

Urban Autonomy and Municipal Structure/Design: Does Form Enable Function?

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Urban Autonomy:

- = the ability of urban local government to act independently from national or regional tiers in determining cities' economic, political and social fate
- = relational; fluid; contested; shifting
- = anchored in formal powers but also exercised through soft power / extra-legally
- = ways of exercising powers; ways of implementing; ways of defying
- = focused on shape, form & function of the city
- = constitutive of social justice

Objectives

Section 152(1)

“The objects of local government are

- (a) to provide democratic and accountable local government for local communities;
- (b) to ensure the provision of services to communities in a sustainable manner;
- (c) to promote social and economic development;
- (d) to promote a safe and healthy environment; and
- (e) to encourage the involvement of communities and community organisations in the matters of local government”.

**The
Constitution**
of the Republic of South Africa



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Powers/Functions/Competencies

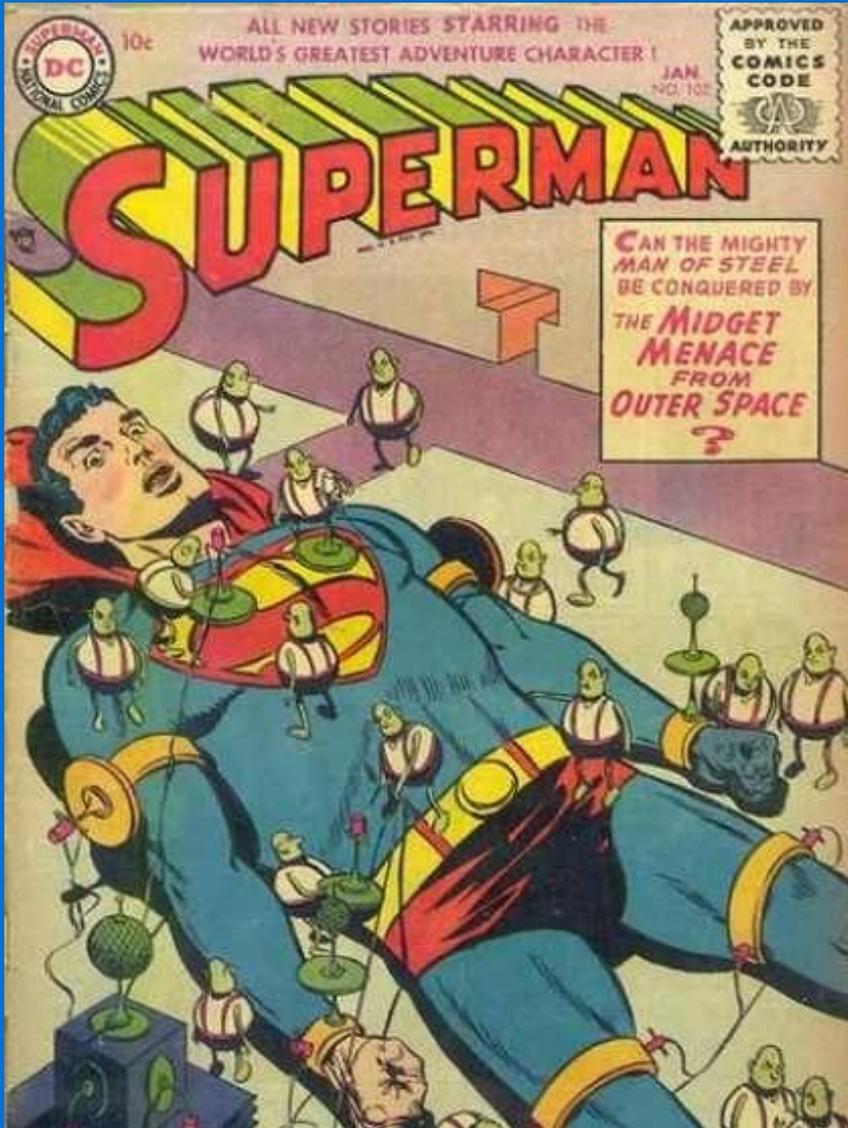
- “executive and legislative authority... vested in council” (S151(2))
- “right to govern, on its own initiative, the local government affairs of its community” (S151(3))
- “national or provincial government may not compromise or impede a municipality’s ability or right to exercise its powers” (S151(4))
- “has executive authority in respect of, and has the right to administer the local government matters listed...” (S156(1))
- “may make and administer by-laws for the effective administration...” (S156(2))
- “right to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions” (S156(5))

The Constitution of the Republic of South Africa



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Reasons for Failing to Capitalise Constitutional/Legislative Powers



- Failure to grasp?
- Messy devolution?
- Lack of resources?
- Lack of capacity?
- Inherited, subservient bureaucratic culture/sensibilities?
- Failure of participatory structures?
- Party-political structures/power?

Legislature

Executive

Judiciary

N

P

L



How?

- Metro Councils v District/Local Councils?
- Executive Mayor v Executive Committee?
- Ward Councilors v PR Councilors?
- Ward Committees/ Sub-councils v Council v Mayor/Mayoral Committee/Executive Committee

- Residents v Council v Administration v Consultants
- Council v Mayor v Mayoral Committee
- Political leadership v Administration
- Party leadership v Caucus v Council v Mayor

To Do?

- Come to terms with nature of executive/legislative beast & full arsenal of powers
- Rethink extent of devolution
- Rethink municipal structure
- Rethink council size and shape
- (Re)configure relationship between city leadership & administration
- Rethink relationship between council and mayor/exec committee/ward councils/sub-councils
- Rethink approach to intergovernmental relations
- Building strategic expertise in-house
- Concretize the line between party and State