



**UNIVERSITY** *of the*  
**WESTERN CAPE**

MONITORING GOOD GOVERNANCE IN SOUTH AFRICAN LOCAL GOVERNMENT AND ITS IMPLICATIONS FOR INSTITUTIONAL DEVELOPMENT AND SERVICE DELIVERY. A CASE STUDY OF THE SUB-COUNCILS AND COUNCILLOR SUPPORT DEPARTMENT.



Dieudonne Musenge Maloba

Student Number: 3081189

Submitted in partial fulfillment for the requirements of the master of Public Administration degree in the Faculty of Management and Commerce, University of the Western Cape, June 2015.

Supervisor: I. U. ILE

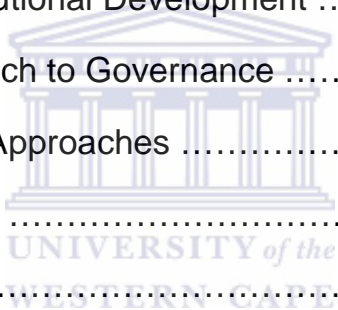
Table of Contents .....	i
Declaration.....	vii
Acknowledgement.....	viii
Dedication.....	x
Abbreviation and Acronyms.....	xi
Abstract.....	xiii
CHAPTER ONE: OVERVIEW AND STRUCTURE OF THE RESEARCH.....	1
1.1 Introduction.....	1
1.2 Context of the Research .....	3
1.3 Purpose and Objectives of the Study .....	8
1.3.1 Purpose of the Study .....	8
1.3.2 Objectives of the Study .....	9
1.4 Statement of the Problem .....	10
1.5 Significance of the Study .....	10
1.6 Delimitation of the Study .....	12
1.7 Definition of Terms .....	12
1.8 Organization of the Study .....	14
1.9 Summary .....	14
CHAPTER TWO: LOCAL GOVERNMENT IN SOUTH AFRICA: A Historical and Legislative Perspective .....	16
Introduction .....	16
2.2 Introduction to Local Government in South Africa .....	17
2.2.1 The Emergence of Local Government .....	17
2.2.2 Historical Synopsis of South African Local Government .....	19
2.3 Legal Framework of Local Government .....	21
2.3.1 Local Government and its Constitutional Mandate .....	21



2.3.2 Local Government and IDPs .....	23
2.3.3 Legal Requirements of Local Government .....	25
2.3.4 Legal Status of Local Government .....	26
2.3.4.1 Original Powers of Local Governments .....	27
2.3.4.2 Assigned Powers of Local Governance .....	28
2.3.5 Constraints of Local Government .....	28
2.4 Fundamental Principles of Local Government .....	29
2.4.1 Basic Criteria for Efficient Public Service Delivery .....	32
2.4.2 Characteristics and Expected outcomes of a Developmental Local Government .....	33
2.4.3 Service Delivery based on the Batho Pele Principles .....	34
2.5 Local Government within the Framework of Institutional Development.....	36
2.6 Governance in the South African Local Government: The Metro City's Strategy for the next five years (2012 -2017) .....	38
2.6.1 The Opportunity City .....	39
2.6.2 The Safe City .....	40
2.6.3 The Caring City .....	40
2.6.4 The Inclusive City .....	41
2.6.5 The Well run City .....	42
2.6.6 Observation on the City's development plan and Governance .....	43
<b>CHAPTER THREE: THE THEORETICAL FRAMEWORK FOR GOOD GOVERNANCE .....</b>	<b>44</b>
3.1 Overview of Governance and its Variables .....	44
3.1.1 Introduction .....	44
3.1.2 Government .....	44
3.1.3 Government and Governmentality .....	45



3.1.4 Notion of Governance .....	45
3.1.5 Philosophical Theories of Governance .....	46
3.1.5.1 Governance in Classical Period .....	48
3.1.5.2 Governance in the Medieval Period .....	49
3.1.5.3 Governance in the Modern Period .....	50
3.1.6 International Perspectives on Governance .....	51
3.1.7 Notion of Good Governance .....	53
3.1.7.1 Public Participation .....	54
3.1.7.2 Accountability .....	54
3.1.8 Relationship between Government and Governance .....	55
3.1.9 Governance and Institutional Development .....	57
3.1.10 South African Approach to Governance .....	58
3.2 Discussion of Relevant Approaches .....	59
3.2.1 Interpretivist Approach .....	59
3.2.2 Institutional Approach .....	61
3.2.2.1 Normative Institutionalism .....	61
3.2.2.2 Rational Choice Institutionalism .....	62
3.2.2.3 Historical Institutionalism .....	62
3.2.2.4 Empirical Institutionalism .....	63
3.2.3 Systems Approach .....	64
CHAPTER FOUR: RESEARCH METHODOLOGY .....	66
4.1 Introduction .....	66
4.2 Research Design .....	66
4.3 The Research Instrument .....	67
4.3.1 In-depth Interviews .....	68



4.3.2 Literature Survey .....	68
4.4 Sampling Technique .....	69
4.5 Sample Group .....	71
4.6 Case Study .....	72
4.7 Data Collection .....	72
4.8 Methods of Data Collection .....	73
4.8.1 Structure of Interview Questions and Design .....	73
4.8.2 Variables .....	74
4.8.3 Independent and Dependent Variables .....	75
4.9 Conclusion .....	76
CHAPTER FIVE: EMPIRICAL SURVEY AT THE METRO CITY OF CAPE TOWN: SUBCOUNCILS AND COUNCILLOR SUPPORT DEPARTMENT.....	78
5.1 Introduction .....	78
5.2 Cape Town Metropolitan Municipality and the Constraint to Good Governance .....	79
5.3 Effectiveness in the Affairs of the City .....	80
5.4 Rule of Law and the Public Officials .....	82
5.5 Accountability and Service Delivery .....	87
5.5.1 Transparency .....	87
5.5.2 Control .....	90
5.5.3 Recourse .....	92
5.6 Participation in the Governance of the City .....	94
5.6.1 The Metropolitan Municipal Council Ward Committees and Participatory Governance .....	95
5.7 Equity and Affirmative Action .....	98
5.8 The City of Cape Town's IDP (2012 / 2013) Review Official Document.....	98

5.8.1 Priority Action Area.....	98
5.8.2 Cape Town’s Challenges and Opportunities .....	99
5.8.2.1 National Economic Conditions .....	100
5.8.2.2 Demographic and Social Change .....	100
5.8.2.3 The Economy .....	101
5.9 Summary .....	101
CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS .....	103
6.1 Introduction .....	103
6.2 Summary of Key Findings and Conclusions .....	103
6.2.1 Core findings and Conclusions of Study .....	103
6.2.2 Good Governance at Local Government Sphere: Conclusion .....	105
6.2.3 The Apparent Dismal Failure of Good Governance in the Post-Apartheid South Africa .....	108
6.3 The Case of the Integrated Development Planning Forums .....	109
6.4 Key Recommendations .....	111
6.5 Conclusion .....	113
Selected Bibliography .....	115



## DECLARATION

I hereby declare that the thesis under the title: **“MONITORING GOOD GOVERNANCE IN SOUTH AFRICAN LOCAL GOVERNMENT AND ITS IMPLICATIONS FOR INSTITUTIONAL DEVELOPMENT AND SERVICE DELIVERY. A CASE STUDY OF THE SUB-COUNCILS AND COUNCILLOR SUPPORT DEPARTMENT”**; is my own unaided work; that it has not been submitted for any degree or examination at any other institution of higher learning and that all primary and secondary sources have, to the best of my knowledge, been acknowledged by complete references. It is being submitted for the degree of Masters of Public Administration at the School of Government/University of the Western Cape.

MUSENGE MALOBA DIEUDONNE



Signature..... Date 15 July 2015

## AKNOWLEDGEMENT

I was highly privileged to be supervised by professor Isioma Ile, who provided me with scientific direction and was always available by her accessibility, guidance and parental heart and for having instilled in me the sense of critical and systematic analysis in Research Methodology as well as throughout this whole essay, to whom I hereby address my sincere gratitude and acknowledgement. For this, I profoundly feel morally indebted.

To all my professors at the School of Government (SOG) through whom I have been scientifically shaped by their respective modules. The nectar of their strong academic stamina throughout the intense difficult academic year has intellectually stimulated and personally fulfilled my purpose.

Without them I frankly could not have come this far and accomplished this academic breakthrough; this academic trophy is theirs and not mine.

Special thanks to my three kids – Henri-Diesse Maloba, Marie-Claire Maloba and Jean-Marc Maloba, for your patience, sacrifices and understanding manifested by your extensive love shown to me as you always smile to me.

To Reverend Apostle Isaac Lenge Baban’jila and Maman Rachel, the simplicity of your grandeur, the spiritual coverage and fatherhood – you are a living role model for me and a source of inspiration.

To Reverend Pastor Abedy Mwamba and maman Claudine in whom I see parental guidance and an umbrella. For your availability, love and support: I would like to say that you mean a lot to me.

My appreciation to the Peniel Community for their undeniable spiritual, financial and moral support through the hard time I encountered with the death of my brother last year. I particularly wish to extend my gratitude to the following persons: Greater Sylvie Nyota “Da”, Gabriella and Lucas Sengambo, Auguy and Carine Ntambo, Thierry and



Dinah Mbaya, Adolph and Anita Luse, Samuel Messu, Bonny and Gina Mbuyamba, Raphael and Monica Mbayo, Bienvenu and Falone, Serges and Yowa, Shiela and Richard, Vicky and Mireille Useni, Bibiche Bea and Sarrah Ngokai, Clarah Kor Kot, Yves Minho , Josianne and Williams Nwembwe, etc you guys have played a major role in my life, I will always remember you and be grateful.

To Olivier de Blois, my employer to whom I feel indebted and acknowledge my acquired skills in international relocations and immigration.

To all Executive Relocations Africa (ERA) staff members, for our intellectual interactions and your continuous assistance. You are now my family!

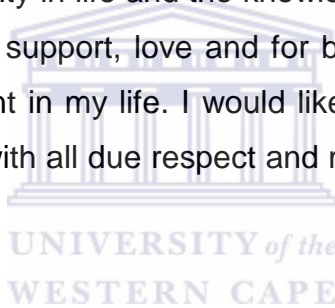


## Dedication

To God almighty, creator of heaven and earth and ultimate source of knowledge and wisdom, I dedicate this work.

To my precious wife Suzanne Maloba, for her complete support as an exceptional wife and without whom I would not have finished this work and for her unconditional love and with whom I went through a lot, even after deceptions of the world around us, she could still show more love. Thanks Sue, I dedicate this work to you.

To my beloved parents, respectively Henri Maloba and Marie-Claire Mukole from whom I got a strong personality, dignity in life and the knowledge of God through Christ Jesus. For your innumerable advice, support, love and for being what you have been to me, and your significant investment in my life. I would like to tell you that no son has ever had better parents than you, with all due respect and much consideration I dedicate this work to you.



I also dedicate this work to my biologic brothers and sisters, respectively Helene Maloba, Veronique Maloba, Mireille Maloba, Arlette Maloba, Jean-Marc Maloba, Daniel Maloba and Mathithia Maloba. You guys are precious gifts to me and your love for me keeps me going.

Finally, to my **beloved late younger brother Jean-Marc Maloba**, who passed away in my arms on the 2<sup>nd</sup> of October 2013 at the doorsteps of my graduation; and whom I love very much, who fought the good fight of faith, ran the race and kept the faith and with whom we shared the similarity of the power of character and strong intellectual stamina. I have no words to celebrate your life and your significant investment in my life. Sorry that I was not man enough to say the best tribute and not lettered in the art to read a poem. It was such a tragic day, but I knew you were peacefully entrusted in the bosom of father Abraham. And, Jean-Marc do you know that the dreams that you dared dream

for me really did come true? I know how proud of me you are seeing this graduation taking place – so unto you I dedicate this piece of work.

### **Abbreviations and Acronyms**

ANC	African National Congress
CDWs	Community Development Workers
DA	Democratic Alliance
DPLG	Department of Provincial and Local Government
E.g.	Meaning
ECD	Early Childhood Development
EDP	Executive Development Program
GEAR	Growth Employment and Redistribution
GVA	Gross VALUE Added
HIVI/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IDPs	Integrated Development Plans
IMR	Infant Mortality Rate
LED	Local Economic Development
LG	Local Government
LGTA	Local Government Transformation Acts
LGWSETA	Local Government Sector Education & Training Authority
MFMA	Municipal Finance Management Acts
NGO	Non-Government Organization
OECD	Organization for Economic Cooperation and Development
PPPs	Public and Private Partnership
RDP	Reconstruction and Development Program
RSA	Republic of South Africa
SA	South Africa
SAPS	South African Police Services
SCOPA	Standing Committee on Public Accounts
SOEs	State Owned Enterprise
T.V.	Television
TB	Tuberculosis

UK United Kingdom  
UNDP United Nation Development Program  
USA United States of America  
USAID United States Agency for Intelligence Development



## **Abstract**

The empowering of local governments in South Africa as engines of national development has been plagued with problems and imbalance related to the ethic and the functioning of the local government machinery itself. The said imbalances are being reinforced by a lack of understanding and consensus as to what democracy is and how it should work. The consequences are widespread corruption and distortions of government priorities; both of which undermine the ability of governments to improve broad-based economic growth and social well-being.

The central problem addressed in this study investigates the extent to what the City of Cape Town's accountability mechanism support good governance and develop institutional development and service delivery.

The researcher is of the opinion that municipalities in their daily endeavours should now be at the sustainable phase which would mean that all policies, systems and procedures are in place for good governance. The researcher further assumes that municipalities should be at this stage capacitated and therefore, are able to fulfil basic institutional mandate of providing basic services and facilitating economic development.

This is a wide subject that different researchers will undertake and provide potential solutions. But for the purpose of this research the following are posited to prevent some developmental issues:

Firstly, a wall-to-wall local government, i.e., a constitutional guarantee that there shall be local government through the jurisdiction of the country. This suggestion has waken up the importance to emphasize the distinction and independence of each local government. The only challenge within and between local government, is seen by a politico- administration dichotomy which historically has always been an issue in public administration. As a matter of facts, there is interpenetration between the role of political and the one of administrative leadership as one can't separate them in practice since officials also play important role in policy development.

The effectiveness of Ward Committees for institutional development in reflecting on the best practice at the operational level rests on the need to capacitate the said formed ward committees in terms of skills equipping to maintain a world class service standard. The author posits that, this will do away with incompetence at local level and will promote efficiency and effectiveness in the fulfillment of daily tasks. Furthermore the following should be considered:

1. There should be a provision of adequate resources; this will enable officials to perform their tasks.
2. There should be a display of less politics or noninterference from politicians in the administration; this will avoid encroachment and mismanagement while enhancing proper accountability principles.

Secondly, local government should maintain democratic elections, i.e., an electoral system that mixes proportional representation with ward representation as the best basis for local government councils. A wide array of information collected on this level from respondents posited that local government should only have ward representation although full time councillors found it difficult to perform both functions because of high demand from the community and from their job. This should maybe be rated at 90% to 10% rather than 50%.

Finally, emphasis should be on financial decision-making power i.e., municipalities should be creatures of the Constitution rather than creatures of statue. The formal local government only entrusted service delivery powers to local government. Municipalities were not developmental in nature. However, the current local government is expected to be developmental. This turns its focus on top of its daily routine, to economic development. It is only then that one can maintain that local government powers are relevant to the development mandate.



UNIVERSITY *of the*  
WESTERN CAPE

## CHAPTER ONE:

### OVERVIEW AND STRUCTURE OF THE RESEARCH

#### 1.1 INTRODUCTION

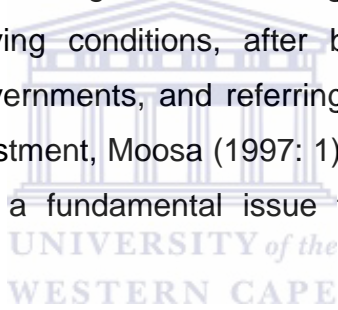
The issue of good governance in South Africa is central to the government's mechanism for poverty alleviation efforts and for stimulating the effective implementation of development which reflects institutional development and service delivery through local government. The transfer of power to the national government and confidence in it through a first "fair and transparent" election in 1994 was new grounds of hope for good governance and development in South Africa as the country was introduced to the rules and practices of democracy. One of the biggest challenges the new government had to face was enshrined in the fact that governments are increasingly being called upon to demonstrate results and that it is expected of them to demonstrate that they are making a real difference in the lives of their respective societies and that value for money has been delivered, thus, the call for a strong mechanism that will lead to social change in the country led to the empowering of local governments. Layman (2003: 12) establishes that "the municipal election of December 2000 brought the final transitional phase of local government to a close with the establishment of 284 fully elected municipalities. Local government is now positioned as a key site of delivery and development and stand to the entire transformation project of post-apartheid South Africa".

It is known that the transfer of power and autonomy to local governments should be new ground for development and a point of creating social change in the new South Africa striving for democracy. The reason being the fact that the new vision of local government encompasses more responsibilities and objectives than its predecessor, which was restricted to regulatory and service provision only. The South African Constitution entrusts local governments with developmental goals, organized from priorities to the basic needs of the local community to promote social change in the country. This entails the enlargement of the scope of power conferred to local governments in the promotion of economic, political and social development of local



communities, etc. Thus, the performance of local government will therefore be judged as the genesis for promoting local, regional and national development, and especially for the creation of social change while striving to alleviate poverty.

Given the above, it is important to note that the Constitution calls for a robust local government system, which is able to fulfill governmental responsibilities enshrined in the municipality's mission it encompasses such as; democratic and accountable government for local people; ensuring sustainable service delivery to communities; to bring about social change for undeniable development and improvement of people's lives; to provide a sound safe and healthy living environment; and to encourage the involvement of communities and community organizations in the responsibilities of local government (Act No. 108 of 1996: 81). Considering the new role of local government as a developmental local government being entrusted by the population to uplift their daily lives and living conditions, after being severely deceived and disadvantaged by previous governments, and referring to the large-scale grassroots linkages and infrastructure investment, Moosa (1997: 1), as quoted in the White Paper on Local Government, raises a fundamental issue that we will elaborate in the following lines



“Local government is at the heart of development in South Africa. Through its grassroots linkages, infrastructure investment programs, local economic development strategies, partnership with the private sector and integrated development plans; local government is the public's best service delivery agency to have a direct and sustainable impact on the lives of its citizens. The Constitution and local government legislation give municipalities significant powers to meet these challenges, but these powers mean nothing without the capacity and resource to implement them.”

The author agrees with Moosa (ibid) who further maintains that the instrument toward meeting the goals of developing local governments spelled out in Chapter 2 of the Constitution will be a myth without a capacitated generation of local officials at the municipal level within the framework of a local government management system. Entrusted local governments, henceforth adopted by the constitution, are a possibility of take – off at the reach of all But social change in South Africa requires

consciousness, political will and a commitment to work hard by all community leaders in order to correct all imbalances observed within the society (here referred to local communities) such as, the sharing of the national wealth within the regional and local communities, unemployment, injustice, racism, professional incompetence and poverty, previously implanted through the old national policy. It implies that making South Africa a ground of development where the weather is nice doesn't mean the utopia when one considers the assets which this country presents, in particular the resources, both institutional and human in its range, remained many decades unfairly exploited and distributed. However, this requires a vision by the leaders that is ambitious as well as realistic, supported by an irreversible determination and animated by the immeasurable love of the fatherland.

## **1.2 CONTEXT OF RESEARCH**

The South African environment has experienced political, economic and ecological impaired and turmoil situations (Rhodes University publication, 1996: [http://www.ulsf.org/pub\\_declaration\\_parvol13.html](http://www.ulsf.org/pub_declaration_parvol13.html)). It has been observed that the state of turbulence aroused from the increased intensity of causal interconnections between different facets of the environment, intensified by the actions of interlinked organizations. The characteristics of the turbulent environment are expressed by elements such as complexity, rapid change and a high level of uncertainty. Remarkably within the South African society, the causal interconnection between political, cultural and socio-economic factors is deepening. As a result to the above-mentioned causal interconnection, the South African government adopted a systematic and phased approach to local government (LG) transformation in 1994, which can be broken down into three classical periods that can be postulated in the following manner:

### **1. Pre-interim phase: 1994 – 1995**

A pre-interim phase is described as the period of time between the promulgation of the Local Government Transformation Acts (LGTA) and the date of the elections for transitional councils. The Greater Pretoria Metropolitan Negotiating Forum introduced

the pre-interim phase applicable to local government and administrative structures in South Africa. From that forum resulted an agreement pertaining to the identification and the definition of powers, duties and functions of the Greater Pretoria Metropolitan Council. The area of jurisdiction of the council was promulgated by the Premier Proclamation No 38, 1994 (Greater Pretoria Metropolitan Council, 2000:4).

## **2. Interim phase: 1995 – 2000**

The interim phase is seen as the period stretching from the date of elections of transitional councils to the legislation and implementation of 'final arrangements' for local government. This phase commenced in November 1995 when South Africa communities in the Greater Pretoria Metropolitan area elected their political representatives on the following metropolitan government structures:

- Greater Pretoria Metropolitan Council;
- City Council of Pretoria;
- Centurion Metropolitan Local Council; and
- Northern Pretoria Metropolitan Substructure.

Towards the end of the interim phase, South Africa progressed to local government elections in December 2000 (The Greater Pretoria Metropolitan Council, 2000: 6). Moreover, based on the Demarcation Act, (Act 27 of 1998) changes took place in the administrative structures and the area of jurisdiction was extended due to the demarcation process provided for in the Local Government Demarcation Act. Thus, the geographical features of different local government bodies were determined when all the stages in the transformation of local government were finalized.

## **3. Final phase: 2000 – beyond**

In this phase, the LGTA foresaw the bedding down of municipalities elected within new boundaries and in terms of new South African legislation. This final phase has been broken down into three different components:

The first two phases (*the establishment phase: 2000 – 2002 and the consolidation phase: 2002 – 2005*) culminated in the first democratic local government elections on

the 5th of December 2000. These elections heralded the start of the final stage of transforming the local spheres of government. The demarcation process resulted in the establishment of six metropolitan municipalities, 231 local municipalities and 47 district municipalities. It is important to acknowledge that the levels of complexity that the institutionally changed new municipalities were required to achieve were indeed vast and fraught with difficulties.

The final phase (*the sustainability phase: 2005 – beyond*) is where the South African Government sought to strengthen policy frameworks necessary for service delivery.

In light of the above, municipalities should now be at the sustainability phase which would imply that all policies, systems and procedures are in a harmonic operation. Obviously this bears the implications that municipalities have been empowered already and therefore, are already fulfilling their developmental mission of providing basic services and facilitating economic development. As a matter of fact, the following evidence will demonstrate that most municipalities are, in reality in serious doldrums struggling with the fulfillment of their mandate at the expense of service delivery and social change. Yemeki (2005:14) demonstrates that poverty in South Africa is still deepening and coupled, on the one hand, with a great disparity in living conditions and in access to both services and national resources, and, on the other hand, with extreme vulnerability in households and communities. He argues further that South Africa is a middle-income country, but a large proportion of the population (48.5% in 2002) is poor, or vulnerable to poverty. According to the Human Development Report (UNDP, 2003: <http://www.undp.org.za/NHDR2003.htm>) the percentage of the population living below one US dollar per day has increased from 9.4% in 1995 (3.7 million people) to 10.5% in 2002 (4.7 million people). The rate has increased for all ethnic groups in South Africa and also for all of the provinces.

In the pursuit of effectively meeting the assigned goals enshrined in the first two phases (the establishment phase: 2000 – 2002 and the consolidation phase: 2002 – 2005), Thabo Mbeki officially launched in his 2004 State of the Nation Address, Project Consolidate (Mail & Guardian, 2007).

The Government in 2004 conducted a capacity assessment of all 284 municipalities to determine those that required intensive support through Project Consolidate. The effectiveness and efficiency of this assessment laid an approach perused in all the five key performance areas: Institutional Development and Municipal Transformation, Financial Viability, Local Economic Development, Basic Service Delivery and Good Governance.

It is important to notice the analysis outcome of the Institutional Development and Municipal Transformation performance area, which shows:

- A lack of accountability mechanisms to ensure that managers fulfill their tasks. This implies that within the framework of municipal government, workers know that there is no system to hold them accountable for their actions;
- A disturbing range of performance agreements have not been conducted; where a number of performance agreements have been conducted, it lacks relevance to the development challenges faced by the local government;
- In terms of financial accountability, in some cases, managers get performance bonuses before or without any performance appraisal has been conducted;
- A considerable range of municipalities have outsourced organizational development issues to the extent that organizational structures do not relate to the delivery challenges that they face;
- Widespread labor disputes resulting in organizational dysfunction and poor service delivery. We further observe municipalities that do not have appropriate procedures to deal with the disputes.
- An alarming disparity resulting from the political deployment of inadequately skilled people and the subsequent lack of support for officials or professional development plans.

In addition, the study conducted on municipalities by LGWSETA in 2003 regarding the management and technical capacity and capability revealed that:

- The lack of service delivery in municipalities results partly from critical problems they face in acquiring and retaining the skills of professionals, senior management and technicians;
- Municipalities have a high turnover of professionals and other categories such as managers, officials and skilled workers;
- Local governments present four principal causes for the high turn-over of staff respectively, remuneration, development and career enhancing opportunities, recognition of staff opportunities and the way people are managed.
- Furthermore, toward the end of 2005, the Department of Provincial and Local Government conducted a five year review of local government. The purpose of the review was:
  - To monitor and evaluate the outcomes of lessons arising from the first term of local government for achieving a fully viable and consolidated government system in the second term;
  - To reflect on progress in the Project Consolidate and lessons learnt that must inform local government policy refinement;
  - To focus on selected areas of practical and policy intervention with the greatest potential for improving municipal performance and creating a better life for all South Africans.

It resulted from the review undertaken by the Department of Provincial and Local Government that not only positive outcomes were experienced but also negative ones.

It looked like the key positive finding on interviewing municipal councillors and officials is that they all affirmed the importance of public participation for accountability and transparency in local governance. Obviously, this first finding gained credit after revising the old experiences of the exclusionary planning process at the local level under apartheid, and the plan set to avoid it. Whether this political will extends much beyond meeting the requirements of their job to a 'genuine passion' for public

participation is still to be seen. While councillors and officials did not share just one understanding of participation, they did generally see it as about some kind of involvement of communities, political parties and other stakeholders like civil society. Furthermore, they also knew that there existed significant constitutional and legislative requirements for public participation at local government level. Most were able to identify these as including the budget process, IDPs, performance management, ward committees, ward councillors, community-based planning, CDWs, and *izimbizo* or public meetings (Imraan et. al., 2007: 9).

However, the negative side shows that public participation mechanisms are generally poorly or at least unevenly developed. The mechanisms that were covered in the interviews included public consultation processes (the budget, IDP, performance management systems, in addition to ad hoc *izimbizo*'s), structures like ward committees and organizational issues like the establishment of public participation units, and the role of CDWs. While respondents generally recognized that there was room for improvement, they tended to attribute shortcomings to a lack of support from national and provincial government in terms of policy guidelines, money to pay for public participation, and training and support to implement new policies. They also raised issues about the inefficient design of local government systems (Imraan, David, Laurence, and Janine, *ibid*).

### **1.3 PURPOSE AND OBJECTIVES OF THE STUDY**

#### **1.3.1 PURPOSE OF THE STUDY**

The purpose of this study is to determine the extent to which accountability systems (financial, organizational and individual) are effective in the Metro City of Cape Town. This study seeks to identify and explore the main factors that pose challenges in the pursuing of good governance in local governments for institutional development and service delivery. This research will also identify interventions that have been envisaged to ensure good governance in local governments for social change.

The researcher is of the opinion that municipalities in their daily endeavors should now be at the sustainable phase which would mean that all policies, systems and

procedures should be in place for good governance. The researcher further assumes that municipalities should at this stage be capacitated and therefore, able to fulfill the basic institutional mandate of providing basic services and facilitating economic development. Since the expected development is not being fulfilled, the researcher, through his findings, intends to make this study useful and available to all spheres of local government for policy purposes.

### **1.3.2 OBJECTIVES OF THE STUDY**

With the background presented above, the main aim of the study is to explore the nature and state of accountability systems with particular reference to institutional development and service delivery at local government level in Cape Town. This is against the backdrop of interventions that have been implemented and it will appear that these interventions struggle to meet their objectives of improving the livelihoods of local people. In exploring this, specific reference is made to the Metro City of Cape Town in the Western Cape Province.

Within the ambit of the purpose, the secondary objectives of the study are set out as follows:

- Outline the conceptual and theoretical framework for local government in South Africa;
- Assess the background to the development of the current LG system in South Africa post 1994;
- Identify and review accountability mechanisms at local government level, specifically at the City of Cape Town;
- Based on the review of selected projects in the Metro City of Cape Town, this study examines key opportunities and factors that impede accountability attainment of local government objectives and;



- To draw conclusions and recommendations on improving local government accountability and its implications for public delivery in the Metro City of Cape Town.

#### **1.4 STATEMENT OF THE PROBLEM**

The empowering of local governments in South Africa as engines of national development has been plagued with problems and imbalances related to the ethics and the functioning of the local government machinery itself. The USAID (2008:7) has conducted research on understanding Southern African decentralization, which showed that imbalances are reinforced by a lack of understanding and consensus as to what democracy is and how it should work. The consequences are widespread corruption and distortions of government priorities; both of which undermine the ability of governments to improve broad-based economic growth and social well-being. Problems such as fraud, corruption, delays in delivering services, demagogic speeches on unattainable goals, as such happening, continues to prejudice communities where municipalities have embarked on poverty alleviation efforts. Citizens, are no longer solely interested in the edition of new laws and reformed projects but rather in services rendered.

In the section above, based on the background and context of the study, the researcher has attempted to bring to the realm of human understanding the different intricacies and challenges that the new local authorities face in South Africa. In the course of the current section pertaining to the statement of the problem, he summarizes the research problems in the following question statement:

*To what extent does the City of Cape Town's accountability mechanism support good governance and with appropriate institutional development for improved service delivery.*

It is thus, within the ambit of the clearly set-up parameters of the above-mentioned problem statement and the objectives of the research herein postulated that this study will be conducted.

## **1.5 SIGNIFICANCE OF THE STUDY**

This research is important in its attempt to investigate challenges that are faced by local government in the implementation of institutional development and service delivery with specific reference to good governance. The statement of the problem indicates that there is a need to investigate the operational process and explore the experiences of local government. The result of the research will hopefully contribute towards informing the development, adoption and improvement of systems and practices which facilitate the efficient operation of local government.

The research, therefore, should further contribute to efforts undertaken in the implementation of development institutions in local governance as well as improving service delivery for social change in South Africa.

Moreover, the author notices three additional practical contributions that this study will provide. Given the fact that local government is set close to the people, its primordial vision is to work with local communities to find sustainable ways of service delivery for an undeniable social change. In its endeavor to pursue satisfactory service delivery within the community, the short-term contribution will outline the perceptions of two major stakeholders, namely councillors, civic organizations and ratepayers associations on the constitutional rights of local government that entail:

- The reinforcement of transparency at local government level that displays a state of democratic and accountable government for the local community;
- Maintain sustainability of services provided to communities;
- Revive both social and economic development as well as promote a safe and healthy environment; and
- Encourage and motivate communities and community organizations to be engaged in the matters pertaining to local government.

The medium-term significance of this essay is firstly positioned in the contribution towards strengthening the capacity of councillors and civic organizations as well as ratepayers associations in all participative processes; and secondly the long-term importance` is to suggest a plan towards promoting institutional development against the backdrop of service delivery within the Metro City of Cape Town.

Finally, it will be expected that the institutional development model aligned alongside service delivery from this research, will leave a springboard for other researchers interested in the challenges faced by local governments and their implications for institutional development and service delivery in South Africa with specific reference to good governance.

## **1.6 DELIMITATIONS OF THE STUDY**

There are two delimitations to the empirical study, namely:

### **1.6.1 TEMPORAL DELIMITATION**

The study is taking into account the dimension of time from 1994 to 2013.

### **1.6.2 SPATIAL DELIMITATION**

The study will explore local government in South Africa and employs the Sub-councillors and Councillor Support Department at the Cape Town Metro City.

In as long as attention has been given in drawing the sample, only directors and managers will be interviewed in the Metro City of Cape Town as well as the experts in the field discussed.

Although the study is limited to one municipality, it is hoped that it will provide significant insights into the implementation of institutional development alongside service delivery with reference to good governance.

## **1.7 DEFINITION OF TERMS**

The following are the key terms in this research:

**Government** – Williams (2009:22) maintains that “The terms ‘government’ refers to the dominant role of the state in directing the distribution of public goods...” This means that government refers to the three institutions that govern the affairs of the country, which are: executive; legislature and judiciary. These institutions are in essence distinct and autonomous, yet supportive.

**Developmental Local Government** puts forward a vision of developmental entities or local government, which centers on working with local communities to find sustainable ways to meet their needs and improve the quality of their lives.

**Governance** is wide and means more than government. It is the style of interaction between a government and the society that it governs (World Bank 1994). Olowu and Sako (2002:37) define this concept of governance as “a system of values, policies and institutions by which a society manages its economic, political and social affairs through interaction within and among the state, civil society and private sector”. Governance is then seen as the exercise of political, economic and administrative authority to manage nation’s affairs. Furthermore governance refers to the complex mechanisms, processes, relationships and institutions through which citizens articulate their interest.

**Good governance** is conceptualized here as the achievement by a democratic government of the most appropriate developmental policy objectives to sustainably develop its society (Cloete 2000). This is done by mobilizing, applying and coordinating all available resources in the public, private and voluntary sectors, domestically and internationally, in the most effective, efficient and democratic way.

**Institutional development:** Ever since the world has been populated by human beings, arrangements have been made for governing their lives. These arrangements are often referred to as ‘institutions’. These arrangements could be divided in two categories. **Formal arrangements**, such as legal systems and property rights, or **informal arrangements**, such as moral standards. Institutional development refers then to any formal or informal arrangement made by a society to reach development. These institutions operate at different levels, ranging from an international level (such

as trade arrangements) to community and individual levels (for instance, the values that determine the way in which people interact with each other).

**Local government:** refers to more decentralized spheres of the country entrusted with the functions of government as stated above but with some limitation compared to national government (e.g. municipalities). A plethora of definitions is developed to bring to a common understanding the perception of local government. The author maintains the definition given by Ismail et al., (1996: 3) who argue that local government stands for "...a sphere of government which is demarcated as a decentralized institution, and that shares "delegated competencies" devolved to it in terms of the Constitution". Local government refers then to more decentralized spheres of the country entrusted with the functions of government as stated above but with some limitation compared to national government (e.g. municipalities). In the perception given by Coetzee (1985: 26) local government refers to the management of cities, towns, villages and geographically organized communities. It is established that the Act 108 of 1996: 40 (1) of the Republic of South Africa (1996) confers to local government a distinctive legal feature as a sphere and partner of the national and provincial governments.

**Monitoring:** Supervising on going activities to ensure they are on-course and on-schedule in meeting the objectives and performance targets.

## **1.8 ORGANIZATION OF THE STUDY**

The study consists of an Introduction (Chapter 1) followed by an overview on local government in South Africa (Chapter 2). Besides, a framework on governance, within the context of South Africa and with regards to the principles of good governance, cooperative governance, supervision and accountability has received attention (Chapter 3). Chapter 4, as is always the case with all empirical studies, discusses the methodological orientation. This has been followed by an analysis and presentation of research findings entitled "Empirical survey at the Metro City of Cape Town: Subcouncil of Implementation and Cooperation" (Chapter 5). And last but not least, recommendations are made and concluding remarks provided (Chapter 6).

## 1.9 SUMMARY

This study critically traces the transition from apartheid to the new democratic arrangements in South Africa with particular reference to local government being at the heart of social transformation and institutional economic development. Preliminary, this study will be developed on the basis that local government being an independent sphere in the government partnership, is tasked with functioning co-operatively with national and provincial governments; and in embracing a developmental character to deliver local services and alleviate poverty. New legislation has mandated local government to consult community and community organizations on local matters.

The new Constitution of South Africa has been shown as a visionary document calling for a breakdown from the past and establishing a new democratic state that is integrated in the world order. The Constitution initiated the development of policy and legislation for the achievement of its goals. The key ideas include effective and efficient government as well as economy in service delivery. Institutional development and municipal transformation, and basic service delivery have been highlighted as part of the five performance phases identified by the assessment pilot study for local government.

The chapter also illustrated the key themes of the research methodology adopted in the essay. The study is guided by the basic principles of scientific research. Precaution was taken to ensure that where inherent limitations were apparent, the best alternatives were chosen so that the concepts under study were conceived in its scientific abstractness, logic and rationality. An attempt has been made to ensure that there is little room for misinterpretation and misjudgment in the final findings and conclusion of the study.

## **CHAPTER TWO:**

### **LOCAL GOVERNMENT IN SOUTH AFRICA: A HISTORICAL AND LEGISLATIVE PERSPECTIVE**

#### **2.1 INTRODUCTION**

The literature review is discussed in chapter 2 of this study for the purpose of meeting the academic criteria. It is considered as a benchmark for theoretical and empirical grounds for the conceptualization of this essay. A literature review in social science is of a greater importance as it enables the researcher to familiarize with studies that are similar to the one being undertaken. It eventually allows connecting the research more specifically and concisely to the broader discussions on the subject matter, filling in gaps and referring to other studies upon which the provision of the study can be compared with other findings (Creswell, 1994: 21).

In this study, the literature review provides relevant information on the nature, processes and practice of local government as instrument for institutional development in general, and service delivery initiatives and processes at local government level in particular. The literature links the study on international best practice in investigating the challenges of good governance in the South African local government and its implications for institutional development as well as service delivery processes with specific reference to the City of Cape Town by making reference to selected case studies in chapter 7 of the South African Constitution.

A wide array of information exists on local government as developmental instrument in federal systems and good governance as a prelude to institutional development management at local government level within the framework of a decentralized dispensation by South African and international scholars. It is maintained that the information will serve as a source of well-founded theoretical critiques on such experiences. In the South African context, scholarly discourses on forms of institutional development models aligned alongside service delivery initiatives at local government level is still in its infancy stage. Consequently, a limited collection of policy documents and research literature exist in institutional development and municipal transformation, and this will stimulate further research on this matter. Hence, the exploratory nature of the study has the potential to advance new theory, interpreting the significance of the phenomena within its social and political context in the country and more importantly giving voice to the importance of upholding the principles of institutional development within the framework of municipal transformation in a form of service delivery at the local sphere level.

## **2.2 INTRODUCTION TO LOCAL GOVERNMENT IN SOUTH AFRICA**

### **2.2.1 THE EMERGENCE OF LOCAL GOVERNMENT**

All development strategies utilized to produce an efficient and effective LG are translated by LED which finds its roots some decades back early after the Second World War. As a matter of fact, the consequences of the world war of 1945 presented in the form of world crises remaining an intriguing phenomenon, due to its intensity and duration, which developed many social and economic impasses such as the rise of unemployment, economic inflation, endemic and epidemic medical conditions never experienced before, etc. Yet, the world crises struck differently in different regions of the globe. As a response to the crises, the macroeconomic policy instrument which had been established to boost the economy nationally and internationally seemed to have reached inherent limits by having become bias in protecting the interest of dominant nations and world institutions. Bond (2006: 3) posits that Africa is poor mainly because it is exploited by the powerful and because “African rulers keep their



people tied into a system of global power (which they don't master), accumulation and class struggle..."

Therefore, the overwhelming changes in the organization of production, the expansion of international trade as well as the disequilibrium between the law of offer and of demand have increased the inefficiency and ineffectiveness of nation's regulatory structures and institutions. To find a way out of the persisting crises, different countries have adopted free market policies in order to attract new investment to boost national economic development. Since transnational corporations have not been effective, regions, localities and individuals within such settings were striving to create alternative economic possibilities that could suit their needs and could protect their local interests. Within such circumstances, LED became a vast field of experiments to be explored not only as an alternative economic model but also as a complementary model to overcome the weaknesses inherent in the conventional economic approach which seems to allot economic resources and processes through dominant world interest groups (Demaziere, 1995: p. xii and Baylis and Smith, 2005: p. 646).

LG is made efficient and effective through LED, which is a relatively new development strategy in the world and currently in South Africa. LG as development emphasis has been practiced for a while in wealthy countries around the world (e.g. the USA and the UK, then extended worldwide). As quoted by Minister Mohammed Valli Moosa in the White Paper on LG (1998: 6) to mention the place of LG in the heart of the national economic development, South Africa has been given a rare and historic opportunity to transform LG to meet the challenges of the next century. Although LG would, until 1999, remain subject to the precepts of the transition process as regulated by the LG Transition Act, 1993, the new Constitution envisaged a complete transformation of the local government system. In terms of the new Constitution, LG is a sphere of government in its own right and no longer a function of national or provincial government. LG has also been given a distinctive status and role in building democracy and promoting socio-economic development. This expresses the full empowering of LG as institutional development in South Africa selected by the national

government to meet developmental goals (e.g. service delivery and entrepreneurial strategies throughout communities).

While the motives behind adopting LED strategies as institutional development for both developing and developed countries are many and varied, Nel (2001:1004) assimilates this move to “the so-called development impasse”. More precisely this rose as an immediate outcome of the slump in the economic growth of developed countries after World War 2 (Geddes, 2004) to promote the release of the economy at an exponential rate after the war. The downward spiral of the economies of these developed countries in collapse placed a lot of pressure on governments to become more entrepreneurial in order to resolve this impasse. According to the Municipal Services Projects (2001), the decline in economic growth in the global economy, which started in the 1970’s, necessitated local authorities to be proactive to satisfy the needs of each respective community and to attract new investments.

Moreover, having realized the ineffectiveness of the top down planning policies and governments’ initiatives pertaining to social change (the Municipal Services Project, 2001), governments were forced to make some changes in their strategic policies bringing forth a policy shift that focused on targeting disadvantaged and undeveloped areas. The ideal in policy shift was to create favorable conditions such as subsidies and grants, aimed at luring investors to areas that were once deprived of direct investment and subsequent economic growth and socio-economic development in the national sphere. This approach was known as “smoke-stack chasing”. However, this approach never reached the expected social change. Instead, Ewers and Allesch (1990, in Nel, 1994) argue that it was a total failure and describe the shift policy as an expedition that left behind “cathedrals in the desert”. Nel (1994) advocates further that, while private investors remained reluctant to invest in poor areas, it resulted in a situation where these LGs had to make a policy shift. The shift focused on local leaders and members of the communities playing a more pro-active role in determining the form and content of LED initiatives. In Britain and other global leading countries, the notion of community-based bottom-up LED became really prominent and widely acceptable in the early 1980’s (Turok, 1989 in Nel, 1994).

## 2.2.2 HISTORICAL SYNOPSIS OF SOUTH AFRICAN LOCAL GOVERNMENT

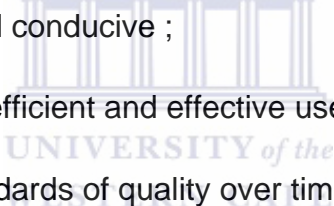
The draft and promulgation of a new constitutional law in South Africa on the 27 April 1994 implied that the old law representing the apartheid law had to undergo fundamental reforms and transformation in all the dimensions of its previous functioning. The transformation process was not targeting only the reform of national or provincial structures of government, but rather the entire governmental machinery comprising the national, regional and local government sphere within South Africa had to be transformed in order to adapt to the new constitutional mandate post-apartheid. The transforming process carried on as the new Constitution and a novel system of parliamentary sovereignty and supremacy came to replace the Interim Constitution. As a matter of fact, we mention among the most important features in the said new Constitution, “the Bill of Rights”, which is applicable to all law of the land, in which the rights of all the people in the country is recorded (Republic of South Africa, Act No. 108 of 1996). It is observed that the apartheid system characterized by a centralized form of government is replaced by a system grounded on a decentralized form of government in which important and consistent powers and functions are devolved to provincial and local governmental authorities. Furthermore, the final constitution which completed the negotiated framework of transformation, lay the ground for a new governmental structure rooted in three spheres, which are distinctive, interdependent and interrelated (South Africa, Act No. 108 of 1996: S 40 (1)).

The democratic government, elected in 1994, faced the task of transforming a society built on centuries of racial segregation and apartheid, resulting in wide disparities in levels of income and development (Layman, 2003: 12). The impartiality within the South African system manifested through a race-based municipal dispensation, an unequal access to resources and a lack of both provision of services and resources to local inhabitants, have for many decades defined the South African society. The racial segregation or discrimination and the later more defined apartheid policy of the National Party government has made a negative imprint on human settlement patterns and municipal and other institutions in South Africa. In order to comprehend, monitor, evaluate and contribute to the new transformation that local government is

called upon, a basic understanding is required of the historical mission of local government.

We maintain that the best governmental mechanism for undeniable social change and fulfilment of developmental local government is a shared decision-making process between the government and civil society.

The government is not a unique political actor on the national, regional or local scale, as a matter of fact the state, civil society and the bureaucracy make up the whole government. These three must work in relationship based on norms given by governance to insure good governance. This is only possible through the institutional development and capacity-building that will bring about effective, efficient and expected service delivery of services at the local level in a manner that improves the lives of communities. It is stipulated in the Constitution that municipalities should ensure that their services are provided in a way that is:

- 
1. Equitable, accessible and conducive ;
  2. The prudent, economic, efficient and effective use of available resources;
  3. The improvement of standards of quality over time;
  4. Financially sustainable; and
  5. Regularly reviewed to upgrading, extension and improvement.

It is obvious that the instrument towards social change called 'local government' while pursuing its endeavor (development goals of communities) and following the above-mentioned constitution stipulations or achievements, requires that the powers and functions of local government remain exercised in a way that has a maximum impact on the social and economic development of communities, especially alleviating poverty and promoting and sustaining local economic growth.

## **2.3 LEGAL FRAMEWORK OF LOCAL GOVERNMENT**

### **2.3.1 LOCAL GOVERNMENT AND ITS CONSTITUTIONAL MANDATE**

Though local government could be seen as an enabler organ in government rather than only a provider of services, the nuance of distinction between local government as a system for ensuring efficient service delivery and local government as a system of democratic governance is not clear cut. This is due to the fact that local government as enabler still has to determine the range and standards of services that its community requires (Galligan, 1998:204).

Local government has however been entrusted with autonomy and power to perform the delivery of services in a way and manner that satisfies the respective communities and that brings about local economic development. This power and autonomy granted to local government are stipulated in Section 152 and 153 of the Constitution of South Africa, Act 108 of 1996.

It has always been the national mandate of the ANC to ensure public services for the population it governs. The public rights of citizens are ensured by the South African Constitution. The Bill of Rights elaborates on the definition of public services by pointing out to what it refers to, being: the access to housing, water, sanitation, waste management, refuse removal, electricity, education, social welfare, nutrition, and health (SA, Act 108 of 1996). The responsibility pertaining to the fulfilment of these socio-economic rights is conferred on the government with its components; knowing that the government is not a unique political actor on the national level, as a matter of fact the state, civil society and the bureaucracy make up the whole government.

Schedule 4 and 5 of the Constitution spell out these rights from the priority needs to the basic needs, from the functional areas of concurrent national and provincial legislative to the functional areas of exclusive provincial legislative competence. With regards to the above-mentioned Schedules, the services provided by local government will entail covering a wide range of public needs such as water supply; sewage collection and disposal; education and professional training or formation; refuse removal; electricity and gas supply; municipal health services; municipal roads and storm water drainage; street lighting; and recreation. However, it is well known that the Constitution acknowledges that local governments may not have the necessary resources to meet all of these public needs simultaneously. Therefore local

governments are requested to strive, within its financial and administrative capacity, to achieve its goals by taking reasonable legislative measures, based on the resources available, in order to achieve the progressive fulfilments of each of these rights (SA, Act 108 of 1996).

Given the legal frame of South Africa from the Constitution's (1996: S1) point of view, South Africa is described as a sovereign and independent state of law, bearing a huge concentration of power on national level. Consequently, the Constitution entrusts all competence of legislature to the national sphere of the Country unless granted expressly on a specific matter to provincial or local level (RSA, 1996: S43).

The author notes that the law-making provision set for provincial and local government within the ambit of the legislature right is well controlled and secured by the Constitution of South Africa. This is reflected expressly by the legal framework in the South African Constitution which has been constructed in order to secure the division of powers and functions amongst different spheres of government. The South African Constitution has respectively maintained two specific aspects pertaining to the allocation of functions or power: The first aspect deals with the determination and attribution of different functions. The second aspect deals on the one hand with processes that determine relevant aspects within and between different spheres; and on the other hand it deals with the role played by sub-national units.

### **2.3.2 LOCAL GOVERNMENT AND IDPs**

The place of local government in the South African government is of actuality in debates related to promoting and boosting development in the Country (SA, 1994). The shift in the perception of local government from a simple service provider and regulator to a key developmental organ of the government is portraying an image of higher expectation than its previous role. It was for the purpose of correcting the socio-economic imbalances of the old system and of creating social change that local government has been entrusted with a new mission (SA, 1998).

The South African Constitution as well as the White Paper on Local Government (SA, 1998) entrusts local governments with developmental goals, organized from the priorities down to the basic needs of the local community to promote social change in the country. This entails enlarging the scope of power conferred to local governments into the promotion of economic, political and social development of local communities. Thus, the performance of local government is therefore seen as the genesis for promoting local, regional and national development, and especially for the creation of social change while striving to alleviate poverty.

The role and importance of local government is like a cornerstone for architecture within the South African government. This importance relates to uplifting citizens' lives, delivering accurate services to local communities as well as redressing diverse imbalances created by the old South African system (SA Municipal Systems Act 32 of 2000: preamble). The particularity in terms of importance attributed to local government rests on its pursuing of social change and tenacity to seeing service delivery within the ambit of the "Bantu Pele" (people first) principles (RSA, Act 108 of 1996). The government is subdivided in three different spheres, national, provincial and local. Socio-economic duties of the South African Constitution have been agreed upon and conferred to local government. The interconnection between the three spheres arises from the impact one has on the other. Consequently, the author posits that a positive development of the local government will undeniably impact the development of both the provincial and national sphere.

In order to reach the developmental goals enshrined in the roles of local government, the Integrated Development Plans have been constructed as vital instruments for local economic development. The White Paper on Local Government explicitly posits that "the Integrated Development plans (IDPs) provide powerful tools for municipalities to facilitate the integrated and coordinated delivery within their municipalities" (RSA, 1998: 19). The Constitution acknowledges the vital place of IDPs within the national and local economy which is presented as pillars of local economic development in pursuing social change (DPLG, 2000a).

It is important to note that there are many departments within a local government and their integration is important in developing an IDP (DPLG, 2000b). The White Paper on Local Government with other prominent documents related to IDPs have prescribed vital guidelines that need to be followed when developing an IDP (DPLG, 2000b, 2000c, and 2000d). Given the above it is expected of local governments to build up IDPs that are similar in appearance even though they might be different in content.

As a macro economic structure for national, provincial and local development, IDPs should be the basis for new hope for an undeniable take off that leads to social change. Instead, different investigations on IDPs display a negative trend of development. This is caused by a poor level of implementation, coupled by a lack of political will, lack of capacity in local governments as well as a poor design platform for accountability and public participation (Watson, 1998; Harrison, 2001; Hologram, 2003a). IDPs, rather than being constructed as attainable goals appear to be a simple 'wish list'. It appears that the content of IDPs is mainly decorative, and for resources consumption or national expenses justification (Harrison, 2001).

UNIVERSITY of the

### **2.3.3 LEGAL REQUIREMENTS OF LOCAL GOVERNMENTS.**

For their respective development, each local government has been entrusted with the right to construct an IDP based on a pre-conceived structure by the Government and the Department of Provincial and Local Government (DPLG). Therefore, the Constitution has made provision that the approval of IDPs be subjected to the fulfillment of governmental set requirements. In the attainment of their missions, the South African Constitution (RSA, 1996: S 152 (1) & (2)) imposes the following constitutional requirements on local governments:

On the one hand (Section 152, (1));

- a. Local government is called upon to demonstrate democratic and accountable governance for local communities;



- b. Local government has to ensure the provision of services to communities in a sustainable manner;
- c. Local government will promote social and economic development;
- d. Local government will promote a safe and healthy environment; and
- e. Local government must encourage the involvement of communities and community organizations in the matters of local government.
- f. In addition to the above, the South African constitution maintains that a local government should:
- g. Structure and manage its administration, budgeting and planning processes to give priority to the basic needs of the community, promote the social and economic development of the community and;
- h. Participate in national and provincial development programs. (SA, Act 108 of 1996).



On the other hand (Section 152, (2));

“A municipality must strive, within its financial and administrative capacity, to achieve the objects set out in sub-section (1)”.

These constitutional requirements oblige municipalities to be developmental and promote social change through local economic development. Given the above considerations, IDPs are considered as the best mechanisms for poverty alleviation. Thus, the call for institutionalizing the process by instituting developmental policy strategies IDP projects come to express the need of a particular sphere of government. However, the Reconstruction and Development Program (RDP) and the Growth, Employment and Redistribution Strategy are the core policy strategies maintained by IDPs (GEAR) to meet up with local government developmental goals and poverty alleviation plans that bring about social change. The South African Constitution however, stresses that IDPs are mechanisms that are used to outline policy and strategy for LED. As such, IDPs are not to be considered as catalysts of local growth but rather as indicators and a way to social and economic development

(RSA, 1999; Harrison, 2001). This justifies the importance and place of IDPs in different government papers. It is identified that almost all government papers refer to a facet of local economic development pertaining to impact social change. This underlines the importance allocated to IDP policies at national, provincial and local levels within the South African community.

#### **2.3.4 LEGAL STATUS OF LOCAL GOVERNMENT**

The South African Constitution clearly defines the status of local government and determines the portion of authority and autonomy it is entrusted with. It further maintains that the local sphere of government relates to municipalities within the boundaries of South Africa (RSA, S15: Act 108 of 1996). Constitutionally and to a large extent, municipalities operate like a government, with the executive and legislative authority vested in their municipal councils. As such, the Constitution confers governing powers to municipalities and the use of discretion and own initiative on matters pertaining to the local affairs of their respective local spheres. However, the South African Constitution maintains that the prerogatives granted to local governments must be in line with national and provincial legislation. The author argues that this submission of local government in the fulfillment of its mission to national and provincial legislation does not authorize the misuse of power at the expense of local government.

If not dealt with properly and legally, local government would be obstructed in the attainment of its goal. Therefore, the Constitution, having foreseen it, have made provision for local government to be independent, interrelated with and interdependent on both national and provincial government. This has been published in the Yearbook 2002 / 2003 of South Africa. The next sub section entails to explore and elaborate on the local government's sources of power.

##### **2.3.4.1 Original powers of local governments**

The Constitution is the highest legal norm of any society (Waldt and Helmbold, 1995:26). These norms are about laying the principles to be followed in a country. Therefore, the Constitution strives to eliminate the liberty of government authorities to be exercising its mandate arbitrarily.

The South African Constitution describes the jurisdiction over which a local government has power. In its Schedules 4 (b) and 5 (b) the Constitution elaborates on the jurisdiction of local government's authority (RSA, S156 (1) (a) of Act 108 of 1996). The Constitution, being the highest law of the country confers direct authority to local government. The Constitution stresses that the authority that local government hereby receives cannot be withdrawn by an ordinary statute less two thirds of a special assembly decides to vote otherwise. The Constitution further posits that the Provincial Assembly can add a matter they consider to be of crucial importance to local government based on Schedule 4(b). For the local government to enjoy the benefits of its autonomy, and for feeling secure in its mission, the Constitution underlines that the power granted to local government cannot be withdrawn without amendment of the Constitution. However, the Constitution explains the nature and role of power the Provincial Government exercises over schedules 4(b) and 5(b) on local government matters. This being relegated to the level of monitoring the functioning of local government as well as of assisting with the fulfillment of local government's endeavor where and when needed, Sections (RSA, S156 (6) (a); S155 (7) Act 108 of 1996).

#### **2.3.4.2 Assigned powers of local governance**

The national and provincial governments have assigned portions of power to local governments known as 'assigned powers'. The higher expectation in lives changing, demands enough portion of authority to maneuver the said change. In this regard, national and provincial legislation have conferred prerogatives and authority to local government over all matters under their scope of responsibilities. It is obvious that the national and provincial sphere of the government hold local governments accountable

for the use of authority and their actions. However, this right of national and provincial government is activated only after empowering local governments with a portion of its own legislative competency (RSA, S156 (1) (b) Act 108 of 1996).

### **2.3.5 CONSTRAINTS OF A LOCAL GOVERNMENT**

As stated above, the Republic of South Africa is composed of the national, provincial and local governmental sphere. These spheres of government are respectively distinctive, interdependent and interrelated. The Constitution has explicitly engaged in an effort to harmonize and complement the different spheres to maintain an integrated system of government. However, the White Paper on Local Government (1998:6) raises a concern which is laying the ground to potential constraints on local governments in terms of the level of autonomy entrusted to them. The question rests on the precedence conceded to the level of exclusivity or particularity between spheres of government over certain issues related to national interest, whose applicability is prescribed by the legislative framework.

UNIVERSITY of the

Given the fact that the first role of each government is to protect its citizens and maintain the harmony and integrity of the nation, the Constitution (1996: S 41 (1)) of South Africa stresses that all spheres of government (whether on national, regional or local level) should strive to maintain peace in the land, national unity or integrity as well as the indivisibility of South Africa, etc. The Constitution expands on this ground by laying rules and limits of jurisdiction to avoid functional and geographical encroaching with other spheres of government. However, this does not imply that each sphere of government should work in isolation. The South African Constitution (1996:25) has explicitly prescribed and encouraged an inter-governmental sphere relationship based on frank co-operation on common matters of national interest.

## **2.4 FUNDAMENTAL PRINCIPLES OF LOCAL GOVERNMENT**

It is maintained that governments are increasingly being called upon to demonstrate results and it is expected of them to make a real difference in the lives of people under their jurisdiction and that value for money has been attained. This reality arose from the fact that citizens are no longer interested in the addition of laws, policies and regulations but in the services that they receive. Consequently, they are more than ever interested in the outcomes than the outputs such as the performance of the economy in creating jobs, providing homes, water, justice etc.

For the above to happen it requires departments to specify measurable objectives which clearly articulate measurable and attainable desired levels of performance. Thus, the call for, compliance to rules or principles in pursuing a governmental goal is of greater importance.

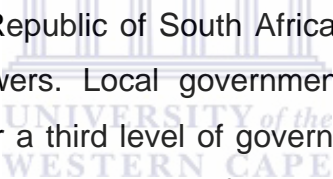
The South African local government operates under principles established and regulated by the South African Constitution, Act 108 of 1996. To avoid any misuse of power, the Constitution also prescribes the scope within which other governmental departments submit to, or interact with local government by spelling out its responsibilities from the basic needs to the highest priorities. As a matter of fact, the draft and promulgation of the new constitutional law in South Africa on the 27 April 1994 as mentioned in previous sections, implied that the old law representing the apartheid law had to undergo fundamental reforms and transformation in all the dimensions of its previous functioning. This transformation process was not targeting only the reform of national or provincial structures of government, but rather the entire governmental machinery comprising the national, regional and local government sphere within South Africa had to be transformed in order to adapt to the new post-apartheid constitutional mandate. The transforming process carried on as the new Constitution and a novel system of parliamentary sovereignty and supremacy came to replace the Interim Constitution.

As a matter of fact, we mention among the most important features in the new Constitution, “the Bill of Rights”, which is applicable to all the law of the land, in which the rights of all the people in the country are recorded (Republic of South Africa, Act No. 108 of 1996). It is observed that the apartheid system, characterized by a

centralized form of government was replaced by a system grounded on a decentralized form of government in which important and consistent powers and functions were devolved to provincial and local governmental authorities. Furthermore, the final Constitution which completed the negotiated framework of transformation, opened the way for a new governmental structure rooted on three spheres, which are distinctive, interdependent and interrelated (South Africa, Act No. 108 of 1996: S 40 (1)).

Given the fact that the instrument transferring power and authority to local government is the Constitution, and this one being the supreme law in South Africa, it highlights the importance and values entrusted to local government.

The broad principles prescribed in the South African Constitution for the regulation of the new local governments are as follows:-

- 
- The Constitution of the Republic of South Africa, Act 108 of 1996 grants local government original powers. Local government is no longer a function of provincial government, or a third level of government. It has become a sphere of government in its own right. It is part of a system of co-operative government and governance, which includes provincial and national spheres;
  - Local government is no longer a site for the delivery of services only, but a crucial site for social and economic development. Local government has to have a strong developmental focus to achieve this;
  - Local government, within its constraints, has to appropriately contribute to both economic growth and social redistribution;
  - Local government is a key arena for the democratic participation of ordinary citizens;

- Municipalities constituting the new local government system have to be financially viable and sustainable; and
- Over time, through appropriate negotiations, more powers and functions can be devolved to local governments (<http://www.sacp.org.za>).

With the above-mentioned principles it appears that the new governmental mandate considers local government as an essential link between the government and the population. This special link is made possible due to the fact that local government is bound to a particular geographic jurisdiction, as well as to the citizens who are directly affected by issues of this geographical jurisdiction. The close affinity so displayed will enable local municipalities to understand and resolve issues attached to their respective municipalities.



#### **2.4.1 BASIC CRITERIA FOR EFFICIENT PUBLIC SERVICE DELIVERY**

It is maintained that the success of local governance missions with regards to public service delivery inferred that specific criteria deriving from the credibility attached to it be observed as an acceptable code of conduct by all public officials, which is an important component relating to the achievement of local government officials of their respective activities in a manner that is ethically.

The following table will reflect criteria by which local government ought to be measured. These criteria which are given as relevant ground for social change in the pursuit of community building through effective and efficient public service delivery in communities are normative and can be measured or evaluated in terms of values, attitudes and aptitudes (Kishore and Derek, 2005:16-17):

TABLE 1

<b>VALUES</b>	<b>ATTITUDES</b>	<b>APTITUDES</b>
---------------	------------------	------------------

Integrity	Transparency	Knowledge
Transparency	Responsibility	Acceptance & comprehension of the goals & functioning of the administrative institutions
Publicity	Quality awareness	Leadership qualities
Accountability	Legibility	Communication skills
Equity	Clarity	Social skills
Non-discrimination	Simplicity	Independence
Quality	Inquisitiveness	Ability to use experience
Professionalism	Adaptability	Ability to further education & training
Reliability	Listening ability	Analytical capability
General interest	Involvement	Sense of renewal
	Speed	
	Effectiveness	
	Efficiency	

Kishore and Derek (2005:17) suggest that the above-mentioned criteria constitute a starting point for the implementation and maintenance of effective and efficient public service delivery susceptible to producing social change.

It is well stipulated in the SA Constitution that among the main objectives of a local government should be the encouragement and facilitating of communities as well as the involvement of community organizations in matters pertaining to local government (section 152, Act 108 of the 1996 Constitution). This new development mandate is further endorsed in terms of the White Paper on Local Government (Government Gazette No. 18739, 13 March 1998:37). Thereby local government should strive to bring citizens and community organizations within local government find sustainable and undeniable social change. This mission entrusted to local government informs the public about its new mandate.

#### **2.4.2 CHARACTERISTICS AND EXPECTED OUTCOMES OF A DEVELOPMENTAL LOCAL GOVERNMENT**



The White Paper on Local Government (1998:38-42) describes the developmental local government characteristics and mains outcomes' expectations as follows:

TABLE 2

<b>Characteristics of developmental local government</b>	<b>Main expected outcomes of development of local government</b>
<ul style="list-style-type: none"> <li>• Maximizing social development and economic growth.</li> <li>• Integrating and coordinating.</li> <li>• Democratizing development; and</li> <li>• Leading and learning.</li> </ul>	<ul style="list-style-type: none"> <li>• Provision of household infrastructure.</li> <li>• Creation of livable, integrated</li> <li>• Cities, towns and rural areas.</li> <li>• Local economic development; and</li> <li>• Community empowerment</li> <li>• and redistribution</li> </ul>

The new South African local government has been entrusted with a new encompassing role and mission which would be made possible by associating all societal organizations with government organizations in the pursuit of social change. Corollary, the success of local government rests on a new citizen-oriented management approach. It is well known that specific prescriptions related to well-founded reasons for enhancing community participation and consultation concerning local government issues are enshrined in the 1996 Constitution (Act 108 of 1996) and the White Paper on Local Government, 1998. Thus, the call for municipal councils to implement a participatory governance system that will do away with the representative government is displayed. Barichievy (2003:2) posits that the municipal councils should engage in an effort of establishing a more active local democracy in terms of which decisional responsibilities will be shared within the community.

### **2.4.3 SERVICE DELIVERY BASED ON THE BATHO PELE PRINCIPLES**

In essence the Batho Pele Principles imply putting other people first before considering your own needs. It is a call for service delivery emphasis. The Batho Pele

is composed of eight principles (namely: Consultation, Service standards, Access, Courtesy, Information, Openness and Transparency, Redress and Handling of Complaints, Value for Money) which attempts to adapt the norms of service delivery in the private sector into the public sector, such as a focus on customer, client satisfaction (Khoza, 2002:33).

The author argues that the importance of all public service delivery can be measured against the said principles of Batho Pele, which are explained as follows:

**1. Consultation**

Municipal councils should engage in an effort to establish a more active local democracy in terms of which decisional responsibilities will be shared with the community rather than taking decisions on their behalf. At this stage citizens should be consulted about the quality and kind of the services they receive or they ought to receive.

**2. Service standards**

This principle is about making sure that promises are kept. All departments are required to publish service standards in a way that communities should know what to expect. Service levels should not decrease but be subjected to increase and to a permanent monitoring assessment.

**3. Access**

The principle of 'access' is all about equal shares to services rendered or susceptible to be rendered. It is expected from governments to set targets for extending access to both public servants and services. National or provincial government should implement special programs for the improvement of services rendered to disadvantaged people; this will show that all citizens are having equal access to the services they are entitled to.

**4. Courtesy**

The principle is about rejecting all insensitive treatment. Public officials should set standards for the treatment of citizens. These standards should be incorporated into the code of conduct, values and programs for service delivery of each department. It further implies that all citizens should be treated with courtesy and consideration.

## **5. Information:**

This principle demands that citizens be given accurate information about the public service they are entitled to receive. Information is all about reaching all customers to make sure that they are well informed about the services provided by each department. This may be done in different ways: newspaper, radio, posters, leaflets, etc. while disseminating the information it is advised to take account of the fact that different customers have different needs and do not speak the same language.

## **6. Openness and transparency.**

On one hand openness demands that citizens should be informed about the day to day activities of different departments within local government. This information should be available to the public in terms of; annual reports, strategic plans, service commitment charters, etc.; citizens should be told where to bring complains of any dysfunctional service or department and how to do it.

On the other hand, transparency is achieved when citizens or tax-payers have access to information and decision-making forums, so that the general public knows what is happening and is able to judge whether it is appropriate. Above all the means used for transparency, this legislation should be emphasized.

This will be clearly stated that public sector decision-makers are to consult with and report to the public on a regular basis either monthly or annually.

## **7. Redress and handling of complaints**

Citizens' complains should spark positive actions. All departments should have in place specific mechanisms to record public dissatisfactions and to handle them fast and efficiently. It is a right to citizens to receive feedback on the outcomes of the complaints. If community members do not receive promised services they should be entitled to apologies, explanations and a speedy and effective remedy.

## **8. Value for money**

Citizens pay tax on income, VAT and other taxes to finance the administration of their countries. It is their right to ensure that their money is used wisely. Services should be provided economically and efficiently in order to provide citizens with the principle of best value for money.

The success of Batho Pele will be determined by the progress made in efforts to transform the public service as well as transformation occurring in society in general. While there is scope for success, the limitations are more likely to be in the form of inherent qualities of the public service such as the bureaucracy and extensive legal regulations (Khoza, 2002:34).

## **2.5 LOCAL GOVERNMENT WITHIN THE FRAMEWORK OF INSTITUTIONAL DEVELOPMENT**

The author agrees with Carlsen (1997: 2) who maintains that the focus of the concept 'institutional development' dates back to the late eighties when a number of studies of development assistance and technical assistance concluded that the impact of the assistance at best was to create 'islands of efficiency' with a small spreading effect to the rest of the society. This could be expressed through its grassroots linkages, infrastructure investment programs, local economic development (LED) strategies, partnership with the private sector and integrated development plans (IDPs) (White Paper on Local Government, 1997: 1); LG is the public service agency best able to have a direct and enduring impact on the lives of its citizens. At worst the impact was first negligible or negative back in the time it started to be implemented worldwide. One, among many reasons regarding this disappointing outcome was seen as the failure of project assistance and technical assistance to attach sufficient importance to institutional development (Carlsen, Ibid). In South Africa the Constitution and LG legislation give all municipalities' significant powers to meet these challenges, but these powers mean nothing without the capacity and resources to implement them.

It is obvious that the instruments toward meeting the goals of developing LG embodied in Chapter 2 of the Constitution (RSA, Constitution of 1996), "LG at the heart of South

African development”, will be a myth without a capacitated generation of local officials at the municipal level within the framework of local government management systems. However, this requires on behalf of the leaders a vision as well ambitious as realistic, supported by an irreversible determination and animated by the incommensurable love of the fatherland.

In the previous chapter, the research problem, the aim and the objectives of this study were presented in light of the strategies of presenting LG as a means of institutional development alongside service delivery and good governance (see Chapter 1). That chapter highlighted the challenge faced by the governance in South Africa expressed by poverty which continues to haunt many South Africans, and how alleviating it, through various strategies, constitutes one of the key policy goals of the post-apartheid government.

This essay seeks to continue the discussion on poverty alleviation strategies, by exploring in some detail the constraints of local government in South Africa and its implications for institutional development alongside service delivery with specific reference to good governance. More specifically, the section reviews governance and institutional development as reflected in international practice or as it has to be practiced and as it is currently practiced in South Africa, highlighting issues that both enhance or obstruct successful implementation as well as the empowering of LG as developmental strategy. While recognizing that there is a prelude to the outcome from the established economic strategy, expressed in a range of factors that mediate any success or failure of the chosen program for development, including social and political issues of people involved, an exploration of global common trends could prove helpful in understanding local practice and the implementation and empowering of LG as developmental strategies.

A developmental LG and the degree to which it is interrelated with regards to the ethos of decentralization gives rise to the following predicament, i.e., what should those states that are apprehensive about the idea of equipping LGs with the necessary skills and resources in order to achieve development do? In an attempt to respond to these questions, three institutional principles emerged from the authors’ mind: autonomy,

supervision and participation. According to De Visser (2005:28), a developmental local state is “an institutional design in South Africa in line with the dispensation of decentralization as one of the good factors for development and is based on autonomy, participation and supervision.”

## **2.6 GOVERNANCE IN THE SOUTH AFRICAN LOCAL GOVERNMENT: THE METRO CITY’S STRATEGY FOR THE NEXT FIVE YEARS (2012 -2017)**

The national government has initiated the legislated IDPs at local sphere to facilitate the application of LED. IDP is then used as a strategic framework for developing local government through five pillars which are; the opportunity city, the safe city, the caring city, the inclusive city, as well as the well-run city. It is clear that the national government has entrusted local government with responsibilities to develop their own IDPs (five year development plan) aligned with the needs of each municipality. The purpose of these five key focus areas is to attend to local communities’ plans and policies. The IDPs are therefore legal requirements that provide strategic guidance to the management of the city. It was for the purpose of assisting local government striving to fulfill LED that IDPs have been built up alongside the five pillars defined here below in the light of the City of Cape Town’s, Five-Year Plan (2012 – 2017):

### **2.6.1 THE OPPORTUNITY CITY**

The IDP review (2012 / 2013) of the City of Cape Town posits that the core focus of the opportunity city is to create an economically enabling environment in which investment can create jobs. This is based on the credential that it is with jobs that people could make the most of their lives and would attain their dignity.

To fulfill the opportunity city program, the local government will use numerous levers to attract investment. This strategy will lead in creating economies of scale in city based industries and will create a job opportunity environment within the local community where the program is applied.

The local officials within the Metro City of Cape Town assume that the above could only be possible by the establishment of efficient regulation, efficient planning and processes and again transparent and accountable government, easy access to officials and infrastructure support. The opportunity city program focuses more on the investment in infrastructure to support industries and citizens in the achievement of the developmental goal.

Given the importance of this program the Metro City of Cape Town has suggested a partnership with other stakeholders the Economic Development Partnership (EDP) which will be able to provide a forum for strategic economic planning which will maximize the city's potential growth. Further to the above mission, the City should be able to encourage the growth of small business and entrepreneurs through specific programs such as; the Active program, which is a special program entrusted to empower small business with knowledge and entrepreneurs with skills that will fulfill themselves. In addition, the local government intends to take care of the natural environment in which biodiversity will be conserved, water and electricity provision will be assured and tourism and recreational opportunities will be maximized.

### **2.6.2 THE SAFE CITY**

This pillar gravitates around the safety of the local citizens which could provide access to opportunities offered by the local government. The safe city department's core mandate rests with the South African Police Service (SAPS) under the supervision of the National Government. It is noted that the Metro City of Cape Town has proven that a city that effectively uses resources and models of international best practice can also have its own efficient metro police service. Local government at the metro city incorporates the management of disasters and risks by enforcing traffic regulations and providing fire and rescue services. The local government undertakes to dedicate resources and programs that will ensure the maximum effectiveness of various components of safety provision. The safe city pillar will engage as well in international partnerships to build the required capacity for the expected international standard of

service delivery. Local government extends the roll out of neighbourhood watch programs, a union of civilians trained for safety measure application in the area.

This program intends to increase public awareness and participation at a broader level, through initiatives such as disaster risk awareness programs.

### **2.6.3 THE CARING CITY**

This pillar engages in an effort to insure reliability and comfort within the city which will enable citizens to take advantage of offered developmental opportunities. Local government at the metro city will take care of both the Cape Town environment as well as the citizens within the city's jurisdiction, from the most vulnerable to the most comforted citizen. The success of this department rests in the maintenance of a local government adopted policies for citizens, to work on poverty alleviation. Further to this, the city engages in the creation of amenities: establishment of parks, libraries, sport and recreational facilities, community and youth centres. The Metro City of Cape Town intends to explore further within the five years of this program the scope of such provision. The success of this endeavour also calls for the implementation of a partnership as it is the case with the above-mentioned pillars, but in this case the city relies on Public Private Partnerships (PPPs).

The caring city program further focuses on direct levers of social development, including resources that register early childhood development (ECD) facilities, community and youth awareness and development workshops. It is worth to mention that the PPPs extend its branches to Non-Governmental Organizations (NGOs) which will facilitate local government proactivity for addressing social dislocation.

This pillar is also responsible for the creation of integrated human settlements while engaging in building not only houses but communities. The creation of communities pertaining to opening opportunities should bring people closer to economic and social centres. Given the fact that one can only achieve what his resources allows him, the metro city refuses to be limited by lack of resources in the enlargement of the scope of



action. It then advances the idea of evaluating all council rental stock both for update or possible sale, as well as evaluating rental or transfers to bona fide inhabitants. This department reveals that over the next five years, the Cape Town Municipality will engage in extending services to backyarder communities on city-owned land through a unique service point possessing a covered toilet and basin, an external connection to electricity as well as the provision of potable water. This service of the caring city will invest in primary health facilities and consistently be a provision to both formal and informal settlements as such there would be a review of the city's refuse collection, cleaning and waste management procedures in each area while implementing changes and improvements where needed.

#### **2.6.4 THE INCLUSIVE CITY**

This department is based on the assumption that everyone needs to have his stake and enjoy a sense of belonging. In the period before 1994, South Africa has been divided along racial lines. The first 'fair and transparent' election should not have left South African citizens under the utopia of having redressed the whole discrepancy and divisions, work is still to be done. For instance, the need for public transport amelioration will enable the connection of different areas of the city which will allow people within the city to move freely and connect within the community.

The Metro City of Cape Town argues that the inclusive city will be informed by the acknowledgment of citizens' heritage while recognizing the strengths enshrined in the citizens' diversity. This process will then achieve social redress. Events programs are established to this effect to meet up the heritage program. The resources collected by heritage events programs will be allocated to different programs specializing in attracting resources to Cape Town.

In order to be a world-class city displaying proof of unity and equitable share of the stake between the citizens of the metro city, the municipality has made provision for allocating resources to address the backlog of community facilities in undeveloped

areas as well as exploring new partnerships with external funders. This pillar was built with the credentials that an inclusive city is informed by the motto of a government that meets the needs of its people. This will only be possible if public provisions to denounce weaknesses of government and to address them in a systematic manner to improve overall performance, are created.

### **2.6.5 THE WELL-RUN CITY**

With the objective of ensuring interconnectedness with the first four pillars, the well-run city has been established. The City of Cape Town posits that this pillar is the guarantor of the other government programs. To this effect, citizens are not interested in the emission of new laws and regulations as this is an overregulation strategy for them, but rather in the guarantee that their government works for them and establishes an accountability mechanism system which ensures respect for the principles of good governance. One of the ways to maintain this accountability mechanism system is to make sure that Mayco meetings are open to the public and to ensure that the city's public officials have their actions scrutinized. To abolish corruption, the well-run city's Standing Committee on Public Accounts (SCOPA) will be chaired by a councillor from an opposition party within the metro city.

The well-run city program will further ensure that revenue streams, including the budget for debt collection as well as revenue projections are being adhered to. This policy will guarantee that citizens are paying only for the services they have been rendered. The effectiveness of this pillar further rests on the provision of a maximum staff potential through effective human resources management, staff training and staff development and an external audit committee to guarantee the accountability of the local government is put in place by this department.

### **2.6.6 OBSERVATION ON THE CITY'S DEVELOPMENT PLAN AND GOVERNANCE**

Approaching governance within the context of local government implies the assessment of the operation of new forms and principles of governance within the context of South African local government as well as evaluating the effectiveness of formal principles for good governance within the South African local government alongside service delivery. However, the hypothesis as demonstrated in the presentation of the context of the study in the first chapter shows negative trends caused by poor implementation, lack of political will, a poor design of platforms of public accountability and participation. This situation has completely weakened the operational governance system at local government level to date and impedes the success of cooperative governments. Moreover, the author assumes that this fate will last long and reach the future generation should it not be addressed, with the consequence that government's 'invited spaces' will not help the poor and marginalized to improve their everyday lives. In addition, the above five pillars of development utilized by LED for the achievement of IDPs' mission, insinuates the absence of sustainability within the LED strategic plan of IDPs aligned along the five year political plan (pillars of IDPs), being applied in a fixed political term of mandate rather than facing a more stable and sustainable plan in provision of any political change in case of a new mandate.

## **CHAPTER THREE: THEORETICAL FRAME FOR GOOD GOVERNANCE**

### **3.1 OVERVIEW OF GOVERNANCE AND ITS VARIABLES**

#### **3.1.1 INTRODUCTION**

The study on conceptual definitions is important in contemporary South Africa, especially with regard to the persisting outcry from the public about the failure and inefficiency in government's services delivery. This is due to the lack of understanding from the side of those involved in government activities. This understanding will allow users of public administrations to redress the imbalances of apartheid's old and biased legacy of governance, public administration and public management to ensure individual welfare within a developmental state. The government is not a unique

political actor on national level, as a matter of fact the state, the civil society and the bureaucracy make up the whole government. These three must work in a relationship based on norms given by governance to insure good governance practice in public management.

The conceptual definition will help to evaluate the current theory of governance, public administration and public management systems in order to measure effectiveness and efficiency against services delivered in reference to normative operations of governance, public management and public administration.

### **3.1.2 GOVERNMENT**

Williams (2009:22) argues that “The terms ‘government’ refers to the dominant role of the state in directing the distribution of public goods...” This means that government refers to the three institutions that govern the affairs of the country, which are: executive; legislature and judiciary.

These institutions are in essence distinct and autonomous, yet supportive. It works in a way that the legislature has powers and responsibilities to: make laws, perform oversight over the functioning of the executive, and facilitate public participation. The executive instead, is entrusted with powers and responsibilities to propose and implement government policies. The judiciary is responsible for interpreting the laws and regulations of the country. It happens that the executive; which for some reasons, is known as government, is typically bureaucratic and hierarchic in nature. (Williams, *ibid*).

### **3.1.3 GOVERNMENT AND GOVERNMENTALITY**

Governmentality is a combination of two concepts: governing (*gouverner*) and modes of thought (*mentality*). As for Foucault, a working definition for governmentality would be the art of government. In a broader sense, the term includes a range of techniques, instruments, and institutions that governments employ when running public affairs. For instance, it is said that: “Foucault originally used the term 'governmentality' to describe a particular way of administering populations in modern European history within the context of the rise of the idea of the State. He later expanded his definition to

encompass the techniques and procedures which are designed to govern the conduct of both individuals and populations at every level not just the administrative or political level.”

A wide body of knowledge puts heads together on the ground of the fact that the idea of Governmentality broadens the category of power by distinguishing more clearly between violence, forms of domination and the type of power relations that characterize the relationships between individuals. For Foucault (cited in McNay 1994: 85) power is defined both as “an objectivizing and a subjectivizing force, i.e., it is no longer understood to operate in an unidirectional fashion through the inscription of material effects upon the body; rather, it is conceptualized as an agonistic struggle that takes place between free individuals”. In his definition of Governmentality, Foucault puts individual freedom as the common denominator over a struggle that attempts to regulate the balance of power between the governors and the governed in the pursuit of the common good focusing on the effort to share authority of public management between state and non-state organizations (Kooimans 1993: 2).

#### **3.1.4 NOTION OF GOVERNANCE**

Governance is a relationship between the government, civil society, NGOs, etc. It is therefore a concept that includes all societal actors within and outside the terrain of the state and within and outside the borders of a country. Governance can then be referred to as a partnership and collaboration between the state and the non-state actors such as: business, academia, state actors, and civil society, among others. A more articulate description of governance is the one provided by Williams (2009:22) who maintains that, “...the term ‘governance’ has emerged as a compelling descriptor of a more interactive and symbolic relationship, it describes, in effect the creation of partnerships” (Ibid). Williams further argues that the notion of governance is “...grounded in a collective action approach to problem solution.” And that it “...involves integrating stakeholders and communities to resolve complex and messy public problems by including not only the state but many independent organizations...” (ibid).

It is important to notice that in the days of the apartheid system, governance was highly centralized and fragmented along racial lines. The contention of the apartheid government system aimed to curtail systematically the extent to which Africans could have benefits (economically, socially and otherwise) from the resources of the land. In this vein government introduced the Group Areas Act - legislation of which the main objective was to institute strict residential segregation and removal of Africans to townships, slums and own group Bantustan areas. This Act was used as a vital yardstick for influx control. The implication was that the Act alienated Africans from where economic activity took place and restricted the permanent presence of Africans in urban areas by means of the pass system. The own group area, which was created by the government, was divided into independent states and self-governing territories usually referred to as homelands. In this line, four provinces were created (Robertson cited in Smollan, 1996). The central tier of government was very important in the old dispensation and the relationship between tiers was hierarchical, i.e. with the national level at the top and the local level at the bottom. The system of governance was organized in a very highly fragmented way, with four provinces – the Cape Province, Transvaal, Orange Free State and Natal.

### **3.1.5 PHILOSOPHICAL THEORIES OF GOVERNANCE**

Political process and management have been a central focus of political philosophers both classic and modern. As a matter of fact, both classic and modern philosophers have presented the will of discovering patterns of political activities and have been motivated to influence institutional decision-making processes for social change in a meaningful way. Mentioning crises in the form of the inefficiency, the inefficacy and the ineffectiveness in service delivery by governments will bring us to research based on the understanding of management and mastering of political and governmental key concepts which bears a great importance in the whole world in general, and to South Africa in particular.

As a result to the above, researchers of political and administrative sciences and politicians will be able to correct the imbalances of the old legacy inherited by

apartheid and the truncated legacy of governance, public administration and public management to ensure public welfare within a developmental state<sup>1</sup>. Secondly, we assume that presenting a conceptual definition will enable users of power to evaluate theories of governance, public administration and public management systems in order to measure the effectiveness and efficiency of a government through service delivery based on normative principles presented by philosophers in their theories.

It is thus important to understand the philosophical theories that influenced or inspired thinkers from classical to modern philosophers such as Thales of Miletus, Anaximander of Clasomenes and Pythagoras of Samos. All these philosophers found the constitutive substance inherent in all things. Heraclitus of Ephesus for instance shifted his focus to the notion of “change”. His main idea was based on the fact that “all things are in perpetual flux and constant transformation” (Enoch, 1982, 1983: 12). Stated differently, “one cannot step twice into the same river since this one continues to flow”.

Experiential evidence shows that in South Africa the negotiated democracy led to political and constitutional compromise with reference to freedom, equal justice and equitable wealth sharing where every citizen expected change as promised by the new elected government. But let us state that this freedom was presented to South African as the fruit of long negotiations, whereas we all know that no freedom can be negotiated since it's a right for a people to grasp it by force. By way of consequence, the South African society should notice where its government came to compromise and to fail the population to negotiate the freedom!'

---

<sup>1</sup> A developmental local government and the degree of its interrelation with regards to the ethos of decentralization gives rise to the following predicament, i.e., what should those states that are apprehensive about the idea of equipping local governments with the necessary skills and resources in order to achieve development do? In the attempt to respond to these questions, three institutional principles emerged from the author's mind: autonomy, supervision and according to De Visser (2005) a developmental local state is “an institutional design in South Africa in line with the dispensation of decentralization as one of the good factors for development and is based on autonomy, participation and supervision”.

### 3.1.5.1 GOVERNANCE IN THE CLASSICAL PERIOD

Amongst the plethora of works of several philosophers, the author maintains the work of Socrates of which we retain his famous “cogito ergo sum” that he read on a fronton back from his pilgrimage. This has become the foundation of his teachings, which he literally developed as follows: “Learn to know yourself and you will know the gods and the universe”, “listen to the inner mysterious voice from the divinity within, speaking out to your conscious mind” (Enoch, 1982, 1983: 34). His philosophy attracted many young people as it was based on the moral virtues of human beings that make exposes justices and injustices of man; especially that these moral virtues were by essence presented within human beings, which he called the ‘daimonion’. Socrates is convinced further that, “the interior of man is a sea of unique activity - the activity of knowing, which leads the practical activity of doing” (Enoch, 1982, 1983: 36). The ‘daimonion’ of Socrates, relates to the fact that people cannot harm others as they are bound to the knowledge of justice which is based on the knowledge of good. Actions filled with evil actions, are made through ignorance of the truth, the good and the knowledge of justice and good.



The philosophy of Socrates (justice, goodness, knowledge of moral virtue and the truth) is not welcomed in the real world and applied by citizens and elites involved in, or influenced by governance, public administration and public management. This had an impact on the management of governance, public management and public administration during those days in Athens and the same ignorance extends its negative impact on current political actions in the world today. Socrates then established an ironic approach to knowledge through dialectic methods and definitions; by asking questions; the interlocutor ends up realizing his ignorance and learns to pursue critical thinking by reasoning everything out (Peterfreund et al., 1967: 6). This should lead students in political and administrative sciences, political leaders and citizens to interrogating the real meaning of governance; the essence and characteristic of public administration and public management; further to measure the benefit of the management of the abovementioned issues (governance, public



management and public administration) in light of the knowledge linked to the practice of justice and moral virtue in the current world.

### **3.1.5.2 GOVERNANCE IN THE MEDIEVAL PERIOD**

Here the author retains the work of St. Thomas Aquinas. In his strong belief, St Thomas Aquinas maintains that the just war theory seeks to prescribe conditions in which a warfare may be justified. Based on his theory, warfare should be conducted upon fulfilment of the following five conditions:

**Competent authority**: warfare ought to be carried out by a legitimate authority. He who can declare a war “is the ruler within whose competence it lies to declare war since responsibility for governance, public administration and public management is entrusted to the rulers, they should extend their scope to defend the city, territoriality and people’s mobilization subject to them” (D’Entreves, 1959: 159).

**Just cause**: violation against the state or violation of rights. In this case “those wars are generally defined as just which avenge some wrong, when a nation or a state is to be punished for having failed to make amends for the wrong done, or to restore what has been taken unjustly” (Augustine cited in D’Entreves, 1959: *ibid*).

**Right intention**: warfare is just only if the intent is just. “...for the true followers of God even wars are peaceful, not being made for greed or out of cruelty, but from desire of peace, to restrain the evil and assist the good” ((Augustine cited in D’Entreves, 1959: 160-161).

**Proportionality**: ensuring that expected benefits are not outweighed by bad consequences. Sometimes, it happens that even when war is declared by a legitimate authority and there is a just cause, it is however, made unjust through its evil achievements.

**Last resort:** war is considered as a last resort which means all non-violent means have failed to resolve the issues and tensions.

### 3.1.5.3 GOVERNANCE IN THE MODERN PERIOD

The author maintains the works of Montesquieu and Jean-Jacques Rousseau on the modern period pertaining to the philosophical wind that influenced the shape of governance. Their thoughts are presented respectively in the following manner:

On the one hand, Montesquieu pursues the separation of power in a society in presenting a model of governance in which power is shared among three organs of governance namely: executive, parliament and judiciary. Montesquieu's theory maintains that a well-managed political system resides in a clear definition and distinction of the three organs of the state. Democracy is an exceptional regime since it is a kind of synthesis of all the exigencies of politics. First, it is a real political regime which attains the true sphere of politics, that of stability and universality (<http://en.wikipedia.org/wiki/Separation-of-powers>).

On the other side, Rousseau posits that man is born free; and everywhere he is in chains...How did this change come about? That question I think I can answer" (Rousseau cited in Enoch, 1983: 136).

Rousseau thinks that it is in the interest of the general public to enter into a contract in the formation of a sovereign state. The social contract, according to Rousseau, will help mankind to escape from the miseries of the state of nature which comes as a result of private property ownership – a key pillar to capitalism. Since the human mind refutes the idea of obeying one individual who incarnates the political power, Rousseau assumes here that the sovereignty of the constitution is built to have mankind obey rather than being an allegiance to a certain political ruler, which is nothing but an arrangement of inhabitants of a state and as a corollary, we conclude that the government is not above the law but the state through the will of the people

reflected in the constitution of that state. The Constitution of South Africa is clear when it says in section 41(d) that “all spheres of government and all organs of state within each sphere must be loyal to the Constitution, the Republic and its people” (Republic of South Africa, 1996: 25). This suggests a reciprocal relation between the state and its people and vice versa, which is the cornerstone of governance and administration in the management of any state.

### **3.1.6 INTERNATIONAL PERSPECTIVES ON GOVERNANCE**

Political process and management have been a central focus of political philosophers both classic and modern. As a matter of fact, both classic and modern philosophers have presented the will of discovering patterns of political activities and have been motivated to influence institutional decision-making processes for social change in a meaningful way. A general notice to various approaches of governance reveals that the definitions of governance pose a problem for those who want a simple and common definition. However, Kjaer (2004:10) suggests that the common denominator lies in the understanding of the said governance which refers to the setting, application, and enforcement of rules. Kjaer further posits that governance deals with both the input side which relates to democratic procedures and the output side relating to efficient and effective institutions.

As a matter of fact, Kjaer (ibid) stresses that the term governance was considered distinct from government during the 1980s which in the public administration context included civil society actors, and dealt with the management of different networks within a government (all informal rules governing the interactions between the state and different organized interests) more specifically in the area pertaining to the delivery of services. A distinct approach between the traditional notion of governance and the new governance states that the old governance was moved by the traditional notion of steering by national governments from the top down whereas the new governance has more to do with how the center interacts with society and asks whether there is more self-steering in networks (Kjaer, 2004:11).

Kjaer (2004:14) argues that one of the most important core concepts in the governance theory is the respect of rules that needs to be legitimated and that has to derive from democracy as well as from an efficiency pursuit. The author agrees with Kjaer who maintains that most governance theories take the view that representative democracy on its own is an increasingly inadequate institutional method to achieve democratic accountability in the modern world and needs to be supplemented with more participatory forms.

Good governance in South Africa is central to poverty alleviation and cannot be overemphasized. Despite numerous elaborations and developments on the term 'good governance' the author shares the view of Kjaer who attributes the rise of good governance to a policy requirement of the World Bank in providing loans to third world countries due bad governance identification as a cause of economic crisis (Kjaer, 2004:172). Another reliable source that has elaborated and published extensively on governance in the public sector is the South African Organization for Economic Cooperation and Development (OECD), which associates good governance with public sector reform and explores eight major characteristics of good governance which are respectively:

"Participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law".

By following the above-mentioned indications pertaining to the eight major characteristics of good governance, the government will assure that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard and dealt with in decision making (OECD, 2001).

### **3.1.7 NOTION OF GOOD GOVERNANCE**

Good governance and public administration/management cannot be well applied without mastering one or the other. As a matter of fact, public management and public

administration reinforce the notion of good governance, which is also underpinned by principles such as: participatory governance, transparency, accountability, legitimacy, effectiveness, and equity. Another scholarly view suggests that good governance “...entail not only reform of the public services, efficiency and cost effectiveness of public agencies but also ensure participation of the poor, marginalized and the under-represented” (Rajesh and Ranjita, 2002: 10). It is clear that good governance cannot be well apprehended without conceptualizing the criteria established for measuring the said good governance. The UNDP (1995) once set the following seven criteria for identifying ‘good governance’

1. There should be a legitimacy of public office occupancy;
2. There should be a display for freedom of participation, association as well as the media;
3. An indication of fair and established legal frameworks enforced impartially;
4. A perception of a bureaucracy with strong accountability and transparency;
5. The availability of free and valid information;
6. The public sector should be efficient and effective. This is measured in terms of service delivery;
7. Because the government is not the unique actor on the political sphere, there should be co-operation between government and civil society organizations.

The above perspectives of governance bear the resemblance of two mutually reinforcing concepts that form the pillar of good governance, and they are: public participation and accountability. The following will discuss these two concepts in detail.

### **3.1.7.1 PUBLIC PARTICIPATION**

Participation is being defined as “the direct involvement or engagement of ordinary people in the affairs of planning, governance and overall development programs at local or grassroots level” (Williams, 2009: 197). The term participation remains an

illusion until materialized through a range of core conditions which express a meaningful participation; we cite the ability of people to claim to achieve specific concrete goals; grass-root driven; informed by rational and rigorous debates, etc. The 'grass-root driven aspect' of public participation reinforces the notion of the bottom-up as opposed to the top-down process where ordinary people define and determine their aspirations and ways in which such aspirations have to be realized. In the true sense of the word, participation is about putting people in the center or in the heart of decision making. Participation is best understood in light of participatory governance which suggests that "...the task of running public affairs is not solely entrusted to government and the public administration, but involves co-operation between state institutions and civil society groups" (Friedman, 2006: 4).

### **3.1.7.2 ACCOUNTABILITY**

Accountability is a concept in ethics and governance with several meanings. It is often used synonymously with such concepts as responsibility (the American Political Science Review, Vol. 33, No. 1) answerability, blameworthiness, liability, and other terms associated with the expectation of account-giving. As an aspect of governance, it has been central to discussions related to problems in the public sector, the non-profit and private (corporate) world. In leadership roles (William Christopher, 2006) accountability is the acknowledgment and assumption of responsibility for actions, products, decisions, and policies including the administration, governance, and implementation within the scope of the role or employment position and encompassing the obligation to report, explain and be answerable for resulting consequences.

As a term related to governance, accountability has been difficult to define (Mulgan Richard, 2000). It is frequently described as an account-giving relationship between individuals, e.g. "A is accountable to B when A is obliged to inform B about A's (past or future) actions and decisions, to justify them, and to suffer punishment in the case of eventual misconduct". Accountability cannot exist without proper accounting practices; in other words, an absence of accounting means an absence of accountability (Sinclair, Amanda, 1995).

Public accountability is understood as an obligation of public enterprises and agencies (who are entrusted with public resources) to be answerable for fiscal and social responsibilities, to those who have assigned such responsibilities to them. Political accountability refers to the public accountability which is the accountability of the government, civil servants and politicians to the public and to legislative bodies such as a congress or a parliament.

### **3.1.8 RELATIONSHIP BETWEEN GOVERNMENT AND GOVERNANCE**

Rajesh and Mohanty (2002: 8) notice the subtle relationship and interconnection of Government and Governance and demonstrate that these two concepts come “with growing disenchantment of ordinary people with institutions of the government, with declining capacity of these institutions to respond to diverse interests and expectations of their population, with increasing gap in the policies of and their practical elaborations, with growing distance with and alienation of the poor and the marginalized from the elite dominated institutions of government, with continued persistent problems of poverty, exclusion and marginalization in countries of the world...the concept of government has now began to be changed to the concept of governance”.

The resemblance of government and governance is well articulated by a distinguished scholar who stated that “Governance may be perceived within its broader perspective, one that encompasses government as an attribute” (Williams, 2009: 22). Furthermore, it also transpires that “government” came into being as a result of certain failures in the performance of “government”, and most of those failures seem to be institutionally related.

The distinction between governance and government is well articulated by David Osborne and Ted Gaebler, two authors who have made a major contribution to public policy makers over the last two decades. They posited that governance stood at the heart of what government was all about. They further maintain that unlike governance, services could be contracted out or turned over to the private sector. Corollary, the author agrees that governance is the process by which we collectively solve our

problems and meet our society's needs whereas government is the instrument we use to achieve our objectives (Osborne and Gaebler, 1992:24).

In the pursuing of mastering the nuance between governance and government we notice that the term 'governance' remains increasingly associated with the management of networks. This led the author to peruse the works of Hambleton (University of the West of England) who focuses on networked governance elements in articulating the difference between government and governance:

On the one hand, the term government refers to the formal institutions of the state as mentioned above. It makes decisions within specific administrative and legal frameworks and uses public resources in a financially accountable way. Most importantly, the author agrees with Hambleton who maintains that government decisions are backed up by the legitimate hierarchical power of the state. On the other hand, governance involves government plus the looser processes of influencing and negotiating with a range of public and private sector agencies to achieve desired outcomes. A governance perspective encourages collaboration between the public, private and non-profit sectors to achieve mutual goals (Hambleton 2004:50).

Since government is being called upon to demonstrate a high level of responsibility and caring toward people's lives and properties, it is expected of them to demonstrate that they are making a real difference in the lives of people and that value for money has been rendered, an assessment of the government plans and reaction on the community chaos erupted in forms of inadequate service delivery has been considered necessary. Therefore the government understands that it is time for a fundamental shift of power from Westminster to people. This entails the promotion decentralization and profound democratic engagement, and to do away with the era of top-down government which is made possible by empowering local councils, communities, neighbourhoods and individuals.

### **3.1.9 GOVERNANCE AND INSTITUTIONAL DEVELOPMENT**



Institutional Development is one of the suggested solutions in the present world. It is understood as a process and a modality through which personnel of an institution manage to consolidate their riches and correct imbalances that would bring impediment to their evolution. According to Carlsen (1997:4) the focus on the concept of Institutional Development dates back to the late eighties when a number of studies on Development Assistance in the form of Project Assistance and Technical Assistance concluded that the impact of the assistance at best was to create 'Islands of efficiency' with some spread effects to the rest of society. At worst the impact was negligible or even negative. One among many reasons for this disappointing result was seen as the failure of Project Assistance and Technical Assistance to attach sufficient importance to Institutional Development (Israel (1987), mentioned by John Carlsen, *ibid*).

John Carlsen (1997:5) pursued his theories on institutional development by saying that in any society institutional capacity and capability at the macro Level such as Policy Formulation, Policy Implementation and Policy Implementation Monitoring will have significant consequences at the sector level and at the decentralized government structure level. The workability of institutional development depends on the openness of governmental institutions towards the population. At all levels the relative strength of civil society vis a vis bureaucracy is an important determinant of the distribution of benefits from capacity building, institutional development and governance. The closed link between them could refer to the fact that, as governance, institutional development entails in the relationship between the state and civil society a best functioning as well as a mutual independence between the legislature, the executive and the judiciary powers of Government which is where governance fits in in Institutional Development, but also the strength of the market forces, and the prevalence of government regulation are import factors John Carlsen (*ibid*).

The author agrees with the understanding of development as defined by Galbraith (1962:26) as a continuous process which extends itself on the same line from the new African countries still struggling to depart from their tribal structures to the well elaborated economies of occidental nations with their technology. This kind of

development could be made possible only when good governance rises as a key practice in a community. The author suggests that good governance "...entails not only reform of the public services, efficiency and cost effectiveness of public agencies but also ensures participation of the poor, marginalized and the under-represented". The above perspectives of public participation bear the resemblance of two mutually reinforcing concepts that form the pillar of good governance preceding institutional development, and they are: public participation and accountability Rajesh and Ranjita (2002: 10).

### **3.1.10 SOUTH AFRICAN APPROACH TO GOVERNANCE**

In view of the above-mentioned literature, governance stands for the relationship between the government, civil society, NGOs, etc. Therefore, this concept includes all societal actors within and outside the state. It is thus referred to as a partnership and collaboration between the state and the non-state actors such as: business, academia, state actors, civil society, etc. Williams (2009: 22) posits that, the term 'governance' has emerged as a compelling descriptor of a more interactive and symbolic relationship. Williams further argues that the notion of governance is "...grounded in a collective action approach to problem solution." And that it "...involves integrating stakeholders and communities to resolve complex and messy public problems by including not only the state but many independent organizations..." (William, *ibid*).

It is pertinent to notice that in the old days, governance was highly centralized and fragmented along racial lines. The author maintains that the contention of the apartheid government was to limit the extent to which South Africans could benefit (economically, socially and otherwise) from the resources of their land. In this institutionalized system called apartheid, the government introduced the Group Area Act - legislation based on the establishment of strict residential segregation and imposition for Africans to strictly live and dwell in townships, slums and own group Bantustan areas. To insure the respect of this Act, a vital yardstick was used for influx control. The Group Area Act had an obvious consequence of alienating Africans from where economic activity was happening and restricting Africans from approaching

urban areas by means of a pass system. To reach the assigned goal, a strategic division was implemented within own group areas created by the government, into several independent states and self-governing lands commonly referred to as homelands. It is in this context that four provinces were created (Robertson cited in Smollan, 1996). During the apartheid system the researcher notices that the central tier of government was very important and that the relationship between tiers was strictly hierarchical: the national sphere on top and the local sphere at the bottom. The South African system of governance during the apartheid regime was structured in a very highly fragmented way. This fragmentation is observed within four provinces respectively; the Cape Province, Transvaal, Orange Free State and Natal.

### **3.2 DISCUSSION OF RELEVANT APPROACHES**

For a better fulfillment of this endeavor, the author has identified three distinct but interrelated theories, namely: the interpretivist approach, the institutionalism approach as well as the system approach.

#### **3.2.1 INTERPRETIVIST APPROACH**

This study relates to the interpretivist approach to research. According to Trauth (2001: 219), interpretivist theory is based on the fact that most of the knowledge that we have is acquired. It is through different factors that our knowledge gets shaped and equipped. Generally through social phenomena such as language, consciousness and communicative things we interact with in our environments. Given the above, interpretivism focuses on understanding occurrences, events or facts through the people who share similar experiences. This implies that, meaning and understanding are facilitated by interpretation. Therefore, the need for sensitivity to the role of context is a prerequisite for this research model; hence emphasis is on experience and interpretation.

Garrick (1999:149) identifies several assumptions of the interpretivism approach:

- Individuals have inherent capabilities that can allow for individual judgment, perceptions and decision making;

- Any event or action is explainable in terms of multiple interacting factors, events and processes;
- It is difficult to obtain complete objectivity involving people who assign meaning informed by their backgrounds.

Human beings, do not operate from a vacuum but from a fixed context. In interpretive research, the emphasis is placed on the understanding of context, thus the need for contextual consideration and descriptive analysis of information. The main aim of the study is to explore the nature and state of accountability systems at local government level in South Africa. This is against the backdrop that interventions have been implemented and it appears that these interventions struggle to meet its objectives of improving the livelihoods of local people. In order to explore concepts which are deeply embedded in this social context objectively, the researcher has selected the approach that “our knowledge of reality is socially constructed” (Klein and Myers, 1999). Therefore, the political and social past and present experience of the South African livelihood will help us understand or interpret the outcome of local government issues in pursuing good governance. In addition to the understanding of the interpretivism theory, Montealegre (1999) maintains that there is a need for conducting research with the use of a case study, especially of the explanatory type...that can add to our understanding and future investigation of how post 1994 local government in South Africa pursues good governance practice.

### **3.2.2 INSTITUTIONAL APPROACH**

The institutional approach theory has received much attention by a range of researchers. This theory survived critiques pioneered by (Pedersen, 1991; Jordan, 1990; Hall and Taylor, 1996). As for Guy (2004:2) this theory was less applied to real world cases, especially to contemporary developments. In addition to Guy’s view this theory has been stigmatized to be static, and focusing on structures and rules at the expense of the possible changeability of the environment which may impact on the

policy formulation and implementation. It is maintained that the success of a reform policy dwells on a 'top down' process in which the leader of a community or an institution intends to redress any socio-economic crisis through new ideologies and the logic of appropriateness on the remainder of the community. In addition, any kind of attempt to build reforms from the 'bottom up' is seen as almost doomed to chaos, given the need for a clear vision of the future direction of the municipality or the institution (Brunsson and Olsen, 1993:19). The above is well adopted by public administration as well as by the form public policy formulation is shaped, as it is formally bureaucratic and top-down. Organizations are observed by institutional theorists as ways of promoting societal values and beliefs which are enshrined in organizational structures and expressed in social change. The following developments in institutional theory elaborates on the relevance of this research:

### **3.2.2.1 NORMATIVE INSTITUTIONALISM**

The author maintains that institutional theories use a normative approach to comprehend political behaviour and master the understanding of societal values and beliefs. Peters (2004:2) maintains that political behaviour is well mastered through "logic of appropriateness" which is acquired by the fact of belonging to a certain institution. It is further argued that the behaviour of people in communities depends much on normative standards within them rather than people's desires to maximize individual utilities. Taking in cognizance the fact that good governance and local government are grounded on norms for their success, norms therefore stand at the centre of this approach enforcing effectiveness and efficiency.

### **3.2.2.2 RATIONAL CHOICE INSTITUTIONALISM**

Peters (2004:2) posits that the institutional approach through rational choice institutionalism, deals with the arrangement of rules and incentives as well as taking into account the fact that members of those institutions behave based on those components of institutional structure. Peters (ibid) further maintains that unlike

individuals in normative institutionalism, the choice of the occupants of these structures do not have their preferences modified by membership of the community or institution. In opposition, the individuals who interact with institutions have their own well-ordered sets of preference that remain largely unchanged by any institutional involvement they may have.

The author has identified three different focuses within the institutional theory, namely; the principle agent models, the game theoretic models and the rules based theory. The common ground of these subdivisions forming the institutional theory lies in the effort of controlling the bureaucracy by political actors as it is in South Africa and elsewhere. Peter (2004:5) argues, on the one hand, that the concern on this level is to expose the ability or inability of an elected institution within a government to be able to hold the non-elected accountable, as well as to establish a set of desired policies regardless of the level of support received by the bureaucracy with regards to the enacted policies. Peter (ibid) also maintains on the other hand that the theory is concerned with the ability of governments to exercise constraints on individual choices to get certain outcomes which could not have been produced without strong institutional mechanisms.



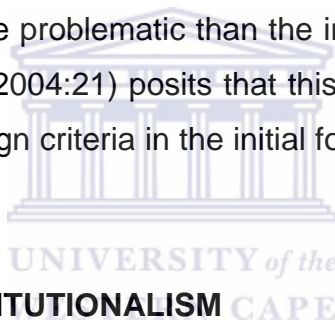
### **3.2.2.3 HISTORICAL INSTITUTIONALISM**

Jean-Claude (2003:127-148) states that this approach dates from the 1980s and advocates that this approach apprehends public administration as part of political life. The above sustains the idea according to which politics manages the process of sharing scarce resources between rival entities. This perspective lays an assumption according to why the state does not act between competing interests as a neutral agent but rather as a complex set of differentiated institutions.

The researcher joins Jean-Claude (ibid) who maintains that the major hypothesis to the above dilemma is that the current results of public policies do not reflect the interests of the expected outcomes, but is rather channelled by the existing and past institutional arrangements in which competition occurs. This implies that anterior policy

choices affect current choices. Consequently these theorists argue that policy and structural choices made at the inception of the institution will certainly influence the behaviour it displays for the remainder of its existence (Steinmo, Thelen and Longstreth, 1992:78). These theorists further stipulate that institutions like political and administrative organizations, or conventions and procedures regulating the relationship between economic actors and the state are 'path dependent'. This implies that modes of conflict-cooperation and the structure of outcomes are greatly identical throughout time (Jean-Claude, *ibid*).

This approach is handy in explaining the persistent poor performance of policies as well as their implementations; however it cannot guarantee the understanding of change in policies or structures. Hogwood and Peters (1983:55) adds to the preceding statement that changing is more problematic than the initial formulation of policies. To support this statement Peters (2004:21) posits that this approach seems to assume a lack of intentionality and of design criteria in the initial formulation of policies as well as institutions.



#### **3.2.2.4 EMPIRICAL INSTITUTIONALISM**

The purpose of the empirical institutionalism theory is to inform whether elected or established government institutions are making any difference in policy choices, or in political stability (Peters, 2004:7-9). The term 'institutions' used in this literature is referring to the formal structures of government as prominent; especially on the demarcation between presidential and parliamentary governments which exposes the differences in policy outcomes.

In light of the above, municipalities should now be at the sustainability phase which would imply that all policies, systems and procedures are in a harmonic operation. Obviously this bears the implication that municipalities have already been empowered and therefore are already fulfilling their developmental mission of providing basic services and facilitating economic development. As a matter of fact, with the

assistance of the empirical institutionalism and given the following evidence in this essay, it is demonstrated that most municipalities are, in reality in serious doldrums struggling with the fulfillment of their mandate at the expense of service delivery and social change. This approach is therefore important in the understanding of the issues of good governance in South Africa by duly empowered local government.

### **3.2.3 SYSTEMS APPROACH**

The author defines a system as a group of elements interlinked in a way that once one element is affected, the other elements in the system will also be automatically affected, and by way of consequence the whole system is affected. Jones (2002:39) posits on his part that a system is a set of objectives or elements in interaction to achieve a specific goal. Within a government, intergovernmental relations facilitate the process of information or services into expected outcomes for use within the government. This explains the call for the system approach leading to the mastering of local government and institutional development in South Africa while displaying good governance. A best way of approaching a research problematic stands in using a triangulation in terms of theoretical framework. Obviously theories should interact and interconnect to cover the emptiness or weakness of one another. The system approach shares a level of interconnectedness with the institutionalism approach as well as the interpretive approach.

The system approach aims to bring forth the understanding of complex issues around good governance within a local government. Ramo and Clair (1998:22) argue that this theory focuses on the understanding of issues in their entirety, considering all parameters surrounding the issue under study. Just as defined above by the author, this approach undertakes to capture the relationship between each element within the environment. Robins (1987:55) maintains that input, output, feedback loop, throughput and environment are common denominators and indicators within systems. Robins (ibid) further states that a system is a set of interrelated and interdependent parts arranged in a way that produces a unified whole. The author elaborates the above in the following manner:



**Input:** the transfer of power and autonomy to local governments as new ground for development and a point of creating social change in the new South Africa striving for democracy.

**Output:** Good governance in South Africa as grounds for the government's mechanism for poverty alleviation efforts and for stimulating an effective implementation of development which reflects institutional development and service delivery through local government.

**Feedback loop:** Governments are increasingly being called upon to demonstrate results and it is expected of them to demonstrate that they are making a real difference to the lives of their respective societies and that value for money has been delivered, thus, the call for a strong mechanism that will lead to social change in the country led to the empowering of local governments. Should the people be dissatisfied with service delivery, they will withdraw their trust in the elected government which will obviously dilute the power and autonomy entrusted to local governments.

**Throughput:** Governance as a process and institution through which authority is exercised within a government. This branch also deals with the transformation process of inputs into outputs and outcomes, which lies in the obedience of the principles and rules of both good governance and local government's mission.

**Environment:** The respect for institutions that govern economic and political interactions among them.

## **CHAPTER FOUR: RESEARCH METHODOLOGY**

### **4.1 INTRODUCTION**

In the pursuit of the assigned objectives of this essay, a methodological perspective has served as lightning tools in order to meet the objectives discussed above. Therefore, this chapter deals with the methodology used during the recording of information and collection of data. For the purpose of this dissertation, the methodology employed will include theoretical analysis and assessment as well as an

empirical case study. The empirical component contains observations and experimentation.

Leedy and Ormrod (2001: 14) maintain that a research methodology pertains to the general approach the researcher takes in carrying out the research project. There are different approaches for a selected case study in terms of methodology employed, nevertheless the author has selected a methodology that is related to the basic approaches of the field of social sciences research and techniques as maintained and supported by Mouton and Marais (1997); De Wet et al., (1998) and Bailey (1982). This essay also employs the qualitative method of data collection referred to as secondary sources and, which comprises library books, journal articles, policy documents and newspapers as well as bulletins to be reviewed in the formulation of the subject under study.

#### **4.2 RESEARCH DESIGN**

This study is exploratory in nature. As such it has the ability of using a combination of both qualitative and quantitative forms of data collection methods in the form of unstructured and structured interview schedules. For the purpose of this study the author will explore the qualitative angle. Qualitative research allows both the exploration and the understanding of the research content and progress. Brynard and Hanekon (1997:29) explain that qualitative methodology refers to research which produces descriptive data. Therefore, the call for qualitative research will allow the description of how the institutional development takes place and is balanced with service delivery with reference to good governance. This aspect is explained by Weiss (2004:www.excelgov.org) who argues that “qualitative research is not only adequate for evaluating the program implementation, through the various stages and actors, but gives a good account of the main variables interacting at each stage.” The author goes further to explain that qualitative research does not seek to measure, but to understand and”, get a hold of...”interactions amongst phenomena”.

Given the information presented in the above-mentioned background of this study, the author will pursue the construction of the structured interview based on the information background of the study. An appropriate explanation for the use of qualitative research approaches in scientific studies that are exploratory in nature is elaborated by Creswell (1994: 21). An exploratory study is most appropriate in cases where not much has been written concerning the subject under investigation. Ragin (1994: 91-93) provides a further explanation of the use of qualitative methods of data collection: "Qualitative studies are often identified with participant observation, in-depth interviewing, fieldwork and ethnographic study in that they are data enhancers as in-depth knowledge is yielded, correcting any misrepresentations or new representations about the subjects in the study".

In this dissertation, the structured interview schedule as conducted will contain a range of qualitative responses, which will be grouped into thematic ranges and analyzed statistically for their implications in service delivery and institutional development.

The gaps left behind will be filled by the quantitative methodology. Struwig and Stead (2001:4-7) maintain that at times the research process includes a combination of quantitative and qualitative methods. The author raises the importance of this combination by maintaining that quantitative research methodology requires that the collected data be quantified, however, "...interpretation of quantitative data is often of a qualitative nature".

### **4.3 THE RESEARCH INSTRUMENT**

Research methodology necessitates a reflection on the level of validation of information as well as its verification. This entails a sense of objectivity with regards to the reflection on planning, structuring and execution of the research in order to get relevant scientific information. Hence, the aim for a research methodology is to help the researcher in his pursue to focus on the process of research and the decisions that he has to execute. In the human sciences and social sciences fields, two basic methodologies can be distinguished: qualitative and quantitative methodological

models. Although types of research and research methods are often associated with the field or academic discipline in which the research is conducted, these two are of greater importance in all scientific investigation. The next section is an attempt to elaborate on these methods.

#### **4.3.1 IN-DEPTH INTERVIEWS**

Interviews are specified ways in which a researcher may embark on to collect data and carry out the research endeavor. Thus, the selection of interview schedules as a measurement tool to gather data has been appointed. Babbie (1998: 264) states that in order to capture the insider's perspective, the most appropriate interviewing strategy is that which is less formally structured and flexible enough in keeping with the interests of respondents. Like other measuring techniques, the interview schedule has both advantages and Bailey (1996: 174) states that an interview is more flexible, probes for specific responses resulting in increased response rates. However, Gochros (1988: 269-273) and Bailey (1996: 175) consider the interview schedule technique as a double edged sword. They do so by identifying certain weaknesses with the interview technique. They hold the view that by standardizing interview schedules, it often represents the least common denominator in assessing people's attitudes, orientations, circumstances and experiences. By designing questions that will be at least minimally appropriate to all respondents, one may miss out on what is most appropriate to some respondents.

#### **4.3.2 LITERATURE SURVEY**

An important array of documents related to good governance and institutional development alongside service delivery have been reviewed. These include among others, gazetted legislation and policy documents, strategic plans and local government reports. Bak (2004:25) demonstrates the advantages of combining, "...literature engagement with empirical work". The analysis of documents will facilitate the identification of trends or patterns that may assist in drawing up relevant questions for the interview process.

#### 4.4 SAMPLING TECHNIQUE

Different techniques are applicable in scientific research. However, for the purpose of this study, the author suggested interviews with the personnel from the Local Government Board of the Metro City of Cape Town, which the researcher was exposed to for a couple of months, and these interviews have informed the research about the outcome of data collection over a period of four months. In order to gain different perceptions, the sample size has consisted of both practitioners and theoreticians.

Given the importance of this study, the researcher interviewed quite a large number of officials. In addition to the purposeful sampling, the researcher also used random sampling based on the accessibility of needed information. The random sampling will be made with twenty (20) people within the Department however, due the time constraint of such high-ranking officials the researcher only got hold of a reduced number of officials and the staff under each one of them as well as academics and practitioners which came to a total number of thirty people. For more information, see Appendix A of this research. These people have been chosen based on the methodology called 'sampling through rational choice', which consisted of identifying respondents who, according to the judgment of the researcher witnessed an acquisition of knowledge or experience in the area concerned by the study in order to meet the requirements of the methodological design.

The author notes furthermore that this technique is ideal due to the fact that, it used the random purposeful sampling technique. Leedy (1997) and Patton (1990) highlight the intricacies of random purposeful sampling in instances where the unit of analysis is based on a small sample size. In their argument, they underlined the fact to which this type of methodological design "adds credibility to sample, especially when potential purposeful sample is larger than one can handle by reducing judgment within a purposeful category". This methodology was selected and applied because the

research was based on a small sample size and could save time, money and effort (convenience sampling).

On the one hand, the researcher posits that the selected methodology although full of credibility presents some weakness which ought to be mentioned. As a matter of fact this type of methodology restricts judicious extrapolations to be attempted in the whole country. It is well posited that, a qualitative research approach generally uses observation in order to collect data which requires the impact of people and institutions in order to illustrate and substantiate certain key concepts needed to add a rich tonus to the research under investigation. Such observational techniques are always used to determine how individuals or groups of persons react or interact under specific circumstances, either natural or artificial (De Wet et al., 1981: 163-165). In other words, "...every description of the observation made should be a true reflection of what was really observed at the precise moment, and not of what was anticipated or predicted". The researcher has identified a group of officials (directors and their related managers, occupying different functions in the related Department in the City of Cape Town as well as personal assistants) and exposed them respectively to a particular political situation which was subjected to change from time to time, while the situation remained unchanged for the other group, then compared the reactions of the two groups and drew conclusions based on the empirical evidence.

On the other hand, the researcher maintains that the qualitative method of data collection is indispensable due to its commitment to seeing the world from the point of view of the actor or participant, and owing to this commitment to see through the eyes of one's subjects, close involvement is advocated (Brynard et al., 1984: 78). The pursuit and the insight of this investigation through qualitative research, is phenomenological; research in which the actor's perspective is the empirical point of departure - and where the focus is laid upon the real life experience of people.

To give it more credit Brynard and Hanekom (ibid) argue that qualitative methodology questions substantiate the fact that this type of methodology allowed the researcher to

know people personally and to see them as they were; to experience their daily struggles when confronted with real-life situations in their work setting. It is thus in the above set parameters that the researcher pursued his mission.

#### **4.5 SAMPLE GROUP**

The population group under study is relegated to appointed government officials within the Strategic Directorate Board of the Metropolitan City of Cape Town where good governance credentials (cooperative, participatory, supervision, accountability) are impaired and displayed in a form of inefficacy and inefficiency, conformity or encroachment. For a proper focus and best results orientated research, the author has narrowed the field of research at one public institution being 'the Department of Sub-councils and Councillors Support'. By the time the author approached the department, it consisted of 241 staff members led by 1 (one) director and 5 (five) managers. These senior officials with their secretaries, were presumed best placed to provide the researcher with the most informed responses. The researcher selected purposeful sampling targeting all five (5) managers within the department. In addition, the researcher used random sampling based on the accessibility of needed information. The random sampling consisted of twenty (20) people within the department.

Based on development theories on research methodology (Brynard et al., 1984), variables are defined as empirical factors or properties which are capable of employing two or more values within a problem statement. Generally, a research problem is expressed as a general question about the relation between two or more variables which are interdependent (most importantly dependents and independents variables). On the one hand, dependent variables are those factors which are observed and measured to determine the effect they have on independent variables. On the other hand independent variables are factors which are deliberately varied, manipulated or selected by the researcher in order to determine their relationship to an observed phenomenon which constitutes the dependent variable within a research problem.

In the pursuit of our endeavor or research mission (data collection), the City of Cape Town has been selected to provide the researcher access to information which ought to be confidential, such as government procedures, financial expenditure and statements, reports and government legislation, Acts of Parliament, human resource statistics, etc. Being so entrusted and placed in the heart of social development in local government level, the City of Cape Town is an institution that meets the necessary organizational systems, infrastructure, policies, strategies and cultures and essential technical skills to effectively perform all given responsibilities in the pursuit of social change. The author maintains the importance of this criterion since it allows the researcher to control both internal validity and assist in controlling the threats of maturation. It is the researcher's submission that a qualitative approach has been applied to this essay for the purpose of collecting data and getting to the root of our problem statement, thus a call for the following collecting methods which are applicable in a qualitative approach.

#### **4.6 CASE STUDY**

A case study of the Cape Town Metropolitan will be done. The aim of a case study is to emphasize the focus on detailed investigations of a bounded system's activities and patterns (Merriam, 1998). A case study in research leads to an intensive description and analysis of a single unit or program (Henning, 2004:33). Several unstructured interviews were undertaken with experts on the subject matter. Discussions were held with directors, managers, civic leaders, public policy makers and researchers in the Metropolitan City of Cape Town in order to gain firsthand information on various aspects of institutional development within the framework of municipal service delivery.

#### **4.7 DATA COLLECTION**

Willemse (1990:7) maintains that, the basic resource necessary for any statistical experiment is data. The outcome depends on the quality of different data inputs. The data collection process is not as simple as gathering bulk information but requires that facts of the investigation be gathered and organized in a useful way. Such facts are



referred to as data. Failure to properly organize facts will mislead the research and will expose it to possible concluding errors. In order to avoid any form of deviation or prevent a possible misdirection, the author has developed the questionnaire based on dependent and independent variables composing the topic of this essay. This has entailed engaging with all the key words surrounding the research topic as well as the research question.

#### **4.8 METHODS OF DATA COLLECTION**

A wide array of information exists on methodology pertaining to data collection. According to Willemse (1990:8-11) data collection can be obtained through the usage of several techniques such as; questionnaires; personal interviews; observation of events as they happen; abstraction, where the sources of information are documents; and postal questionnaires in cases where the targeted geographical area or number of respondents is large. For the purpose of this essay, the author has made use of literature reviews, in-depth interviews with officials and the City of Cape Town's IDP 2012 / 2013 review official document.

##### **4.8.1 STRUCTURE OF INTERVIEW QUESTIONS AND DESIGN**

The importance and place of interview questions for data collection in a scientific endeavor cannot be overemphasized. It is thus the importance of consideration allocated to their structure. This enables the provision of accurate data and the gathering of questions in an interview to be in a proper order. Questions should be composed in a most simple and understandable language, bearing approximately the same meaning for all respondents and avoiding bias question framing. It is advisable that questions be constructed in such a way that they don't lead to bias.

According to Willemse (1990:9) questions in an interview should lean on the following requirements for a better outcome:

- (a) Confidentiality should be assured;
- (b) Wherever possible, a choice of answers should be given on the form;

- (c) The questions should be well presented, with adequate space or time for answers, where and when necessary;
- (d) Questions should not be offensive;
- (e) Questions should not give cause for emotive language;
- (f) Questions should not require any calculations; and
- (g) Questions should be short, simple and to the point.

On the other hand Ross and Schnetler, et al., (Taylor, 2001:256) add the following three objectives for a questionnaire:

- (a) It should be executed within the ambit of available time and resources;
- (b) It should reflect accurate information regarding the research study; and
- (c) It should meet the aims of the research.

For the purpose of this research the questionnaire was devised with fully structured statements and efforts were made to avoid the bias side of a possible inclination. The abovementioned requirements were therefore taken into consideration in the formulation of the questionnaire. Even though the rainbow characterized the new South African society whereby Afrikaans, English, Xhosa and Zulu are major spoken languages, English is used as only medium of communication at the Metro City of Cape Town.

The Cape Town Subcouncil of Implementation and Co-operation Department therefore, provided the empirical ground for the extraction of data which would be used to draw conclusions from.

#### **4.8.2 VARIABLES**

Research is driven by a research topic. This one is composed with variables which are characteristic of interest about certain elements. Therefore, since a research topic contains variables, it bears, for each variable, information pertaining to one or more characteristic of interest. Neter, et al., (1983:10) posits that a variable is a characteristic that can take on different possible outcomes.

According to Bless and Higson-Smith (1995:30) variables could be considered as empirical property that is capable of taking two or more values, such as age, gender,

social background and place of residence of a particular population into account. There are different types of variables among which the independent and dependent variables are the most important.

#### **4.8.3 INDEPENDENT AND DEPENDENT VARIABLES**

Different authors have defined variables and its variables (independent and dependent), and in their view Bless and Higson-Smith (1995:31), consider the independent variable as a measurable factor, or a factor that can be manipulated or selected by the researcher to determine its relationship to an observed phenomenon, which constitutes the dependent variable. On the other hand, the dependent variable is referred to an observed or measured factor capable to determine the effect on it of the independent variable that varies, as the researcher introduces, removes and changes the independent variable.

However, independent and dependent variables are interconnected to each other by a certain relationship. This is proven by the fact that the fixed variations between the two variables, is unique: (the dependent variable) is a function of the changes in the other (the independent variable). In this essay, independent variables used, included the position and designation of the official interviewed, as well as the department or functional unit from which the official operates. Dependent variables included current institutional capacity to deliver services, constraint of good governance, implications for institutional development, and service delivery.

The questionnaire used for this research was divided into two categories, as follows:

**Section A** (independent variables): which required the position and designation of the interviewee, the department or functional unit of the selected official.

**Section B** (dependent variables): which related to attitudes for current development constraints, the ability of local government to deliver services and develop local economies.

## 4.9 CONCLUSION

As stated above, in the pursuit of the assigned objectives of this essay, a methodological perspective has served as lightning tools in order to meet the objectives discussed in the objective section of this study. Therefore, this chapter deals with the methodology used during the recording of information and collection of data. The methodology used for this essay was selected to promote theoretical analysis, assessment as well as empirical study.

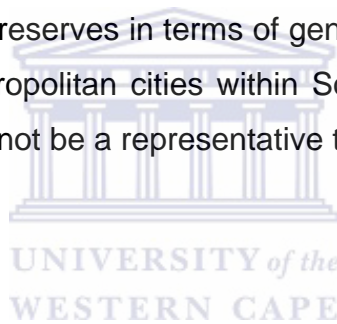
The author maintains that the methodology is empirical due to the fact that it is primarily experimental while using a qualitative form of data collection method in both forms of structured and unstructured in-depth interview schedule formats. A call for conducting both in-depth semi-structured and unstructured interviews was commanded by the analysis of key emerging trends and themes which arose from the questionnaires and further, to establish the real causes leading to the constraints of good governance in South African local government with its implications for institutional development and on the improvement of service delivery that could reflect social change.

In the pursuit of meeting the research objectives, the researcher has made four sets of interview schedules. All four broad categories of research questions were made up of a mixture of open and closed-ended questions. The interview schedule's content of each category of research questions was almost similar for both categories of respondents with the exception of a few variations.

The methodology used in this study, presented the merits of reaching first-hand information on various aspects of good governance principles within a local government: case study of the City of Cape Town. A sample size of high ranking officials within the local government was chosen, using a methodology called 'sampling through rational choice, purposive sampling and convenience sampling'. In order to meet the requirements of the methodological design, the researcher

undertook to categorize respondents within the city of Cape Town, both practitioners and theoreticians who, according to the researcher have acquired important knowledge and experience in the area concerned by the research.

It is thus in the above framework of context and content that the author employed a theory and gathered information from field research which informed both the consolidation of findings and enlightened the researcher on the shaping of balanced opinions based on empirical data and evidence established. The author has replaced to its real value the methodology design employed for the purpose of reaching the designed and set objectives. It is posited that though this study employed the convenience and purposive sampling design as appropriate methods of data collection and analysis on a basis that the sampling design saves time, money and effort; the author observes some limits or reserves in terms of generalizing the outcome of all the 284 municipalities and six metropolitan cities within South Africa since such a small size of the sample selected cannot be a representative thereof.



**CHAPTER FIVE:**  
**EMPIRICAL SURVEY AT THE METRO CITY OF CAPE TOWN: SUBCOUNCILS**  
**AND COUCILLOR SUPPORT DEPARTMENT**

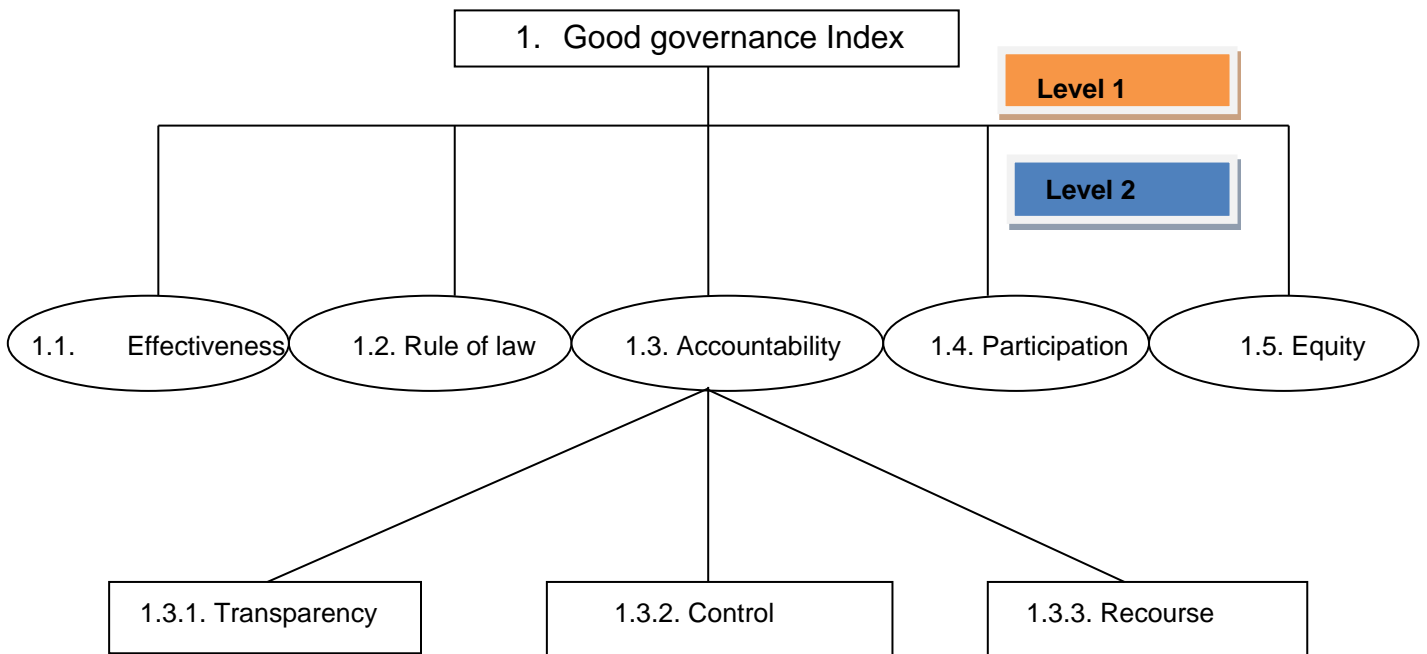
## 5.1 INTRODUCTION

In the previous chapters, governance and its variables were presented within the framework of local government as developmental instrument and tool for the reach of service delivery to the selected population in South Africa. In chapter four, a methodological design was developed to enable the researcher to get to the root of his question statement provided in chapter one (question statement) as well as to facilitate the process of this research. In the current chapter, an empirical investigation of the challenges that the local government in South Africa is exposed to will be undertaken, with specific reference to the Metro City of Cape Town: case study of the Department of Implementation and Co-ordination Sub councils. Chapter one of this essay is driven by the following fundamental question:

“To what extent does the City of Cape Town’s accountability mechanism support good governance and develop institutional development for improved service delivery?”

The abovementioned question forms the integral drive of the methodological design of this essay to investigate challenges that local government in South Africa face. This chapter presents possible answers to the above stated dilemma, with regard to the outcome of the research’s empirical survey of challenges facing developmental local government: a case study of the Department of Implementation and Co-ordination Sub councils. The purpose of this section of the research rests on the description of the methodological design employed for conducting the essay.

### **FIGURE 5.1: LOCAL GOVERNMENT BAROMETRE MODEL TO IMPROVE GOOD GOVERNANCE**



Source:

Figure 5.1: Extract of the LGB Model

## 5.2 CAPE TOWN METROPOLITAN MUNICIPALITY AND THE CONSTRAINT TO GOOD GOVERNANCE

The possible inherent subjectivity responses to the interview questions were envisaged and kept in mind during the collection and analysis of data. Good governance mechanisms at the local government Metro City of Cape Town can be monitored through the following index: effectiveness, rule of law, accountability, participation and equity. This will address our research question trying to know to which level accountability mechanisms support good governance at local sphere.

## 5.3 EFFECTIVENESS IN THE AFFAIRS OF THE CITY

The post-apartheid era has marked the period intended to promote participatory governance within both the government as well as civil society, which has been empowered by the South African Constitution. Under the ambit of the above, ward committees have been developed in local communities to be organs which reflect the participatory governance... It is further posited that the year 2001 marked the emergence of these committees as key institutional mechanisms and channels to materialize the idea of having local communities that are people-centered, participatory and democratic. Ward committees have been developed for the purpose of enforcing the mission of sub-councillors and councillors by connecting communities to local governments. The importance attributed to these committees by both the government and civil society is of great value. This can be weighed by the continuous substantiated investment undertaken to guarantee the effectiveness of these ward committees by possessing the relevant capacities and resources to achieve their democratic mission. However, the effectiveness of ward committees to achieve their mission is being questioned; whether they are real channels of involving local communities in local governance and of creating real power-sharing between citizens and local government.

To substantiate the above statement the author weighted different interviewees' positions in response to the way delivering of services ensure that the effectiveness criteria are met. The positions were weighted against the backdrop of the principles of good governance which demands that all requirements be met and not only a few. The author presented the following criteria: agenda-setting, planning, use of indicators against set objectives, targeted objectives, anticipated goals, evaluation, and others. In the current case it has transpired that either the officials don't know the criteria of good governance that lead to effective good governance or don't have the will to drive the fulfilment of service delivery. The trend of indicators (answers) signalled a random selection of criteria based on different officials and lack of initiatives (others). This indicates a serious lack of good governance mastering principles, hence the different opinion received by the Sub-councils and Councillor Support Department at the Metro City of Cape Town.



The respondents from the local government posited that institutional governance at the local level is very capable of building-up ward committees. The question remained on the efficiency and efficacy of these ward committees developed at local level. The author maintains the need to capacitate the formed ward committees in terms of skills and equipping them to maintain a world class service standard.

The survey has proven that local government has the ability to capacitate ward committees. However, the challenges of good governance and participatory democracy in South Africa displayed in the fulfilment of the mission of ward committees demonstrates that the institutional governance at local level is deemed to be very low to develop the effective process of public consultation. This dilemma can be addressed only when the government can emphasize the difference between the capacity to develop the effective process of public consultation and the will to do it. Officials need to be reminded about the Batho Pele principles which incorporate the process of public consultation as rule of law. Furthermore, respondents stressed that the effectiveness of ward committees for institutional development in reflecting on the best practice at the operational level rests on training and equipping staff, this will do away with incompetence at local level and will promote efficiency and effectiveness in the fulfillment of daily tasks. Providing adequate resources will enable officials to perform their tasks. Less politics or non-interference from politicians in the administration will avoid encroachment and mismanagement while enhancing proper accountability principles.

Though a high number of respondents (98% of interviewees) stressed that an institutional framework should provide for the recognition by central government of an institution representing municipalities as a negotiating partner for the central and regional level of government and not as a tier of government, the author still argues that the possibility of that organ to be politicized is very possible. But an effort should be made by the government striving for accountability and transparency to facilitate the workability of this institution (effectiveness). The majority of the same respondents stressed further that the legal framework should institutionalize local government's

participation in the most sectorial, financial and general intergovernmental platform to enhance the effectiveness of ward committees aiming at public governance. Local governments lack the implementation of public participation and regular communication between the council and the local community. This could be extrapolated to the intergovernmental platform and denies the success of ward committees.

#### **5.4 RULE OF LAW AND THE PUBLIC OFFICIALS**

De Villiers (1989:162) posits that the purpose in evaluating human behavior is to position officials in a system of values. Democracy demands the observance of some rules and regulations amongst which we can mention ethical values, integrity as well as the rule of law. These elements are cornerstones of any democratic society as they regulate the use of the discretionary power granted to public officials and prevent that they misuse and make diversions in the law serving their own interests rather than delivering service to the community. Further to the above, the rule of law cannot be overemphasized in a society that claims to institutionalize good governance for effective service delivery.

The rule of law implies the respect of specific criteria established to guarantee the success of service delivery in a most acceptable way. Rules of law are conceived to be like yardsticks bearing a regulatory function. It is posited that the values of a society depend largely on the moral-ethical culture within the community. A community which does not abide by the rules of law leads public officials in adopting an insensitive consciousness, a low sense of responsibility and law integrity. This will eventually create a gap of potentiality in terms of corruption and mismanagement in the public affairs as well as a drive of low service delivery trend. However, the success of these rules of law is gained when they are not considered as a simple code of conduct in the society but as an ongoing management process that underpins different promises or actions in the form of service delivery by the government.

For instance, the Systems Act defines the municipality as consisting of the governing structures (the elected councillors), the administration (the appointed staff) and the residents. The South African definition of residents as 'part of the municipality' is claimed to be unique in the world, since it lays the ground for greater involvement by the public in municipal matters. It has transpired from the outcome of the survey that a large number of respondents maintained that through municipalities' service delivery mechanisms, standards are at stake and they have not yet come to terms with their developmental achievement and their constraints do not render them non-developmental in nature. The community based rules, regulations and principles are still promoted and encouraged for the effectiveness and sustainability of public services.

However, officials agreed to the need of being trained and taught about respecting rules of law within the political machinery that they serve. The survey brought to the realm of understanding the importance of rules of law. One of the interview questions in this section stated the following: "In the context of state's cooperative government dispensation, which specific role should higher spheres of government play to facilitate a smooth implementation services by lower spheres"? The purpose of this question was to do away with confusion in terms of jurisdiction power. It is one thing to obey the rules of law established, and another one to know them. Shocking adverse points of view arose during the survey collection report about knowing which specific roles should higher spheres of government play to facilitate the smooth implementation of services by lower spheres. The majority raised strategic coordination and grand central government orientation over the rest of government spheres, while few designated education and research; others selected the intervention of macroeconomic type from central government. At the stage where local government stands today, officials should unanimously adhere to one opinion based on the shared experience and knowledge acquired while pursuing service delivery and after encountering different challenges. The confusion in this stage calls for the need to review the regulations that manage the interrelationship between different political spheres of government. The 2007 review process of provincial and local government

systems maintain the following arguments for the need of the current policy review process for local, provincial and national government:

- (a) Practical experience and lessons learnt during the implementation of the current system of government.
- (b) South Africans expect more responsive, accountable, efficient, equitable and an affordable government and a better quality of service.
- (c) Local government came into being much later than the two spheres of government and incorporating local government into the system of cooperative governance has proved complex.
- (d) The absence of a definite policy on provincial government has generated uncertainty about the role of this sphere of government in reconstruction and development.
- (e) Devising a mechanism to address local government skills and capacity challenges based on Project Consolidate's lessons has been difficult (<http://www.dplg.gov.za>).

Interview results of officials within the ambit of rules of law at this selected department posits that though there are quite intensive challenges of good governance in South Africa, the institutional governance in the local sphere is not termed to be ineffective to develop policy at both national and local level. The Constitution of the Republic of South Africa, Act 108 of 1996, stipulates that local government is a sphere of government with its original constitutionally enshrined powers and functions. It implies that local government is not to be considered as simple third governmental level as it used to be. Neither does it have to be mistaken to be a function of national or provincial government or subordinate to them. The South African Constitution maintains (Ibid) further that local government is independent, although interlinked with provincial and national government in one overall system of co-operative government.

However, interviews on this matter have also revealed that most local governments including the Metro City of Cape Town have failed to meet their developmental goals because:

a. The legal framework for the nationally generated revenue does not reflect a democratic distribution at national level. This was supported by the following indications:

- The legal framework is adequate
- The implementation and application of laws are not uniform through all municipalities due to the lack of suitable appointments being made in senior positions.
- Interference from political leadership in administration

b. Redistributive factors such as income levels, the ability to provide local services, developmental needs and fiscal capacity are thwarted or skewed. The author shares the view of the general respondents on this matter. This comes to prove that the lack in understanding the workability of local government operation is affecting the ability of local government to participate in key local developmental activities. This renders the local government less competent than the other two spheres of government (national and provincial).

c. Officials at local government, stressed that the procedure for the determination of municipal shares in national revenue are not transparent and do not provide for early, meaningful local government input. They maintain that funds from national government are not equally distributed. And wherever funds are given or granted, they are not well spent. In addition, one of the biggest problems is the absence of accurate data, which includes credible statistics that inform decision-making. Yet, accurate data is so important to enable planning and enhancing decision-making.

An institutionalized normative framework for local government or for intergovernmental co-operation, are one in which mutual respect and recognition of institutional status are key aspects and necessary prerequisites for the success of a decentralized state. Data collection within the sub-councils and councillor support department has indicated that most institutional arrangements at the local government level are doomed to fail because:

- a. Firstly, the Constitution does not include a normative framework for the relations between local government and other levels of government: The majority of respondents agreed with the above mentioned statement. As a matter of fact, the Constitution doesn't clearly indicate a normative framework defining relationships between local governments. It is thus in this way that IDPs are not interlinked and are not presented as complementarily on a national scale. This is a risk to a country that has designed local government to perpetuate economic development of which reflects would be apprehended on national sphere as well as local sphere.
- b. In addition, the normative framework should not only refer to the 'soft matters' such as integrating policies and sharing information, but also the duty to refrain from encroaching on one another's institutional integrity. Officials unanimously agreed that this gap impeded good governance in local governance. As a matter of fact, encroachment brings about frustration in the fulfillment of service delivery as expectations would be in a total confusion. A clear normative framework should stipulate the role of each official as well as those of higher officials.
- c. Lastly, officials have raised the issue of non-punishment and non-respect of established rules from higher officials. The normative framework should include principles that are enforceable in court, and the court should use these principles in order to protect municipalities from an overzealous central government, but also to shield the latter from litigious municipalities or prevent government in general from being partitioned into separate entities. The implementation and respect of the rules of law facilitate success and leaves everyone in his position.

Almost all interviewed officials have indicated a high level of agreement with regards to the fact that most public institutions including the Sub Council and Councillor Support Department at the Cape Town Metro, whether they work in centralized or

decentralized systems, have only a chance to succeed if they are based on: consultation, accountable dealing, avoiding conflict with each other, mutual and fruitful cooperation, active participation and mobilization and dynamic development, communication and leadership. In fact the fulfillment of these elements implies a better understanding of the way local government operates in mastering the rules of law. This will positively affect the ability of local government to participate in key local government activities. Above all, it corresponds with the respect of democratic laws and the application of the Batho Pele principles.

## **5.5 ACCOUNTABILITY AND SERVICE DELIVERY**

### **5.5.1 Transparency**

Accountability is one of the core foundations of good governance. In fact, the level of accountability in a community indicates the level of good governance in the community. The presence of a community that claims to be governed by the principles of good governance displays the facts that it preserves and promotes human rights. Good governance benefits economic growth by lessening inequality and increasing opportunity and finally decreases corruption.

Section 16 of the Municipal Structures Act obliges municipalities to “develop a culture of municipal governance that complements formal representative government with a system of participatory governance”. Within the context of the above statement, our interview survey unveiled through almost all respondents who mentioned the fact that most service delivery programmes fail at local level because the councillors’ planning and implementation processes are undemocratic, lack consultation with the large public, lack control mechanisms as well as transparency options. The Municipal Systems Act 32 of 2000 demands local governments to give priority to the basic needs of the local community, promote its development, and ensure that all residents have access to at least the minimum level of basic services. The author is of the opinion that the service delivery mechanisms and standards should be regularly reviewed and adapted to the need of the citizens for the purpose of enforcing good governance.

Citizen should be given accurate information about the public services they are entitled to receive. Information is about reaching all our customers to make sure they are well informed about the services each department offers. This may be displayed through many ways: newspaper, radio, posters and leaflets. While fulfilling this task one should keep in mind that different customers have different needs and do not speak the same language.

Accountability discrepancies at local government level, especially at the metro city with regards to good governance are numerous. The few mentioned by respondents and officials interviewed, confirm a low effectiveness of good governance, a low compliance to rules of law and a low accountability mechanism system adhered to within the local government. The survey further signals low public participation and some officials even argue that public participation is just not applicable within local government as well as social equity. Yet, the South African Constitution posits in Section 152, Act 108 of 1996 the following objects of local government for good governance achievement:

UNIVERSITY of the  
WESTERN CAPE

- (a) “To provide democratic and accountable 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 organizations in matters related to local government.”

It is alarming that though Section 153 (RSA Constitution), Act 108 of 1996 grants local government with a mandate to structure and manage their respective administrations, budgeting and planning processes, to give priority to the basic needs of the community and to promote the social and economic development of the community, this one is still at the infancy stage and can't really assume it's given responsibility effectively.



To support the above view, respondents stressed that governance overregulation undermines the tax cost of local spheres' capacity to deliver basic services to the poor at the local level. Just to mention a few, among all respondents, the Manager of Governance and Projects at the Subcouncil Department argues that "the MFMA dictates on how the City (supply chain management) may spend its funds. This becomes problematic when tenders are given to vendors who force the city to purchase items from them at much higher prices that can be purchased at Game Stores, etc. for example a tray can be purchased for R30.00 but the vendor charges the City R130.00. Building is also problematic. The cheapest contractor is appointed, but poor workmanship is delivered. Work sometimes has to be redone because of this which is a waste of ratepayer's money."

On the other hand the Manager of Council Support states that: "Municipal Finance Management Act regulate how we spend funds. This is however often not favors the city. E.g. Makro sells TV for R2500 but we may not purchase from MAKRO. A vendor purchases the TV from MAKRO and charges the City R3500".

The responses indicate that officials strongly agree with the fact that governance overregulation undermines the tax cost of local spheres' capacity to deliver basic services to the poor at the local level. This implies that in as much as legislation is required to bring about guidance for effectiveness within local government, aspects pertaining to its service delivery impediment should be addressed. The legislator should consider the fact that implementation and compliance are equally important. Regulation is established to ease things and not to complicate them. In addition, this is the field where encroachment is happening and impedes delivery of service. The following paragraph will enable a better understanding of encroachment within the local government.

The author stresses that encroachment of a sphere of government on geographical and functional responsibilities of other entities in other spheres decreases the institutional development capacity of the sub national government. This reflects the

unfortunate fate from the majority of respondents' view which converged to the abovementioned statement. Respondents have maintained that the encroachment is frequently observed within local government management and that this delays service delivery, as subordinates are in total confusion in terms of prioritizing tasks and choosing what to do or not to do. Furthermore, encroachment on this level causes frustration and obstructs the use of initiatives which consequently leads to the lack of trust and accountability. How officials could possibly be called to account for this when they are confused in terms of who to account to is a problem. All spheres of government should work together with uniform guidelines.

### **5.5.2 Control**

The availability of financial and technical resources means nothing without good governance capacity to achieve them. Policies are needed to guide officials to perform their job optimally. By having tools to do the job doesn't imply that the job can be done properly or optimally. Responsible policies should be put in place in order to achieve transparent and accountable governance while delivering services. These policies should aim at monitoring and measuring good governance performance from bad governance. Officials have suggested the following criteria in this regard: excellent leadership, clean audits, accountability, transparency, inclusive participation, democratic involvement as well as a supply chain management process. A common denominator to all respondents' views was the reinforcement of the accountability mechanism system. This cannot be overemphasized.

There are a number of policy and legislative documents that should guide the councillors to frame policies termed to be good (accountable and democratic). The author's understanding from officials within the local government (respondents) turned to be quite interesting. Government officials are expected to have a sound understanding of the law and political factors. Unfortunately, the majority of results on this issue show that they have a moderate understanding of the White paper on Local Government of 1998, the Municipal Systems , Act 32 of 2000, the Municipal Structure

Act, and Acts 117 of 1998 as well as the Municipal Demarcation Act, Act 27 of 1998. In addition, the majority of results still reveal a low understanding of the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) as well as the Western Cape Planning and Development Act, 1999 (Act 7 of 1999). This is a call for revisiting officials' placement: occupation of a position in government needs to be earned.

For instance, a good number of respondents during our survey assumed that problems related to the implementation and application of principles pertaining to good governance and service delivery was not applicable to them, the reason being that they were not directly involved with the delivery of service. Some respondents assumed that they only deal with internal support, therefore cannot be held accountable for service delivery. This is an expression of incompetence as each official deals with delivery of service but in different ways. This describes a lack of understanding of the way local government operates and what good governance for service delivery is all about. Hence, the importance of implementing continuous training programs pertaining to the understanding of delivery of services in line with good governance at the local government level. This will stimulate satisfactory economic transformation initiatives at local government sphere. However, unanimously officials suggested on following the process or policy of the City and remaining within the framework of the law to be able to face the public and account for the wise usage of their money.

Furthermore good governance entails also to empower officials within local governments to use the most appropriate mechanisms in improving cooperation between government, civil society, the business sector and the use of the public. This was one of the author's concerns during the survey. However, a high rate of respondents did not give a clear cut response on this issue. Yet, the author is of the opinion that local government should just fully abide by the following Batho Pele principles pertaining to service delivery in cooperation with government, civil society, the business sector and the public:

- Consultation
- Service standards

- Access
- Courtesy
- Information
- Openness and transparency
- Redress
- Value for money

With information gathered from the survey, the author can establish that the causes of local government failure to implement services to the poor strongly relate to the politicized delivery of services coupled with staff not performing their functions which affects the allocated budget, as well as corruption. In addition, respondents argue that communities expect too much from them. A need to clarify this issue is required to promote sound accountability mechanisms at local government sphere. These impediments to the good functioning of the machinery of local government is topped up with inadequate resources, overregulation, and overlapping of service delivery between spheres of government. It is further mentioned that local governments have huge service delivery backlogs which consequently affect their capacity to be developmental. To resolve this issue a high rate of respondents posited that there should be an emphasis on a clear mandate stipulation to each sphere of government with regards to their respective responsibilities. In addition, the government should engage in an effort to eradicate corruption in pursuing its developmental mandate. Officials should responsibly fulfil the task for which they were appointed to avoid a backlog.

Secondly, the challenges that local government face with regard to good governance implementation are a great indication of the lack of public participation and regular communication between the council and the local community. This implies that there is great confusion surrounding the word 'democracy' and that its interpretation does not reflect its meaning. Yet, it is generally agreed upon that the new local government is constitutionally embedded in residents. Therefore, it is expected of local institutions to play a major role in government by enabling citizens to actively take part in all activities including planning and budgeting. Citizens should be informed of the kind of services

to be expected and should be given explanations for any delay or disruption of an expected service.

### **5.5.3 Recourse**

To be able to give feedback of services received which constitutes the credential of recourse in accountability for good governance, citizen or taxpayers should be able to have access to information and decision-making forums. This will allow the general public to know what is happening and to judge whether it is appropriate or not. Above all, the legislation should emphasize in which way citizens could claim their rights, or what the means used for transparency and recourse to be happening, will be. The Constitution should stress that the public sector decision makers are to consult on a regular basis the report from the general public pertaining to services provided.

The author maintains that a country that claims to be democratic should facilitate public access to redress and legal recourse. This comes handy in the pursuit of accountability and good governance institutions. This process enhances the liberty of accessing the local government's judicial system as a channel of protecting the community's rights. Recourse, as an accountability mechanism step, enabling communities to hold policy and decision makers at local, provincial or national government accountable for all their decisions. Citizens can have access to recourse using several institutionalized ways such as legal frameworks (legislation and regulation), capacity building, alternative dispute resolution, legal aid and citizen monitoring and enforcement.

But there are prerequisite factors for instituting an effective accountability system that promotes recourse actions which are empowering citizens to have easy access to information and public participation as well as to judicial systems while seeking recourse. This entails to enforce the local government's responsibility to build the capacity of officials, judges, and community members to effectively use recourse mechanisms in promoting accountability mechanisms.

The South African society, especially the Local Government of the Cape Town Metro displays some impediments to recourses. The survey has revealed the following difficulties in fostering recourses' mechanisms:

- Information is not conveyed well to citizens and there is an important lack in terms of awareness of legal rights and remedies;
- Citizens have different backgrounds and different levels of understanding as well as speaking different languages. On this level citizens encounter a problem related to the understanding of the recourse processes within the local community;
- The negative bureaucracy that discourages citizens to undertake the recourse process is linked to significant delays during the submission of claims and the outcome of the claims. The process time of claims need to be addressed;
- The choice of good governance is to aim at alleviating poverty. This is a process but the actual reality indicates that a large part of South Africans at the local spheres are striving to come out of poverty. On this level, recourse is being impeded by the presence of high costs of litigation.
- The geographic location of a judicial system such as a court coupled by the ability to access the judicial system plays a major role in the encouragement or discouragement of citizens to undertake or to follow up a recourse process.

## **5.6 PARTICIPATION IN THE GOVERNANCE OF THE CITY**

Participation in the governance of the city relates to participatory governance. Accountability is a two way action that refers to being given account and being held accountable. This action can only take place in an environment where public participation is made possible. In the South African community, it is known that public participation in governmental affairs was inaugurated in post-apartheid local governments with reference to the Constitution of 1996. Public participation is further empowered by the White Paper on Local Government of 1998 with the purpose of steering municipalities in developing mechanisms that will enable public participation

in policy initiation and formulation, as well as monitoring and evaluating decision making and implementation (DPLG, 1998; White Paper on Local Government, 1998: section 3.3). However, the participation in the governance of the city took time before it got operational or effective and before it got empowered by the Municipal Structures Act of 1998 (Act 117 of 1998) and especially before it got empowered by the Municipal Systems Act of 2000 (Act 32 of 2000).

The demarcation between the Municipal System Act and the Municipal Structures Act respectively is that the first one explains the use of structures such as ward committees at local government and the second sets out the structures of these committees. In this regard it is requested of municipalities to “develop a culture of municipal governance that complements formal representative government with a system of participatory governance” (Municipal Systems Act of 2000: S 16). This important policy appears for the first time in the South African history to give local government a developmental role besides the elementary delivery of services that it used to offer. In addition to this new value, within a democratic dispensation it is expected of local government to implement municipal management that encourages the participation of the public.

#### **5.4.1 THE METROPOLITAN MUNICIPAL COUNCIL WARD COMMITTEES AND PARTICIPATORY GOVERNANCE**

Basically, three aspects of participatory governance have been documented: the definition of municipalities, ward committees and consultative processes around planning and budgeting. The first of these is in some ways the most remarkable and yet intangible. The Systems Act of 1998 (Act 32 of 2000) defines the municipality as consisting of the governing structures (the elected councillors), the administration (the appointed staff) and the residents. The definition of residents as part of the municipality is claimed to be unique in the world, and establishes the grounds for greater involvement by the public in municipal matters. While the practical implications of this definition are not yet obvious, the symbolic ramifications are considerable.

The second innovation is the ward committee system. The Municipal Systems Act of 2000 (Act 32 of 2000) provides for ward committees to be established in each ward of a Category A or Category B municipality and this process has been made compulsory<sup>2</sup> for all municipalities. Chaired by the ward councillor, ward committees are intended to consist of up to ten people representing 'a diversity of interests' in the ward, with women 'equitably represented'.

Ward committees may make recommendations on any matter affecting its ward:

- (i) To the ward councillor; or
- (ii) (ii) Through the ward councillor, to the metro or local council, the executive committee, the executive mayor and so on.

Notably, ward committees cannot be delegated executive powers, and their primary function is to "create formal unbiased communication channels... between the community and the council" (DPLG 2005: 36). They are also required to mobilize the community to participate in service payment campaigns, the development planning and budgetary processes, decisions about service provision, by-laws and the like. Thirdly, PG involves a form of public involvement in core municipal processes like development planning, performance management, performance, the budget and strategic decisions relating to services (Municipal Systems Act [Act 32 of 2000: section 16 (1)[a]]).

In short, public participation is statutorily injected into the most important municipal processes. Government policy on how public consultation on these issues ought to occur is quite limited, and usually manifests in the insistence of using ward committees. In practice, it seems, most consultation happens through the use of public meetings called by the mayor, also known as mayoral izimbizo's (public meetings).

---

<sup>2</sup> Msengana-Ndlela (2006). *Speech by Ms Lindiwe Msengana-Ndlela, Director-General of the Department of Provincial and Local Government (DPLG) to the Conference of the Development Bank of Southern Africa, Vulindlela Academy (DVA), Midrand, Johannesburg. 13 March.* <http://www.dplg.gov.za/speeches/13Mar2006DGv1.doc>



Nevertheless, how effective these institutions are, is the challenge of the present study.

It seems, most participation happens through the use of public meetings called by the mayor, also known as mayoral izimbizo's (public meetings). The author dug through the interviews to find out whether public participation has been helpful in dismantling former apartheid barriers with the public and contributing to improve service delivery. General feedback on this statement points to poor equilibrium in the composition of ward committees with regards to the Municipal Systems, Act 32 of 2000 which stipulates that a local government should build up a culture of municipal governance that complements formal representative government with a system of participatory governance. The call for public participation was to literally deviate from the service delivery problem. However, the survey has clearly established a quite negative trend with regards the capacity of ward committees to alleviate problems. Public participation is not well received and thus interpreted as a possibility of potential delay with regards to development and service delivery caused by community participation. This predicament bears the consequence of possibly missing out a financial year, a call to reprioritization of funding, and a cost increase caused by the cumbersome process of community participation. In case of the above happening, it renders the project unaffordable. Although a negative result transpired on this level, the author still maintains that public participation enriches service delivery. To support the author's view, the RSA Constitution on Local Government: Municipal Systems Act 32 of 2000 makes provision for the participation of residents in the:

- (a) Preparation, implementation and review of IDPs;
- (b) Establishment, implementation and review of a municipality's performance management system;
- (c) Preparation of a municipality's budget; and
- (d) Decision about the provision of municipal services

The institutional regime for local government should provide for an instruction to the various levels of government to integrate planning. Data collection strongly supports this statement. Local governments are faced with the constraint of forward planning, resulting in service delivery disruptions. The lack of integrating planning affects the ability of local government to be developmental. The institutional framework should not create the suggestion that vertical integration is the responsibility of a particular department, instead, it should emphasize the need for dialogue on a sectoral level. A high rate of respondents agreed to the abovementioned statement. As a matter of fact, it has transpired through interviews that local governments consult much with key stakeholders as well as different interest groups while building up the IDP processes. Though this sounds to be like a positive response in the dialogue on a sectoral level, it doesn't however exclude the possibility of improving the consultative process in the sectoral sphere.

## **5.7 EQUITY AND AFFIRMATIVE ACTION**



Chaired by the ward councillor, ward committees are intended to consist of up to ten people representing 'a diversity of interests' in the ward, with women 'equitably represented'. With regard to affirmative action measures, the author was satisfied from the survey data collection that an effort has been made to meet up with the women equity policy within ward committees. However, some maintain that they are highly politicized. In this way political discussions in council stand to be either opposed or grounded on political affiliations rather than their content.

## **5.8 THE CITY OF CAPE TOWN'S IDP (2012 / 2013) REVIEW OFFICIAL DOCUMENT**

### **5.8.1 Priority action area**

It is established that IDPs provide a strategic framework for building a city based on five pillars being: the opportunity city, the safe city, the caring city, the inclusive city and the well-run city. These five pillars work together to inform the holistic view of the

expected development from the government. For an efficient achievement the city has developed what it calls priority action areas. These areas are the locations that require intervention of the City, as well as other spheres of government and state-owned enterprises. It is noted that interventions take different forms. For instance, the City's intervention may occur in the form of dealing with crime, investigating bulk infrastructure and social facilities, improving the quality of the built environment, or introducing development incentives. The Metro City of Cape Town identifies priority action areas based on collected information and plans, and are therefore subjected to change over time.

Meanwhile, a parallel organ to the IDP (The Spatial Planning and Urban Design Department) has been built up to ensure follow up, by assessing progress made in priority areas and amend / or add to them.

In this case, the city of Cape Town has regrouped the priority action areas as follows:

- Transport
- Economic
- Housing and Infrastructure
- Environmental
- Social



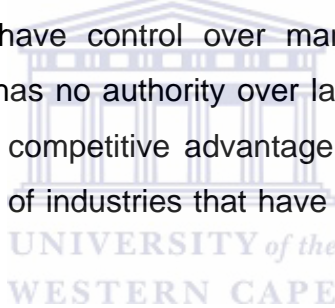
Given the fact that globalization comes in different forms and angles affecting the whole world, South Africa is not an exception and therefore needs to position itself strongly enough to squeeze between countries that are becoming drivers of growth. It has been observed that the City of Cape Town must position itself to embrace the economic growth while maintaining a high class service delivery to all citizens. The speech often given by politicians “as economic growth shifts to the more developing world, South Africa must strive to ensure that it takes part to the economic shift” should be driven by a will of change to move from a wish to a reality.

#### 5.8.2 Cape Town's challenges and opportunities

The City of Cape Town's IDP 2012 / 2013 review, argues that the world is standing on the brink of a potential double-dip recession of which South Africa is not an exception. Corollary the City of Cape Town is sitting with numerous stark economic realities to attend to: "traditional investors from developing world do not find themselves in favourable conditions to invest. Where there is investment in the developing world, it tends to be directed to developing economies that have built competitive advantages, either through economies of scale in particular industries or through conditions deliberately fostered to aid business rather than social imperatives".

#### 5.8.2.1 National economic conditions

As a local government, the City is responsible for economic development in the region. However, the City does not have control over many key levers that affect the economy. In addition, the City has no authority over labour legislation, the inflexibility of which can lead to a loss in competitive advantage in the labour market, thereby lessening the scope of the kind of industries that have a realistic chance to becoming viable in the region.



Furthermore, the City does not have control over state-owned enterprises (SOEs), which have a double effect: firstly, rail, as the major transport source for the majority of the people, is underserviced and lacks capacity, and the City has little power to effect change directly. Secondly the City has little or no say over key access points in Cape Town. Both the harbour and the airport are controlled by SOEs, and unrealistic tariffs decrease the potential for trying to create a favourable climate for producers looking for a competitive transport hub.

The City also has no say in the national division of revenue or financial policy. Due to current provisions that favour symmetrical development, Cape Town often does not benefit from all of the revenue that it generates.

#### 5.8.2.2 Demographic and social change

In 2010 the population of Cape Town was estimated at 3.7 million people, with an estimated 1 060 964 household units. The population is projected to grow with 4, 25 million by 2030. This growth exacerbates the range of challenges facing Cape Town, including, but not limited to, unemployment, drug use and the incidence of crime.

HIV/Aids and tuberculosis (TB) are the key challenges facing Cape Town's residents. Cape Town's HIV/Aids prevalence rate remained largely unchanged between 2004 and 2009, at an average of approximately 18% of the total population. The incidence of TB per 100 000 of the city's population has been fairly stable, at below 900 every year between 2003 and 2009.

Cape Town's infant mortality rate (IMR) declined considerably between 2003 and 2009, indicating good overall health as well as improved living and social conditions in the city. Cape Town significantly outperforms the national IMR, at 20, 76 in 2009, a decline from the rate of 21, 4 in 2006, but slightly higher than the rate of 19, 79 in 2008.



Socially, in 2009, about 5% of the households in Cape Town listed social grants as their main source of income, and for 3% of the total households it was their sole source of income. In addition to high poverty levels, South African cities are among the most inequitable in the world. Of the South African metros, Cape Town is the least inequitable, with, 2010 Gini coefficient of 0,58, which is better than other major South African metros, including Johannesburg and eThekweni (Durban) which have Gini coefficients of 0,62 and higher.

### 5.8.2.3 The economy

Cape Town is the metro with the second-largest economy, and is the second biggest contributor to the South African economic output. In 2010, the City contributed 11, 12% of national gross value added (GVA), its contribution to the national economy

having grown incrementally from 10, 5% in 2001 to 10, 9% in 2009. Cape Town's economy has a number of key positives on which to build. It is known to have a solid economic infrastructure and a good service base with which to attract international and national industries.

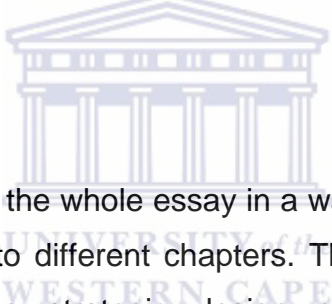
## **5.9 SUMMARY**

The author maintains that in this chapter, the empirical survey of the Implementation and Co-operation Subcouncil at the Metro City of Cape Town was undertaken and elaborated. The author further posits that respective results of the survey were interpreted against the background of the original objective of this essay, as formulated in chapter one that motivated the researcher to pursue this endeavor.

In the following chapter, the author will present both a general conclusion and recommendation pertaining to the South African good governance and institutional development with regards to service delivery at local level. To avoid being too superficial, the researcher has focused on the Subcouncil dealing with implementation and co-operation at the Metro City of Cape Town.

## **CHAPTER SIX: CONCLUSIONS AND RECOMMENDATIONS**

### **6.1 INTRODUCTION**



This chapter comes to conclude the whole essay in a way to present both findings and respective conclusions related to different chapters. The present discussion focuses on conclusions based on the strategic design of the study, the theoretical consideration for an accountability mechanism system in South Africa based on interviews' outcomes, and methodological orientation of local government. The concluding observation will be made in the following discussion and conclusions; and issues for future studies' consideration and recommendation will be postulated in the last section.

### **6.2 SUMMARY OF KEY FINDINGS AND CONCLUSIONS**

#### **6.2.1 CORE FINDINGS AND CONCLUSIONS OF THE STUDY**

The core problem statement of this essay, as depicted in the first chapter, gravitates around the need for local government to implement an improved and efficient accountability mechanism system against the backdrop of good governance and institutional development. This need is paramount to the implementation of improved

and efficient public service delivery. However, although the Constitution transfers power and autonomy to local government to guarantee a proper functioning of local government displaying the welfare of the citizens by meeting the local community's needs display that the accountability mechanism system's relevance is relatively very weak or almost non-existent. Corollary, it follows that any attempt to improve the accountability mechanism system related to an effective operational support of local government performance in service delivery endeavors is paralyzed either by lack of appropriate legislation or over-regulation. On this level pertinent mechanisms are required to align their respective policies alongside IDP objectives within and between community councils.

It appears from conducted interviews that the weakness of local government is partly due to institutional and legislative dysfunctions to which it relates as one of the key factors susceptible of leading to an inefficient and ineffective accountability mechanism system in the Metro City of Cape Town. It is further observed through the undertaking of this research that the support for an efficient and effective` accountability mechanism system can be strengthened by focusing on the need for institutional arrangement.

A vital need for policy measures related to the alleviation of poverty should be introduced within municipalities. In addition, the interviews' outcomes suggest that practical frameworks be made available to facilitate cooperation and policy alignment within and between local governments. Furthermore, taking cognizance of the power and autonomy transferred to local government, it is important that the central government intervenes by assisting provincial and local government jurisdiction only when it is required of them; skilled and experienced staff capable of performing particular tasks and functions at local level and where local government has clearly failed and not otherwise. Therefore, the author maintains that institutional arrangements should be considered important and unavoidable in the pursuing of an undeniable efficient framework of an accountability system that should inform both municipal officers and the citizens with regards to the value of the service delivery they



respectively offer and receive. In addition, the pertinence of these institutional arrangements rests in their ability to guide decision-making processes between different spheres of the government. The author further posits that the effectiveness and efficiency of an accountability mechanism system within local government will be strengthened by the establishment of the institutional arrangements.

Furthermore, it is established that the South African government's role is being fulfilled through three spheres being the national, provincial and local government. These entities are distinct from each other and are entrusted with complete autonomy in the achievement of their respective missions. To enable the success of each sphere of government, local economic development (LED) is their common denominator tool for poverty alleviation and delivery of service. Given the fact that LED processes are most of the time a challenge for local governments and that they are not fully trained to understand the LED process, the national government has initiated the legislated IDPs at local sphere to facilitate the application of LED. It is for the purpose of assisting local government striving to fulfill LED that IDPs have been established. Although national government has entrusted local government with responsibilities to develop their own IDPs (five years development plan) aligned with the needs of each municipality, analysis has shown that most of them are unable to develop effective IDPs. Consequently, some IDPs don't really express the real needs of the citizens and are rather unattainable goals. Because government is being called upon to produce results and to demonstrate that value for money has been rendered, it is expected of them to encourage effective and implementable LED. The author maintains that the weakness of local government with regards to the translation of LED within municipalities should be covered by an effective and strong leadership program pertaining to implement a 'bottom up' development policy. As a paradox, the South African Constitution calls for a 'bottom up' development whilst most of the development strategies at local sphere are still dictated from national sphere. It is based on the above need that the author will highlight specific findings and conclusions presented in the next sections.

### **6.2.2 GOOD GOVERNANCE AT LOCAL GOVERNMENT LEVEL: CONCLUSION**

The formulation of the problem statement displayed in the first chapter was informed by the identification of the need to investigate the constraints of South African local government and its implications for institutional development and service delivery with specific reference to the City of Cape Town. It was for the purpose of building support material for the users of public administration, politicians, experts, officials and students in public administration that the researcher considered it pertinent to describe the potential contribution of local government management and accountability mechanism systems as a basic foundation for good governance with relevance to indicators of social change. Thus, the necessity for a call of a clear understanding of legislation related to local governance and good governance policies which will prevail in the development of an accountability mechanism system within the framework of local government for the purpose of supporting governmental actions in the fulfillment of social change.

A general observation in this regard reveals that multiple constitutional and political changes in South Africa have impacted and changed the operational structure of different political spheres or actors nationally, regionally and locally. However, as mentioned above, one of the biggest challenges the new government had to face was enshrined in the fact that, governments are increasingly being called upon to demonstrate results and that it is expected of them to demonstrate that they are making a real difference in the lives of their respective societies and that value for money has been delivered, thus, the call for a strong mechanism that will lead to social change in the country led to the empowering of local governments. Therefore, repeated constitutional amendments, emissions of new laws and policies appear to be an over-regulation and this, coupled with high political interventions from the top spheres to the local level has disrupted service delivery and caused confusion on jurisdiction and allocation of powers between national and local authorities. Moreover, the author notes that the transfer of power and confidence in the national government through a first 'fair and transparent' election in 1994 was a new operational ground for divergent political parties. But this new political culture, called 'participative political

culture' has also acted as a cumbersome scenario in policy alignment and delivery processes, especially in the areas where citizens are not equipped to understand their civic rights and obligations. Within the above ambit a senior Director of the City of Cape Town maintained the following observations:

“Applicable legislation needs to be changed as it is very cumbersome and not beneficial for service delivery. It is seen as a hindrance rather than assisting in speeding up the process of service delivery”. The overregulation is a common issue in South African local spheres. One of the cases of this fate relates to the content enshrined in chapter 3 of the Constitution of South Africa, in which provision has been made for a conceptual framework with regards to cooperative government, which prescribes principles of both cooperative government and intergovernmental relations. On the other hand, section 40 (2) and section 41 (1) of the same Constitution respectively instructs the three spheres of government to adhere to principles that are provided therein hoping that their respective activities will be conducted without risk of encroaching on geographical or functional areas of the government within their tiers. Unfortunately, realities on the terrain prove that the encroachment issue is happening between officials in higher spheres of government and local spheres directly or indirectly and this affects the local authority who doesn't know what to do in order to anticipate the governmental goals in line with IDPs. De visser and Tapscott (2005:186; Tapscott, 1998: 9) give more information on this matter. As a matter of fact, political and administrative encroachment between the national, regional and local government officials are the best explanation attributed to the lack of political will to align with the framework of IDPs; moreover, the experience from interviews, specially the outcome of the interview with Mr. Trevor Hollis-Turner, Manager: Implementation and Coordination Subcouncils and Councilors Support Department, Compliance and Auxiliary Services Directorate, has confirmed that “senior managers don't master the operational system of local municipalities to a such an extent that they don't know how local government struggle to raise their respective revenue with regards to IDPs to fulfill and materialize social change. Interviews have further confirmed that most local spheres raise about 90% of revenue by themselves and that only 10 % of

revenue is allocated to them to account for unconditional transfers”. The politico-administrative encroachment issue as well as the alarming gap in terms of revenue percentage attributed to local government and the one raised by the local government itself, need to be addressed respectively in the whole politico-administrative set-up and relationship within different spheres of the new government with reference to the efficiency and effectiveness of attainable delivery service as well as that of the establishment of a sound accountability mechanism system.

The author suggests that a macro-institutional policy framework be erected within the set-up of the politico-administrative system. Although the presence of different political parties presents an eventuality of divergent opinions and priorities, a macro-institutional policy framework established to this effect will enable and inform the leadership of political parties to converge on one goal as a nation under one government. As it is the case with the City of Cape Town, where the City Council is dominated by the DA and not the ANC, the important answers with regards to the overall management set-up of the City are to be given. This insinuates the absence of sustainability within the LED strategic plan of IDPs aligned along the five years political plan (pillars of IDPs), being applied in a fixed political term of mandate rather than facing a more stable and sustainable plan in the provision of any political change in case of a new mandate.

The author posits that since local government is at the heart of social change and an important tool for pertinent service delivery, the ambivalence of different leadership of political parties should not obstruct its efficacy and efficiency. And for social change to take place in line with governmental goals, the Batho Pele principles detailed in the second chapter of this essay need to be applied as good governance institutions. This is a call for a proper public participation framework and accountability mechanism system, which defines the principle of good governance and in which direct representation and institutional capacity are mainstreamed to empower and foster active decision-making processes nationally, regionally as well as at local government levels. In addition to the above, the success of local government’s mission for poverty

alleviation and service delivery within local municipalities will require an emphasis on good practices, national and local cooperation, as well as a macro-institutional framework enabling the regional and local government to operate without national politico-administrative encroachment.

### **6.2.3 THE APPARENT DISMAL FAILURES OF GOOD GOVERNANCE IN THE POST-APARTHEID SOUTH AFRICA**

The outcomes of a shrinking state are enslaving and detrimental to the dignity and prestige of people as human beings that deserve freedom rather than diplomatic management muscles. Expressing indignation and regret with regard to the end and perspective of freedom, Amartya Sen (1999: 87-111) highlights poverty as capacity deprivation in the effort to extend markets to the expense of states and social opportunity (Sen, 1999). For Mahatma Gandhi (cited in Esset and Fair Share, 2000: op cit) “when you are deciding a matter, have the picture before you of the poorest person you have met and ask if the decision will help that person. If the answer is yes, take the decision without hesitation”.



The above enables us to understand the dismal failures of the post-apartheid South Africa in meeting the post-1994 hopes and promises vis-à-vis good governance practices, which comprises inter alia: accountability, meaningful participation, effective, efficient and equitable public administration and management.

Indeed, the failures of the post-apartheid South Africa to fulfil its democratic promises are profound; this is irrespective of whether one looks at it from the lenses of public administration, accountability, participation, or from a broader good governance perspective. The post-apartheid South Africa has shown serious deviation from the democratic forms of public administration/ management and governance which entails “participatory governance, transparency, accountability, legitimacy, effectiveness, equity” (Williams, 2009: 8). Instead of being open, transparent and participatory, public policies are increasingly becoming remote from the general populace. The

administration and management of public affairs is increasingly becoming a centralized party agenda, very remote from the ordinary people.

### **6.3 THE CASE OF THE INTEGRATED DEVELOPMENT PLANNING FORUMS**

The essence of Integrated Development Planning is its strategic planning model for local government. In section 25, the Systems Act lists a few features, by stating that IDP links, integrate and coordinate plans, aligns the municipality's resources and capacity (e.g. budget) and with the implementation of the plan, forms the basis on which the budget must be based; and is compatible with national and provincial development plans that are binding on the municipality in terms of legislation. In this regard, any strategic planning by the municipality must take place within the IDP and should not be seen as separate from it. Section 35 (1) of the Systems Act refers to IDP as the municipality's "principle strategic planning instrument". There are two components to the model that distinguish IDPs from any ordinary strategic planning. The Systems Act subjects the IDP process to two main principles:

Firstly, municipal planning must be 'developmental oriented', i.e. geared towards fulfilling the objectives and duties of section 152 and 153 of the Constitution and towards the realization, together with other organs of state (Williams, 2006:203), of a right to a safe and healthy environment, protection of property, housing, health care, food, water, social security and education (Municipal Systems Act, 2000: S23). In line with the centrality of choice and empowerment in development, the notion of public participation is central to the IDP model, therefore, IDP is strategic planning (Williams, 2006: 204).

Secondly, municipal planning must take place within the framework of cooperative government (Municipal Systems Act, 2000: S24), rather than in isolation but should be aligned with the plans and strategies of national and provincial government as well as

with other municipalities. In this regard, Cape Town IDP is strategic planning within an intergovernmental relations context (Municipal Systems Act, 2000: S25 (3))<sup>3</sup>.

Williams (ibid) argues that the idea of a bottom up centred IDP derives its basis from the 1996 Constitution. Indeed, section 152 (a) (e) states that the objectives of local government are to provide a democratic and accountable government for local communities and to encourage the involvement of communities and community organizations in the matters of local government’.

In light of the above argument, Integrated Development Planning (IDP) can be viewed as some sort of post-apartheid social contract – a concept popularized by theorists such as Locke, Hobbes and Rousseau – between government/the state and its citizens. Such “social contracts” would be pertinent in ensuring what Locke refers to as “natural rights”, which according to him include: right to life; liberty and property.

In light of govern mentality - a concept popularized by Foucault, IDPs can be viewed as an instrument that the post-apartheid South African government uses as means to forge social partnerships so as to achieve policy endeavours. Moreover, IDP symbolizes the post-apartheid South African government’s move from government towards governance. A view advanced by Williams (2006: 200-201) is that at the centre of IDP is the creation of participatory governance and to entrench the culture of direct democracy where the people, particularly at grass-root level, remains at the centre of decision making, as drivers of development.

It would seem that despite the good rationale and existence of well-crafted legal underpinnings, the IDP has failed dismally to ensure an inclusive, participatory, and bottom up form of participation and development. In spite of the establishment of ward committees, the IDP remains ineffective. For instance, it is argued that the very same ward committees which are supposed to represent the preferences of its respective

---

<sup>3</sup> Section 25 (3) of the Municipal Systems Act confirms the centrality of these two principles by allowing a newly elected council to adopt the previous IDP only if (1) the community is consulted and (2) provincial and national plans and planning requirements have been identified.

constituencies are, however, “not representative of the demographics of their area” (Khosa: 2005: 139). It is further pointed out that “Ward committee structures don’t seem to attract people who may add value.” (ibid).

#### **6.4 KEY RECOMMENDATIONS**

This is a broad subject that different researchers could undertake and provide potential solutions. But for the purpose of this research the following are posited to prevent some developmental issues:

Firstly, a wall-to-wall local government, i.e. a constitutional guarantee that there will be local government throughout the jurisdiction of the country. This suggestion has stressed the importance to emphasize the distinction and independence of each local government. The only challenge within and between local governments is seen by a politico-administration dichotomy which historically has always been an issue in public administration. As a matter of fact, there is interpenetration between the political role and the role of administrative leadership as one can’t separate them in practice since officials also play an important role in policy development.

The effectiveness of ward committees for institutional development in reflecting on the best practice at the operational level rests on the need to capacitate the formed ward committees in terms of skills equipment to maintain a world class service standard. The author posits that, this will do away with incompetence at local level and will promote efficiency and effectiveness in the fulfillment of daily tasks. Furthermore the following should be considered:

1. There should be provision of adequate resources; this will enable officials to perform their tasks.
2. There should be a display of less politics or noninterference from politicians in the administration; this will avoid encroachment and mismanagement while enhancing proper accountability principles.



Secondly, local government should maintain democratic elections, i.e. an electoral system that mixes proportional representation with ward representation as the best basis for local government councils. A wide array of information collected on this level from respondents posited that local government should only have ward representation although full time councillors found it difficult to perform both functions because of the high demand from the community and from their jobs. This should maybe be rated at 90% to 10% rather than 50%.

Finally, emphasis should be placed on financial decision-making powers i.e. municipalities should be creatures of the Constitution rather than creatures of statue. The formal local government only entrusted service delivery powers to local government. Municipalities were not developmental in nature. However, the current local government is expected to be developmental. This turns its focus on top of its daily routine, to economic development. It is only then that one can maintain that local government powers are relevant to the development mandate.

## **6.5 CONCLUSION**

It has arisen from different research studies as well as the above work that participation in public affairs comes as a result of previous experiences in decision-making processes in local institutions and as a result of civil, political and social status and a feeling of connectedness (Elster in Williams, 2006: 204). Participation always enhances the ordinary people's capacity to mobilize, through lobbying, government actions and policies in order to gain access to vital information with reference to the structural techniques utilized to compile, verify and audit expenditure data at local level (Jenkins & Goetz in Williams, 2006: *ibid*). However, it has always been maintained that participation, when featured with a sense of dignity, vision and independence adds significant inputs into the lives of the ordinary people (Evans & Boyte in Williams, 2006: *op cit*) at home, in their ward committees and respective communities. Consequently, experiential evidence shows, as stated earlier (Williams, 2006: 203) that "participation per se does not result in visible or a desirable result as it is often

reduced to mere ceremonial tradition of ineffective rituals”. It is obviously only when people mobilize to claim power to achieve specific concrete goals that participation makes the oppressed and unheard voices from the bottom to be heard and channelled toward specific experiential achievements at local level.

It has been, proven (Belley et al., and Williams, 2007: 68; Williams, 2006: 203) by a wide body of research and knowledge that even mobilization in itself if not sustained by concrete actions from the bottom does not directly bring about development and translate into the wellbeing of the ordinary people. It is, on the contrary only the reacting mobilization that manages to formulate and initiate local plans and projects of implementation that brings about change and transformation. Therefore, it is my contention that, no amount of rigorous mathematical reasoning nor the econometric models of Pareto and John Keynes are able to enhance the prestige of those who have previously been oppressed and marginalized if the economists, public governors and managers of public institutions in their singular or collective roles shrive their shoulders to understand the simple logic behind active participatory governance in the management of ordinary people's lives and respective communities. Only a form of mobilization attempting to promote social development of skills is susceptible to bring about development in the governance and management of the state.

In my own opinion, based on the above empirical support and evidence, a successful form of governance is one that strives to link knowledge to experience and participative actions of the common people at the grassroots level in order to stimulate development as a corollary. In this way, my understanding lies on the empirical premise that there is development only when there is an observable increase of 'capacities or potentialities of development' as well as a growth in 'the actions of development'. Stated otherwise, there is development only when there is a disposal of 'developmental dynamics, able to be measured in real terms by objective and observable indicators'. By mobilization, my understanding of the concept is informed here by the respective community aptitude to stimulate the participation of different categories of citizens that compose it in order to determine common objectives and

collective innovative actions; to reinforce the networks of internal communication and the deployment of an efficient form of governance capable of managing results and conflicts (Belley et al., 2007: 68).



## SELECTED BIBLIOGRAPHY

Althusser. L. (1972). *Montesquieu, Rousseau, Marx: Politics and history*. Verso Editions. London.

Audi, R. 1995. *Cambridge Dictionary of Philosophy*. United Kingdom: Cambridge University Press.

Babbie, E. (1998). *The Practice of Social Research* (8th Eds). Wadsworth Publishers, USA.

Bak, N. (2004). *Completing your thesis: a practical guide*. Pretoria: Van Schaik Publishers.

Belley, INITIAL (2007). *Recherche Evaluative sur les Dispositifs des Pactes Ruraux et ses Retombées*. CREXE: Canada.

- Bird, R. and Vaillantcourt, F. (2002) *Fiscal Decentralization in Developing Countries*. Cambridge: Cambridge University Press.
- Break, G. F. (1980). *Financing Government in a Federal System*. Washington D.C: The Brooking Institution.
- Brunsson, N. & Olsen J. P. (1993). *The Reforming Organization*. London: Routledge.
- Brynard, P.A. and Hanekom, S. X. (1997). *Introduction to Research in Public Administration and related disciplines*. J.L. van Schaik.
- Cloete, F. 2000. At full speed the tiger cubs stumbled, HSRC, Pretoria.
- Creswell, J, W. (1994). *Research Design: qualitative and quantitative approaches*. Sage Publishing: USA.
- D'Entreve, A. P. (1959). Aquinas: Selected political writings. Basil Black Well. Oxford.
- Dietz, G. M. (1990). Thomas Hobbes and Political Theory. USA.
- Duverger, Maurice (1954). *Political Parties: Their Organization and Activity in the Modern State*. London: Methuen.
- Enoch, Samuel, S. (1982). *Philosophy: History problems* (3<sup>rd</sup> edition). McGraw-Hill, Inc. USA.
- Enoch, Samuel, S. (1983). *Philosophy: History problems* (3<sup>rd</sup> edition). McGraw-Hill, Inc. USA.
- Etienne Yemeki, 2005. *Understanding fiscal decentralization in South Africa*, ed. Idassa, South Africa. Available at <http://www.idassa.org.za> .
- Friedman, S. (2006). *Participatory governance and citizen action in post-apartheid South Africa*. International institute for Labor Studies.
- Galbraith J.H. (1962). *Current conditions on economic development*, ed. Denoz.
- Galligan, B. (ed.) 1998. *Local Government Reform in Victoria*. State, Library of Victoria.

Garrick, J. (1999) "Doubting philosophical assumptions in interpretive research," *Institutional Journal of qualitative studies in education*, vol. 12 No 2 March / April 1999, pp 147-157.

Hambleton, R. 2004. Beyond New Public Management – City leadership, democratic renewal and the politics of place, paper to the City futures International conference, Chicago, Illinois, USA, 8-10 July 2004.

Henning, E., Van Rensburg, W., Smit, B. (2004) *Finding your way in qualitative research*. Pretoria: Van Schaik Publishers.

Hogwood, B.W., and B.G. Peters. 1983. *Policy Dynamics*. Brighton: Wheatsheaf.

<http://en.wikipedia.org/wiki/Monarchy>.

<http://en.wikipedia.org/wiki/Separation-of-powers>)

Imraan, B., David, H., Laurence, P and Janine, H. (2007). Public participation and Local government, The Centre for Public Participation (CPP) and the Human Sciences

Research Council (HSRC), UKZN, South Africa.

Israel, A. (1987) *Institutional development, incentive to performance*, World Bank publication, John Hopkins University press f. Baltimore.

Jean-Claude, T. (2003). *Institutional theories & Public Institutions: Traditions & Appropriateness*, G. Peters & J. Pierre (Eds) Handbook of Public Administration, And London: Sage.

John Carlsen (1997). Institutional development in relation to development assistance, Aalborg University, Centre for International Studies, No. 21.

Jones, C.O. (2002). *An Introduction to the Study of Public Policy*. Miller Centre of Public Affairs: University of Virginia.

Kjaer, A. 2004. *Governance*. Polity Press, Massachusetts.

Klein, H.K. & Myers, M.D. (1999). A set of principles for conducting and evaluating interpretive field studies in information systems, *MIS Quarterly* (23:1), 67-94.

McNay. L. (1994). *Foucault: A critical introduction*. Continuum Publishing Company. New York.

Merriam, S.B. (1998). *Qualitative research and Case studies applications in Education*. San Francisco: Jossey-Bass.

Montealegre, R. (1999). A case for case study research in the implementation of information Technology in less-developed countries, *Information technology for development* (8:4), 199-207.

Mulgan, R. (2000). "Accountability": An Ever-expanding concept?" *Public Administration* 78 (3): 555-573.

Olowu, Dele & Sako, Soumana 2002. *Better Governance and Public Policy: Capacity Building and Democratic Renewal in Africa*, Kumarian press, Bloomfield, USA.

Organization for Economic Co-operation and Development, 2001 *Cities for citizen, improving metropolitan governance*, OECD, Paris.

Osbourne, D. & Gaebbler, T. 1992. *Reinventing government*, Plume, New York.

Peterfreund, S. & Denise, T. C. (1967). *Contemporary Philosophy and its Origins: texts and readings*. Van Nostrand Company (Canada), LTD.

Peters, B.G., 2004. *American Public Policy*, Washington, DC, Brighton: Wheatsheaf.

Pitton, M. (1990). *Qualitative Evaluation and Research methods* (2nd Ed.). Newbury Park, CA: Sage Publishing.

Ragain, C. (1994). *Constructing Social Research*. Pine Forge Press: USA.

Ramo, S. & Clair, R. K. ST. (1998). *The System approach. Fresh solution to complex problems through combining science & practical common sense*. Anaheim: California.

Ranjita, M. and Rajesh, T. (2002). *Civil Society and Governance*, Sanskriti publisher, Delhi, India.

Reid, J. (1981). (Eds). Review Race Discrimination in South Africa. David Philip: Cape Town.

Rhodes University publication Volume 1, Number 3: September - December 1996, USA: [http://www.ulsf.org/pub\\_declaration\\_parvol13.html](http://www.ulsf.org/pub_declaration_parvol13.html))

Robbins, S.P. (1987). *Organization theory: structure, design & Application*. 2<sup>nd</sup> edition. Prentice Hall Inc. USA.

Roseneau, J. & E.O. Cziempel, eds. (1992). *Governance without Government: Order and Change in World Politics*. Cambridge University Press: Cambridge.

Sinclair, Amanda (1995). "The chameleon of accountability: forms and discourses", *Accounting, Organizations and society* 20 (2/3): 219-237.

Sommer, R. & Sommer, B.B. (1991). *A practical guide to Behavioral research tools and techniques*. New York: Oxford.

Struwig, F. W. & Stead, G.B. (2001). *Planning, designing and reporting research*. Cape Town: Pearson Education.

The American political science review, vol. 33, No. 1, 33 (1): 1-25.

Timothy Layman (2003). Intergovernmental relations and service delivery in SA, A ten year review report commissioned by the presidency, RSA.

Trauth, E.M. (2001). *Quantitative research in IS: issues and trends*. Hershey: Idea Group Publishing.

USAID, 2008. *Democracy and Governance Assessment – USAID / SOUTHERN AFRICA*, Management System International, USA

Watts, R. L. (1989). *Executive Federalism: A Comparative Analysis*. Kingston: Institute of intergovernmental Relations, Queen's University.

Watts, R. L. (1999a). *The Spending Power in Federal Systems: A Comparative Study*. Kingston: Institute of intergovernmental Relations, Queen's University.

Weiss, H. M. Excellence in government, the Premier conference for federal managers, [www.excelgov.org](http://www.excelgov.org)

Williams, Christopher (2006). Leadership accountability in a globalizing world, London: Palgrave Macmillan.

Williams, J. J. (2009:22). Theoretical and Contemporary Approaches to Governance, Public Administration & Public Management. Cape Town: University of the Western Cape, School of Governance.

Williams, J.J. (2006). Community Participation: Lessons from post-apartheid South Africa. Policy Studies, Vol. 27, No 3.

Winkler, D. R. (1994). The Design and Administration of Intergovernmental Transfers: Fiscal Decentralization in Latin America Washington, D. C. 20433, and USA.

World Bank (1994). Governance, the World Bank's Experience, World Bank, Washington, DC.

## **LEGISLATIVE FRAMEWORK AND STATUTES**

Republic of South Africa, Interim Constitution, Act 200 of 1993

Republic of South Africa, Intergovernmental Fiscal Relations, Act 97 of 1997

Republic of South Africa, Green Paper on Local Government, October 1997

Republic of South Africa, Constitution, Act 108 of 1996

## **POLICY DOCUMENTS**

Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998)

Notice 423 of 1998, Government Gazette. Vol. 393 No.18739

Republic of South Africa, the Public Finance Management Act, Act No.56 of 1999.

Republic of South Africa: Municipal Demarcation Act, Act No. 27 of 1998

Republic of South Africa: Municipal Electorate Act, Act No. 27 of 2000



Republic of South Africa: Municipal Planning and Performance Management regulations, 2001 (Government Gazette Vol. 434, No. 22605)

Republic of South Africa: Municipal Systems Act, Act No. 32 of 2000

Republic of South Africa: Transition Act, Act No. 209 of 2003

South African Constitution, Act 108 of 1996, schedule 4 & 5

South African Constitution, Act 108 of 1996, section 152 & 153

Toward a White Paper on Local Government in South Africa, March 1997

White Paper on Local Government, 13 March 1998

