysis of urban government in Swaziland are arguments pertaining to what were determined as the two vital aspects of service delivery in the government sector: the performance aspect and the governance aspect. In addition to these two aspects the research assessed the influence of the environment on local government.

6.2 SUMMARY OF THE RESEARCH DESIGN

This subsection presents a summary of the research design. This includes a summary of the research question, objectives of the research and methodology.

6.2.1 Research question

The research sought to examine whether or not urban government in Swaziland possesses the capacity to provide competent administration to deliver effective and efficient services that meet the needs of citizens, the inhabitants of towns and cities, given that as customers and service recipients they ought to be the focus of service delivery in a governance context where accountability and responsiveness to them should be the primary goal.

6.2.2 Objectives of the study

The study began with four key objectives: firstly, to examine the nature, structure, purpose, and functions of local government in Swaziland; secondly, to assess the performance of the urban government system in Swaziland in relation to service delivery and specifically to assess the extent to which municipal authorities have been sufficiently re-oriented to work towards meeting the requirements of efficiency, effectiveness, economy, and equity in their service delivery functions;

thirdly to assess whether urban government has been sufficiently remodeled to practice good governance and; fourthly to assess how the environment has impacted and shaped the local government system in Swaziland.

6.2.3 Methodology and approach

The above objectives led to the collection of the relevant primary and secondary data. The unit of analysis was considered to be a municipal authority and the research setting a typical local government institution. It was determined that all three types of urban government in Swaziland – city council, town council and town board – be included in the inquiry. For evidence, the research relied in part on primary data collected from the residential areas and central business districts of Manzini, Nhlngano and Mankayiyane and their municipal authorities. The research population consisted of the inhabitants of the aforementioned urban areas as well as selected key informants from the named municipal authorities and the national government. Secondary data, which proved to be a vital source of evidence, included documents collected from the municipal authorities and the special collection sections of the library and the archives.

The survey, based on a random sample, was considered appropriate for collecting views on the different aspects of the research. A representative sample of the identified population was determined and the respondents were interviewed using annexure A - the questionnaire specifically designed for this purpose. Two hundred questionnaires in respect of Annexure A were

administered. The key informants were identified and selected on the basis of their knowledge of the issues relevant to the study and were interviewed using annexure B, an instrument specifically designed for this purpose.

6.3 GENERAL CONCLUSIONS

This sub-section presents a summary of the main findings of the research. The summary of the main findings is presented in four broad headings that correspond to the analytical concepts utilised in the various sections of the inquiry: decentralisation, performance management, local governance, and the environmental factors of local government.

6.3.1 Decentralisation

As in other countries in Africa, successive governments in Swaziland have had to consider how best to achieve their declared promises of a better life for their citizens. Decentralisation became the official government strategy for improving public service delivery, promoting local self-government, meeting the objective of sharing power with local government and advancing socio-economic development. Since the early years of independence, attempts have been made by the Swaziland government to decentralise power to local government. This is illustrated by the promulgation of the Urban Government Act, 1969, Regional Councils Order, 1978, and the Establishment of Parliament Order of 1978 (amended in 1992). Collectively these are the instruments that created the

current system of local government. Even more recently, whilst the research was in progress, the national government was considering how best to strengthen the local government system in the country.

The research has reviewed the implementation of decentralisation in Swaziland. The discussion departed from the premise that local government in any country is best understood in terms of its history and in the context of the broader political, social, and cultural environment within which it operates. The research reveals that to a large extent, Swazi society is shaped by the adherence to culture and tradition. It is considered that traditional norms and values permeate almost the entire fabric of the Swazi society. Hence, the governmental system in the country is founded on the interaction between the traditional authority and inherited modern systems of government.

The *Tinkhundla* system, at its core, is designed to facilitate the practice of both Western and traditional styles of government, in a country where development is pursued following the political philosophy of traditional leadership. The hybrid nature of the governmental system embracing traditional and Western-influenced forms of government is a colonial heritage i.e. it derives from colonial policy in Swaziland which permitted the existence of a parallel structure of administration consisting of the Western system and the traditional authority system.

The dualism that is such a dominant feature in the political landscape of the country is clearly manifest in the local government system. The architects of the decentralisation programme in Swaziland constructed a system of local government consisting of modern municipal authorities found in urban areas and a traditional system, *Tinkhundla*, found in rural areas mainly.

The dualism characterising local government is deeply entrenched in the country's political dispensation and as such it is unlikely to disappear even with the coming into effect of the Constitution. In fact the constitution is drafted in such a way that it recognises the dual nature of the local government system, notwithstanding any reference to a single countrywide system of local government. In both the Constitution and the decentralisation policy document, reference is made to various levels of local government - regions, *inkhundla*, chieftdom and urban government. In a unitary state, where regional administration is to all intents and purposes part of the part of the national government bureaucracy, and not another of the levels or spheres of government, this comes down to the simple fact that there are only two levels of government in Swaziland, the national government and local government. The latter is organised in such way that there are two types - rural and urban.

The nature of the system described in the foregoing is an example of how culture influences economic and political conditions and determines the failure or success of public service delivery and of development initiatives. From a

theoretical perspective culture can be an agent of development yet it can also be an obstacle because not all manifestations of it are positive. This underlines why culture should be factored into analysis of development initiatives.

The importance of local government institutions in Swaziland derives from their responsibilities of service provision. Local government institutions are the providers and administrators of basic services in specified areas or localities intended to meet the needs of the people within the overall context of the principles set out in the legislative framework and/or the Constitution. The Swaziland decentralisation policy is very good on paper. It is argued that, as in other countries in Africa, the weakness of the decentralisation process in Swaziland is that the national government appears unwilling to share power with local government because, contrary to the official rhetoric about decentralisation, resources and key functions have remained centralised at the national level, leaving local government not only under-resourced but also performing rudimentary and insignificant functions.

The tendency towards de-concentration which characterises African governments' experiments with decentralisation is particularly evident in the Swaziland example. The emphasis has tended to be on decentralisation along the lines deconcentration and with a prefectural tendency. It is considered that inadequacies in technical, financial and human resource capacity have contributed to the prevailing state of affairs. In addition, the need to maintain

social cohesion, especially in a political environment where the state itself has arguably a very low level of legitimacy, tended to take precedence over the question of power sharing resulting in the present system which is characterised by the domination of local government by national al-be-it to varying degrees due to the asymmetric nature of the decentralisation system.

6.2.3 Performance management in local government

Performance management, it is argued in chapter 3, is critical and decisive in public service delivery as evidenced by the new orientation in public administration and management which emphasises strategies and frameworks that are aimed at improving government performance, achieving organisational excellence, and creating well-performing organisations. The ultimate aim of performance management, it is argued, is effective and efficient public service delivery. Well-performing and excellent organisations, according to this view, are those that put people at the centre and make customers the primary focus of service rendering efforts. In the application of the performance management concept to urban government in Swaziland the research relies on the 4E framework of efficiency, effectiveness, economy and equity.

It is found that there is a performance gap in the service rendering activities of municipal authorities in that they are not properly adjusted to achieving sustained high performance in their service rendering role. It is concluded that urban government in Swaziland does not yet possess the capacity to deliver services in

a high performance way. The above finding confirms the original assumption of the research that municipal authorities as evolving entities in a country that is itself in transition have yet to undergo a significant shift towards service excellence and that they have yet to reach a stage where they can be considered as high performing organisations that deliver services in an efficient, effective, economical and equitable manner.

6.3.3 Local governance

In examining the issue of service delivery, the research was anchored in a governance approach. This aspect is vital, it was argued in chapter 5, because a model public organisation, such as a municipal authority inclined towards service excellence, is expected not only to manage public affairs in an excellent and outstanding manner, but also deal effectively with the various interdependencies in government as well as observe universally accepted norms and values. Good governance is considered important because it implies a focus on accountability for performance and results in local government. Good governance directs attention to the need to provide public services to citizens in a competent and responsive manner – a paradigm shift that is of vital importance for the functioning of the public sector.

The question the study sought to examine was whether urban government in Swaziland has been re-oriented to good governance. To this end, the discussion identified several elements of good governance which are offered as potentially

the essential pillars of effective administration and management in local government in Swaziland. Those that were discussed were the following:

- *Accountability* – how well the public institution answers to the people;
- *transparency* – openness about decisions and greater access to information about the authority’s activities as a strategy to counteract corruption;
- *representativeness* – the right to make binding decisions on behalf of the body or person that is being represented;
- *responsiveness* - being sensitive to client needs, problems and views and taking action to meet the needs in a cost–effective way;
- *participation*– the involvement of citizens in decision-making and access to the process of government;
- *leadership* – existence of strong and effective leadership that is committed to development – which is considered as the most desirable type of leadership.

The results of the inquiry reveal that municipal authorities in Swaziland have not yet been sufficiently re-oriented towards good governance. None of the municipalities in the research areas were found to have outstanding ratings in relation to the universally sanctioned good governance criteria of accountability, transparency, responsiveness, representativeness, participation and effective leadership. This confirms the original presumption of the research that only limited progress has been made to construct a local government system that is oriented towards good governance in Swaziland’s urban areas.

6.3.4 Environmental factors of local government

It is considered that municipal authorities, like most organisations in society, are shaped by their environment. The environmental factors of local government were assessed in this research because of the compelling argument that high performing organisations do not reach excellence by accident but because they have an awareness of the environment. Paying attention to the challenges of the environment and the opportunities it offers is an important foundation upon which high performing organisations build their success e.g. in service delivery. The environmental factors of local government are political, social, geographical, economic and cultural. The research argues that all the above factors are instrumental in shaping the nature, direction and purpose of local government in Swaziland.

It is found that historical factors played a major part in engendering the current governmental system. The British colonial heritage laid the foundation for the present system of government by creating the political and administrative structures that were inherited at independence and which to a large extent were perpetuated by post-independence rulers. This includes the dualism that is clearly manifest in the country's political and administrative structures, at national and local government level, as well as the values that underpin these structures.

Geography is considered to be of great influence in shaping the urban government system in Swaziland. The most significant of the geographical factors is urbanisation. The phenomenal growth of urban areas in the country and the concomitant high concentration of people in the major towns have created acute environmental problems inside and outside town boundaries typified by informal settlements, poor housing, inadequate water supplies and sanitation, unemployment, rising levels of crime, uncollected garbage and the associated environmental hazards, inadequate resources to offset the risk of disease, and high mortality rates especially amongst children under five. The aforementioned problems are as much societal problems as they are local government problems. These are problems that require a public policy response. From the point of view of local government such problems pose a daunting challenge because, for the foreseeable future, they are likely to test the capacity of the country's burgeoning municipal authorities to respond to them in a confident and decisive way.

Social factors are found to have an influence on urban government in Swaziland. The traditional authority system is identified as the most pivotal and decisive of the social factors. In the post independence period, culture and the traditional authority system have been resurgent in Swaziland to the extent that they have even gained recognition in the new Constitution. The chiefs are considered as major role players in rural areas – communities which are administered in a traditional way, observing cultural norms and values as well as through the *Tinkhundla*.

Significantly, the influence of the traditional authority system has not greatly diminished inside the boundaries of the towns and cities. This is illustrated by the fact that even after 38 years of independence and 37 years since the major towns were created by the Urban Government Act, 1969, municipal authorities have not yet succeeded in asserting their authority fully in the areas within their jurisdiction. These are areas that were previously part of Swazi Nation Land and under the control of chiefs.

From this, it can be deduced that the declaration of an area as an urban area under the jurisdiction of a city council or town council or town board does not immediately transform the lives, attitudes, values and mindsets of individuals who have lived in those areas for a long time. In all the municipalities it was found that there were residents who have continued living their lives in the traditional way; they don't pay rates; they live in substandard accommodation similar to rural homesteads, and have no respect for council rules and regulations. In a country where culture is a dominant force, there is bound to be a level of co-existence of traditional and Western systems, as well as the norms and values associated with these systems, in the urban areas, resulting in a hybrid system which will take a long time to disappear. It is obvious that for both the councils and residents of urban areas there is a long learning curve to be navigated.

Political factors are bound to impact on urban government. It is suggested that the legal framework is a vital political factor that determines the autonomy, powers, functions, purpose and vitality of local government in Swaziland. In Swaziland the relevant statute provides for the elections of councillors as the representatives of the residents who must form the political component of the council. The elected councils must perform the various functions of council stipulated in the Act e.g. policy making.

A cursory look at the functions of councils (as stipulated in the Act) reveals that councils do not perform significant functions such as education, health, and security. These significant functions are at present performed centrally. Some of the functions that possibly could have been performed by local government were assigned to public enterprises. The Local Government Act was enacted in 1969 when the emphasis was still on control and supervision of local government by national government. Since the Act has not been amended or replaced by a new one, local institutions do not enjoy sufficient power and autonomy. Evidence suggests that many of the major decisions, relating to finance (borrowing), recruitment of senior staff (town clerks) require central government approval. In comparative terms, city councils have a higher level of autonomy, followed by town councils. It is not possible to entertain any notion of autonomy, political or financial, in respect of the administration of a typical town board in Swaziland. These are institutions that are considered as local outstations of the national government.

Finance is the single most important economic factor impacting on urban government, it is argued, because its availability and scarcity determine the ability of the local government system to finance projects and programmes and to make a difference in terms of improving the livelihoods of individuals and communities. Municipal authorities in Swaziland must raise money to finance their operations, which relate to the functions bestowed upon them by the Urban Government Act, 1969. The research identified three sources of income for urban government: grant aid, rates, and miscellaneous sources. A significant feature of urban government finance is the varying abilities amongst municipal authorities to raise income from home sources. It is concluded that a city council has a greater ability to raise money from home sources than a town council. A town board has the least ability to do this since the bulk of the income still comes from the central government.

6.4 RECOMMENDATIONS

It has been argued in this research that the need for decentralisation is accepted by most governments and stems from the failures associated with the centrality of the state in development and in service delivery. The kind of decentralisation that is required in Swaziland is that which is truly democratic, avails opportunities to individuals to exercise political and economic power, and facilitates the sharing of power between national and local government. This implies granting meaningful rather than symbolic functions to local government in urban areas, providing adequate financial resources to municipal authorities to undertake the

various governmental functions entrusted to them, granting power and authority to councils to make and implement final and binding decisions on matters that affect their communities, and strengthening the capacity of local government institutions to undertake the range of functions assigned to them.

In addition, the study has highlighted the significance of reforms and the need for the range of improvement strategies introduced at national level to be extended to municipal authorities so as to improve performance and increase public satisfaction with services. Furthermore, prevailing social and political values call for more democratic forms of governance, emphasising the need for all public institutions to experience a shift towards a democratic dispensation.

Thus, it is recommended that urban government in Swaziland be remodelled towards high performance by giving prominence to best practice such as the various performance management strategies that are increasingly being adopted worldwide: devolution that is accompanied by a high level of expectations in terms of performance and outcomes, particularly the efficient, effective, economical and equitable rendering of services, new approaches to human resource management that emphasise the professional ethos. Furthermore, municipal authorities need to be re-oriented towards good governance and steps taken to ensure that they are not only accountable but are also responsive to the needs and aspirations of the citizens and that councillors are able to exercise good leadership.

6.5 CONCLUSION

This research was focused on service delivery by essentially public institutions. The research sought to consider the requirements for success in public service delivery. With the rise of the new public management in the latter part of the 20th century doubts were expressed about the dominant role of the government sector in development activity and in meeting the needs through service rendering. In spite of the lack of conclusive evidence, critics pointed out that the state had over-extended itself; that the government machinery was inefficient and ineffective; that public institutions generally have been at the centre of the spectacular failures of the previous decades typified by poor service delivery; and that the private sector ought to take over many of the functions previously associated with the government sector. However, this research advances the alternative argument that the public sector ought to remain a key player in promoting development and improving livelihoods. Public bodies ought to be at the cutting edge of development through the services they provide. The research suggests that there is great potential for success in the public sector i.e. in government. The main objective should be to invigorate public sector institutions in order that they may achieve more success in their primary mission and purpose – the delivery of public services in a competent manner that meets the needs and aspirations of the citizens.

In this research attention focussed on the service role of local government. Local government, an instantly recognisable feature of the political landscape in modern states and an important part of the governmental system, is considered in this research as having the definite purpose of delivering, in a satisfactory manner and for the benefit of all its customers, the range of services assigned to it by the national government. This research posits that this goal is achievable provided that local government is remodelled to take into account the essential core governing principles in public administration. The research considered a number of principles that are crucial and decisive in this regard namely, *decentralisation* - that which is designed to share power with local government; *performance management* – the principles of efficiency, effectiveness, economy and equity; *good governance* – the universally sanctioned criteria of accountability, transparency, responsiveness, representativeness, participation and effective leadership; and the *organisational environment* –the various factors that shape institutions.

Having assessed the various arguments by considering the situation in the urban areas of Swaziland, the inquiry concludes that, collectively, the above principles constitute the essential pillars of effective public administration and management. Thus, competent administration at the local government level of government requires firstly, that the local government system be reoriented towards sustained superior performance, with emphasis being given to efficiency, effectiveness, economy and equity; secondly, that public affairs at this level of government, be

conducted in ways that strengthen accountability, enhance transparency, encourage responsiveness, foster grassroots participation, and support effective leadership.

Thus, it is concluded that urban government in Swaziland could be a primary structure for development, depending on its capacity to provide municipal services competently, in an efficient, effective and responsive manner, provided that the function and purpose of government is reshaped sufficiently to produce a governmental system in the towns and cities that give citizens more economic and political power, given that more effective urban governance could be instrumental in improving the lives of urban residents.

6.6 IMPLICATIONS FOR FURTHER RESEARCH

The present research only comments about the situation in Swaziland up to the end of 2005. The municipalities have included in their strategic plans their intentions to improve service delivery. Since strategic planning is a new approach to administration in urban government, future research will need to inquire into the contribution of strategic planning in improving local government performance or the factors that hinder the effectiveness of this new approach.

The government is in the process of formulating and implementing a decentralisation policy that articulates its new vision concerning the sharing of power with local government. The new Constitution also contemplates a higher

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ANNEXURE A

QUESTIONNAIRE

**FOR THE INHABITANTS OF THE URBAN COMMUNITIES OF MANZINI,
NHLANGANO AND MANKAYIYANE**

**LOCAL GOVERNMENT IN SWAZILAND: REQUIREMENTS FOR
COMPETENT GOVERNMENT IN URBAN AREAS**

NAME OF THE LOCALITY

QUESTIONNAIRE

QUESTIONNAIRE FOR THE INHABITANTS OF THE URBAN AREAS OF MANZINI, NHLANGANO AND MANKAYIYANE - SWAZILAND

The series of questions and statements below are designed to obtain your opinion about the nature of governance and service delivery in your community with particular reference to the role of local government (city council or town council or Town board). You are kindly requested to indicate your opinion with an X in one of the boxes, immediately to the right. Confidentiality and anonymity are guaranteed. Do not write your name.

DEMOGRAPHIC DETAILS

1. Age of respondent

- | | |
|---------------------------------------|-----|
| <input type="checkbox"/> 19-25 | [] |
| <input type="checkbox"/> 26-35 | [] |
| <input type="checkbox"/> 36-45 | [] |
| <input type="checkbox"/> 46-55 | [] |
| <input type="checkbox"/> 56 and above | [] |

2. Sex Male []
 Female []

4. Level of education?

 None []
 Primary education []
 Secondary education []
 Tertiary level []

PERFORMANCE BY LOCAL GOVERNMENT

A. Efficiency of local government services

1. Local government services in my community are:

- always delivered in an efficient manner []
- sometimes delivered in an efficient manner []
- rarely delivered in an efficient manner []
- totally inefficient []

2. The local government in my community:

- always delivers the services timeously []
- sometimes delivers public services timeously []
- never delivers services timeously []

B. Effectiveness in local government services

3. Local government services in my community are:

- always delivered in an effective manner []
- rarely delivered in an effective manner []
- never delivered in an effective manner []

4. Residents in my community are:

- very satisfied with the quantity and quality of municipal services []
- rarely satisfied with the quantity and quality of municipal services []
- never satisfied with the quality and quantity of municipal services []

C. Economic utilisation of resources in local government

5. In my community the local government rates are:

- very high []
- quite reasonable []

6. Local government resources in my community are utilised:

- in an economic manner []
- rarely in an economic manner []
- never in an economic manner []

D. Equity of services by the city council of Manzini

7. Residents in my community;

- have ready access to local government services []
- mostly have ready access to local government services []
- have difficulty in accessing local government services []

8. The services rendered by local government in my community:

- fully address the needs of all residents []
- moderately address the needs of poor sections of the community []
- inadequately address the needs of the poor sections of the community []
- do not address the needs of the poor section of the community []

E. Value for money

9. The local residents in my community:

- receive value for money []
- never receive value for money []

GOVERNANCE

F. Accountability and transparency

10. Local government in my community:

- acts in a publicly accountable manner []
- rarely acts in a publicly accountable manner []

- never acts in a publicly accountable manner []

11. Local government in my community;

- always provides annual financial and performance reports []
- never provides annual financial and performance reports []

12. Residents in my community:

- have easy access to information concerning council matters []
- sometimes have access to information concerning council matters []
- never have access to information about council matters []

G. Responsiveness

13. The local government authority in my community:

- always meets the demands and expectations of the residents []
- sometimes meets the demands and expectations of the residents []
- never meets the demands and expectations of the residents []

14. The local residents' grievances in my community are:

- always fully addressed by local government []
- sometimes adequately addressed by the local government []
- never adequately addressed by the local government []

15. The communication systems for addressing complaints from residents in my community are:

- clear
- not clear

H. Representativeness

16. The councillors in my community

- always consult their constituencies on council matters
- sometimes consult their constituencies regarding council matters
- never consult their constituencies regarding council matters

17. The residents in my community

- always get feedback from councillors regarding council matters
- sometimes get feedback from councillors regarding council matters
- never get feedback from the councillors regarding council matters

I. Participation

18. Local government in my community has:

- effective mechanisms for community participation
- moderately effective mechanisms for community participation

- no mechanisms for community participation []

19. In my community the mechanisms for the accountability of councillors are:

- always efficient and effective []
- inefficient and ineffective []

J. Good leadership

20 The individuals who are elected councillors in my community:

- have leadership potential and/or good leadership skills []
- lack leadership potential and/or good leadership skills []

21. Those that are in leadership within local government in my community:

- always provide good leadership []
- fail to provide good leadership []

22. In the overall, residents in my community:

- Have mostly high respect for the integrity of local government []
- Have some respect for the integrity of local government []
- Have very little respect for the integrity of local government []
- Have no respect for the integrity of local government []

ANNEXURE B

QUESTIONNAIRE

QUESTIONNAIRE FOR KEY INFORMANTS – POLICY MAKERS IN THE PARENT MINISTRY, ADMINISTRATIVE STAFF IN LOCAL GOVERNMENT, AND COUNCILLORS

The series of questions and statements below are designed to obtain your opinion about the nature of governance and service delivery in your community with particular reference to the role of local government (city councils or town councils or Town boards). You are kindly requested to indicate your opinion with an X in one of the boxes, immediately to the right. Confidentiality and anonymity are guaranteed. Do not write your name.

Demographic Details

1. Age of respondent

- Range of this

2. Sex Male []
 Female []

3. Marital status

 Single []

Married []
Other, specify.....

4. What is your level of education?

None []
Primary education []
Secondary education []
High school []
Tertiary level []

1. Are local government services in your community delivered in an efficient manner?

2. What is your assessment of efficiency in service rendering in the Manzini City Council, Mankayane Town Board and Nhlanguano Town Board?

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.....
.....
.....

3. Does the local government in your community have a strategic plan?

4. Does the local government in your community collect performance data (assess and evaluate performance)?

5. If yes how is the performance data utilized by the local government in your community and how?

.....
.....
.....

6. Are the members of staff in your local government area assessed in relation to their performance?

7. Do members of staff in senior positions have performance based contracts?

8. Does the local government in your community make use of public-private partnerships (PPP's)?

9. In your local government what role do councillors play in ensuring good performance?

10 Are local government services in your community effective?

11. In your community what is the basis for local rating?

12. Are the resources in your local government utilized economically? :

Please elaborate

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.....
.....

13. Do residents in your local government have equal access to local government services? yes/no

If no what are the barriers to the equitable provision of local government services

.....
.....

14. Do local government services in your town/city address the needs of the poor sections of the community?

Please elaborate further

.....
.....

15 In your view are the residents getting true value for money?

Please elaborate

.....
.....
.....

16. In your opinion are the councillors accountable to the people? Yes/No

Please elaborate

.....
.....

17. Does the local authority in your community meet the demands and grievances of residents?

18. Do the councillors in your community consult their constituencies regarding council matters?

19. Do the residents in my community always get feedback from councillors regarding council matters?

20. Does the local authority in your community have effective mechanisms for community participation?

21. Are there effective mechanisms to ensure the accountability of councilors?

In your local community do councilors have good leadership skills and do those in leadership always provide good leadership?

22 Internal and external Mechanisms for accountability in local government are:

- Always effective []
- Usually effective []
- Occasionally effective []
- Rarely effective []
- Completely ineffective []

23 Citizens:

- Have a high respect for the integrity of the local government []
- Have mostly high respect for the integrity of the local government []
- Have some respect for the integrity of the civil service []
- Have very little respect for the integrity of the local government []

- Have no respect for the integrity of the local government []