



HIV/AIDS AND LOCAL GOVERNMENT LEARNING NETWORK

Municipal Brief 2 - 2009

**Public participation
and HIV/AIDS**



Why everyone needs to be able to participate

Public participation is a fundamental part of South Africa's democracy as required by the Constitution. But an effective and inclusive system of public participation takes a long time to develop, involves complex, ongoing relationships and should recognise different modes of participation.

There are many different ways in which the public can speak to their local government on issues of service delivery and community development. Examples include writing to a local newspaper, phoning the local mayor, visiting a local councillor or attending an Imbizo. Those within society with access and power often dominate participation processes and can use ways of communicating with government that are not available to marginalised communities. But democracy means everyone's voice must be taken into account, and in our developmental state it is even more important for those who are marginalised and impoverished to be heard. Local government has a responsibility to ensure that all citizens, especially the marginalised members of society, are able to make their contribution to planning that takes place in their area. This is even more relevant in the context of the HIV/AIDS epidemic facing South Africa because of how vulnerable most people infected with and affected by HIV/AIDS are.

Due to stigma and discrimination, people living with HIV/AIDS are less likely to have their voices heard. People with HIV/AIDS are particularly disadvantaged and they have very particular needs that must be taken into account when local government is doing its work.

HIV/AIDS is often very sensitive and this requires that HIV/AIDS-related issues should be included on the agenda when local government engages in public participation processes. This will encourage communities affected by the epidemic to speak about the things that make their lives more difficult and highlight the challenges of dealing with HIV/AIDS. It will also assist the municipality to understand the day-to-day lives of its residents and encourage them to participate in local government planning and implementation. Raising important issues like this will show people that local government is genuinely concerned about communities and is responsive to their needs.

Why public participation is critical for an effective response to HIV/AIDS

Rigorous public participation can provide the research, monitoring and evaluation that are essential for effective development planning and implementation.

For example, the production of an Integrated Development Plan (IDP) should include a thorough HIV/AIDS needs analysis and research on the impacts of the epidemic within the municipality. This will help the municipality understand the impact of the epidemic on the citizens and decide how it should respond. If information about the needs of citizens is reliable and comprehensive, it allows for better planning and service delivery.

Reliable local information can also assist stakeholders such as provincial sector departments to understand what they should be doing to respond to HIV/AIDS. This will allow them to adapt their plans according to the needs within the municipality and coordinate with what other departments are doing. If all roleplayers understand the effects of the epidemic and integrate it within their plans, it will also improve the municipality's ability to leverage the necessary resources to make a real difference in people's lives.

Public participation is essential for any municipality to understand the communities it provides services to. Public participation structures like ward committees and even Local AIDS Councils (LACs), if they are functioning effectively, can assist municipalities with tasks like data collection and information gathering. For example, in the City of Tshwane Municipality, the LAC produced a report that showed that 77% of adults in Tshwane have never undertaken an HIV test, which allowed the municipality to ask unions and businesses to help them improve access to testing.

Where there is an effective and functioning LAC or ward committees, these structures should be drawn on when developing sector plans or IDPs. However, these important resources are often not used effectively.

Challenges to effective public participation

There are many reasons why public participation around HIV/AIDS is not working as well as it could.

Fear of stigma and discrimination means that HIV/AIDS is often not discussed in public participation forums, even in health forums. The language used in official documents is often inaccessible and is sometimes too technical in nature. Inaccessible venues discourage participation, particularly for those who are ill. Electronic forms of participation through websites and e-mail are still not accessible in most communities.

The sustainability of participation processes is also undermined when participants fail to see any tangible benefits of participating, or when participation is structured so that communities are only expected to endorse ("rubber stamp") decisions that have already been taken.

Relying on ward committees as mechanisms for deepening participation can also be challenging. In some areas there may be limited or no official forums available for public participation. Often ward committees meet infrequently, participation is limited and public meetings are not well advertised. Where ward structures are highly politicised or strongly associated with one political party or faction, this can marginalise others. Very few ward committees tend to have HIV/AIDS portfolios. Finally, ward committees can only make recommendations to ward councillors and have limited decision-making power. This means that public participation may only be happening at a very low level in the chain of command within a municipality.





In some areas Imbizos may be the only public participation that takes place. These events may attract many people but as with other community meetings, people may not be given a chance to prepare for what is to be discussed. This often leaves people with the impression that they are merely being informed of plans instead of being able to properly engage with officials about the content of the proposed plans.

Public participation events also do not often allow for the different and varying voices of communities to be heard. It is critical to remember that communities are not homogenous and may not all speak with one voice. Often the person with the loudest voice is the only one who gets listened to, and people rarely make a loud noise about HIV/AIDS, even if they are strongly affected by it.

LACs also provide a forum for community participation, but their role also needs to be clearly defined so that their co-ordinating function is effective.

Other problems that may undermine meaningful public participation include AIDS fatigue, politicians at times being suspicious of public participation creating alternative power centres, the politicizing of public participation, the inaccessibility of meetings due to transport and time and poor advertising of meetings.

Suggestions for addressing some of the challenges

1: Let civil society bridge the gap

Existing public participation structures such as ward committees usually provide insufficient space for public participation and support for marginalised voices. One solution is to work with other structures in communities which have close daily contact with citizens and may be able to act as representatives of residents' interests, such as non-governmental organisations (NGOs) and community-based organisations (CBOs).

There are numerous different structures that may exist, and municipalities can gather information by allowing people to feed information back through these structures.

The Municipal Systems Act (Act No 32 of 2000) specifically refers to other structures that should be part of public participation processes, and government is also currently reviewing the elements of the local government system to encourage more participation by non-state actors.

It is imperative that both civil society organisations as well as municipalities become more conscious of the importance of working together to develop an effective response to HIV/AIDS.

Civil society should be especially conscious of this role as it is able to provide the space for forums and debate. For example, a training programme run by an NGO may allow people in different villages to meet, find common space, and talk about common issues, which could allow them to make collective representations to municipal structures.

While many NGOs and CBOs focus on improving the daily lives of people infected with and affected by HIV/AIDS, it is also critical that they engage with local government on issues that affect communities. For example, HIV/AIDS support structures may provide some of the strongest networks and structures available in a community. Some examples are: support groups, advocacy organisations like the Treatment Action Campaign (TAC), groups of people receiving antiretroviral treatment (ART) at particular clinics, people running home-based care programmes, buddy programs for people on ART, groups or individual households caring for orphan children, health training programmes, NGOs providing bereavement services, support programmes for the elderly and children, community health workers and food security projects.

This could contribute towards overcoming stigma as the involvement of civil society groups that are doing HIV/AIDS work can ensure that the voices of people affected by HIV/AIDS are heard.

These organisations should use their experience and knowledge to inform and strengthen public participation processes. Municipalities in turn can assist by being more open to working with civil society.

One way in which a municipality can begin to work better with NGOs and CBOs is to create and maintain a database of all NGOs and CBOs in the municipal area. Effective examples of this exist in Msunduzi Municipality and Buffalo City Municipality, where databases have been developed for every ward with details of locally-based social workers, home-based care groups, NGOs and CBOs. This can be used to facilitate research and public participation through partnerships and monitor services provided.

2: Capacitate communities

Public participation can happen in different ways and it is important that all forms of public participation be recognised for the role that they play. In addition, it is also crucial to keep in mind that communities will mobilise differently depending on the issues that affect them. It is also incumbent on local government to ensure that the system of public participation is inclusive and that the voices of different constituencies within communities are recognised and acknowledged.

This also means that local government has a role to play in capacitating communities and ensuring that they understand the existing mechanisms of participative democracy. Communities need to be made aware that HIV/AIDS is one of the issues that they can raise with municipalities, and that there are things that municipalities can do to assist people affected by HIV/AIDS and minimise the impact.

It may also be difficult for someone with low levels of formal education to engage with, for example, a municipal budget comprising 60 pages of figures. The participation process should be made as accessible as possible so as not to





exclude people simply because they lack the technical skill or knowledge to engage with complicated policy documents.

Citizens are often seen by municipalities as passive recipients of service delivery without their own agency. This may be even more true for people living with HIV/AIDS, and there is a danger that they are viewed as victims who need to be delivered to. But while there may be special barriers for them, their participation is just as valuable and important as anyone else's.

Municipalities have a responsibility to build communities up to be equal partners with them. This can be done by communicating with people in plain language regarding their rights with regard to public participation. Citizens as well as local government officials need to be empowered to know what their responsibilities are in terms of HIV/AIDS and what is required to meet those obligations.

Existing legislated structures also need to be encouraged to reach their potential and influence policy and programmes. Potential structures which can be activated to participate more in governance include LACs, ward committees, IDP forums, ward committee health portfolios, home-based carers, Community Development Workers, Community Health Workers or Community Support Centres.

3: Go beyond the structures

Communities that have access to resources and opportunities are able to voice their opinions and exert influence more easily than more marginalised communities. This often results in only the voices of those who have access to power and influence being heard. While municipalities may not intentionally encourage this, if they do not actively find ways to capacitate those with less influence to participate, they may be allowing only certain voices to be heard.

For example, if the managing director of a big company wants to discuss something with a municipality the company operates in, he or she will not go to a meeting where other people's interests are being addressed at the same time. They will rather arrange a direct meeting with the municipal manager or phone the mayor, even after hours.

But this only applies to citizens who are privileged in some way, through status, resources or by virtue of the networks they are a part of, or the neighbourhood they live in. Other members of the community must work through ward structures that are often inaccessible. The challenge is for municipalities to balance competing and varying interests by making themselves available to all members of a community and to accept that there are different ways of participating.

Protest action is another way for people to voice their opinions and concerns, although it is undesirable and shows the failure of other ways of talking to government. As the recent wave of service delivery protests have shown, communities may refuse to use the legislated mechanisms for public participation

because the existing structures make them feel as if their concerns are not heard and taken into account.

The rich networks of HIV/AIDS-related organisations in South Africa mean that there is the potential for different public participation channels. This requires willingness on the part of municipal officials to recognise alternative models for public participation and to use the inputs and contributions from these engagements.

For example, when developing IDPs and sector plans, inputs from community and civil society groups should be encouraged so that the impact of the HIV/AIDS epidemic on service delivery and vice versa is better understood, especially in relation to the daily lives of individuals, households and communities.

The Msunduzi case study – taking the first steps

The Msunduzi Municipality HIV/AIDS Strategy makes an interesting case study. When the strategy was first set up in 2001, it was an innovative response because it included representatives from government, civil society and business, and most importantly, had a political champion as well as a committed senior official in the municipality. This provided an important forum for engagement, learning and the opportunity for coordinating an effective and comprehensive response to the HIV/AIDS epidemic in the municipal area. Even more importantly, the strategy went beyond prevention and treatment-related responses to focus on the specific challenge of responding to vulnerable children affected by HIV/AIDS.

For a number of reasons, including an overreliance of the strategy on support from NGOs as well as the lack of direct involvement of people infected with and affected by HIV/AIDS, the strategy failed to have the impact that was initially envisioned. However, it provides the basis for thinking around setting up structures and forums that are representative of all the relevant stakeholders and for moving beyond a narrow response to dealing with the HIV/AIDS epidemic.

More recently there has been another attempt to revive the Msunduzi HIV/AIDS Strategy. The municipality's HIV/AIDS co-ordinator has set up a separate system of ward-based AIDS committees in 30 of the municipality's 37 wards so far. These community groups are actively involved in various programmes such as home-based care, health education and condom distribution, and the municipality is able to support their work with annual incentives, home-based care supplies and capacity training.

Each AIDS committee comprises 20 people who have been drawn from existing community-based organisations, although they are selected by the community in a public process. In most cases they work closely with the ward councillor, but are not always part of the ward committees or their health portfolios.

The Msunduzi system is closely integrated with NGOs and CBOs in the area because many of the people who work for the municipality are also volunteers



for these organisations. The NGOs and CBOs are able to provide additional supervision and support and are given the opportunity to coordinate with the municipality.

However, it is critical that the strategy moves toward encompassing initiatives that are about more than just treatment and prevention but also address service delivery challenges, especially for people dealing with HIV/AIDS on a daily basis. This means that there has to be active and ongoing involvement of people who live with and are affected by the epidemic. This forum can then provide insights to inform municipal plans. The municipality needs to be open to engaging effectively with civil society by assisting in building the capacity of these structures.

About the HIV/AIDS and Local Government Learning Network (Halogen)

Halogen brings together researchers, organisations and municipal practitioners to share knowledge, skills and learning on HIV/AIDS and local government in South Africa.

The network aims to:

- Share information and learning about HIV/AIDS and local government.
- Generate partnerships between civil society organisations, and between civil society and government at various levels, to strengthen local governance processes and responses to HIV/AIDS.
- Document and disseminate good practice, as identified during learning events, to various stakeholders including communities and municipalities.

Membership of Halogen is open to individuals and organisations working on HIV/AIDS and the role of local government in responding to the epidemic. For more information, or to join Halogen, see www.halogen.org.za or contact 021 683 7903.

Halogen held its second learning event for 2009 in Durban on 6 August 2009. The gathering looked at mechanisms to ensure that citizens are able to engage with local government about addressing HIV/AIDS issues.

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