

CIVIL SOCIETY AND PUBLIC ACCOUNTABILITY: THE NEED FOR ACTIVE MONITORING

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INTRODUCTION

- WHY DOES CIVIL SOCIETY CARE ABOUT THE ACCOUNTABILITY OF PUBLIC OFFICIALS?
 - What is Accountability?
 - Different forms of Accountability
- ARE PUBLIC OFFICIALS TO COMMITTED TO TRANSPARENCY & ACCOUNTABILITY?

ACCOUNTABILITY

- Accountability defined as the “proactive process by which public officials inform and justify their plans of action, their behaviour and results and are sanctioned accordingly” (Ackerman, 2005, p. 3).
- Ackerman’s definition helps us understand accountability as the process whereby citizens require government to account on their plans of execution through explanations, justifications and remedial actions when necessary.
- Accountability: a relationship between citizens & government that requires the latter to explain & justify how they have carried out the responsibility delegated to them.
- Accountability necessary for activating democracy by holding duty-bearers accountable for public & legislative bodies of SA (Bovens, 1998).

FORMS OF ACCOUNTABILITY IN GOVERNANCE



POLITICAL ACCOUNTABILITY

- Political accountability refers to the responsiveness of governmental policies to the preferences of voters/ citizens (Peruzzotti and Smulovitz, 2006).
- Political parties must be accountable to their voters.
- Voters must hold their parties accountable during Elections and at Ward Level to ensure that their Socio-Economic Rights are realised through the Maximum Use of Available Public Resources.
- The Municipal Council through Ward Councillors must account to citizens (i.e. voters).
- Ward Councillors are obliged to account to citizens (as political party appointed reps for voters) and to their political party (as party reps).
- Ward Councillors are also mandated to hold municipal delivery Departments accountable in Council and Portfolio Committee Meetings (i.e. Political Oversight).
- Are Ward Councillors accounting to the Political party or Citizens?

FINANCIAL ACCOUNTABILITY

- ▶ The Office of the Auditor General is constitutionally mandated to audit and report on how the government is spending the South African taxpayers' money.
 - ▶ This office is further obligated to strengthen financial and performance management in local government in South Africa.
- ▶ The Auditor General (AG), one of the chapter nine institutions, established in terms of section 181 of the RSA Constitution. The functions of the AG are stipulated in section 184 (1-4).
- ▶ The Public Audit Act becomes the framework guiding how the AG does his work.
- ▶ In the Local Government Audit outcomes 2015/16: AG indicated that there is a failure in oversight and controls in the area of compliance to key legislation in a number of areas, including in procurement (e.g. SCM), leading to increased irregular expenditure.
- ▶ The existence of functioning consequence management systems and people applying them would have ensured that actions are taken for those who failed to comply with key legislations.
- ▶ The AG indicated that 'municipalities should implement consequence management for officials who fail to comply with the applicable legislation, while appropriate and timely action must be taken against transgressors.'
- ▶ The AG said 'without entrenched consequence management systems, the local government audit results are unlikely to change towards the desired state.'

SOCIAL ACCOUNTABILITY

- ▶ Social accountability is defined as “an approach towards building accountability that relies on civic engagement where ordinary citizens and civil society organizations directly and indirectly demand accountability [from government actors]” (Malena, Forster & Singh, 2004, p.1).
- ▶ Social accountability is therefore about the interaction between the people, civil society and government demanding accountability from government for the use of public resources.
- ▶ In leadership roles, accountability should be about acknowledging and taking responsibility for policies, decisions and actions on administration and governance.
- ▶ Accounting Officers are also obligated to report, explain and justify for resulting consequences and take corrective actions.

SOCIAL ACCOUNTABILITY CONTINUATION ...

- Citizens must hold their political representatives accountable to ensure that their socio-economic rights are realised through the maximum use of available public resources.
- Citizens (as clients & right holders) must hold state organs accountable for use and management of public resources to deliver social services.
- CSOs must hold municipalities organs accountable for use and management of public resources to ensure that people's socio-economic rights (as entitlements) make their lives better today than they were yesterday.

Are officials within the Public Service committed to the values of transparency and accountability?

- To be committed to transparency and accountability you need to thoroughly understand these values as an obligations.
- Public officials are expected to provide social services in a transparent & accountable manner.
- Accounting officers understand the need to account better than the rest of public officials
- Public officials understand confidentiality of information in the public service better than transparency.
- 'Confidentiality of information' vs transparency

Continuation....

- ▶ Public officials understand transparency and accountability as values, rather than as an obligation to the client (i.e. Taxpayers) of a government.
- ▶ Public officials do not account because they know accountability as the responsibility of accounting officers (i.e. HoDs, Senior Managers). They understand reporting for compliance and for producing PoE which proves that they have done their work.
- ▶ Officials sometimes do not account because they do not want to.
 - ▶ Currently, nothing happens when you decide not to account (lack of correction actions).
- ▶ May be they do not account, because they do not think that oversight bodies have adequate capacity to give them recommendations that will lead to positive changes.

CONCLUSION

- ▶ WHY SHOULD CIVIL SOCIETY CARE ABOUT THE ACCOUNTABILITY OF PUBLIC OFFICIALS?
 - ▶ Because public officials are hired by taxpayers to provide social services through taxpayers money.
 - ▶ Taxpayers & CSOs have a social accountability responsibility to demand government to account on the use and management of resources acquired through public funds.
- ▶ Since Accountability is an obligation, public officials, at all levels, must be made to understand why they need to deliver social services in an accountable manner.
- ▶ Public officials deserve better clarity on how to be transparent & accountable to the public at the same time keep government information confidential to the public.
- ▶ The Public also deserves clarity from Officials as to why the latter needs to keep government information confidential from them (i.e. client).

List of references

- ❑ Ackerman, J.M. 2005. Human Rights and Social Accountability. Washington: The World Bank, Social Development Papers: Participation and Civic Engagement No. 86.
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- ❑ Malena, C., Forster, R. and Singh, J., 2004, July. The Role of Civil Society in Holding Government Accountable: A Perspective from the World Bank on the Concept and Emerging Practice of “Social Accountability.” *International Society for Third Sector Research Sixth International Conference* (pp. 11-14).