

INVESTIGATION INTO CAUSES OF SERVICE DELIVERY PROTESTS IN
MUNICIPALITIES: A CASE STUDY OF NELSON MANDELA BAY MUNICIPALITY

BY

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DECLARATION

I, Elisante Walter Shaidi, Student Number 204050871, hereby declare that the work contained in this thesis is my original work, and has not been submitted previously in its entirety or in part at any University for a degree.



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NOVEMBER 2013

ABSTRACT

This study investigates the causes of the service delivery protests in South African municipalities that occurred between 2005 to 2013. In a sense, the recent widespread service delivery protests which, in many instances, have turned violent, have sounded an alarm that cannot be ignored. The study is premised on the fact that no political democracy can survive and flourish if the mass of its people remain in poverty, and in a state of inequality and unemployed without tangible prospects for a better life. In this regard, the presence of service delivery protests, especially violent ones, is a threat to South Africa's young democracy and its sustainability.

This study is based on the assumption that the Nelson Mandela Bay Metropolitan Municipality, like other municipalities in South Africa, could be confronted with the possibility of further violent service delivery protests if the current causes were not scientifically investigated and solutions found.

The study adopted a hypothesis with a view that South African municipalities could succeed in rendering effective public services if matters of poor public participation, corruption, service delivery inhibiting systemic factors, a cumbersome legislative environment, political infighting, poor intergovernmental fiscal regime and the low capacity of municipalities were adequately addressed.

The study proposed to provide a brief literature review on the emergence of service delivery protests against the backdrop of a theoretical investigation on the new local government developmental mandate.

The empirical survey and research methodology employed in the study is described, followed by the operationalisation of the survey questionnaire used for gathering field data. The research findings of the empirical survey are then statistically analysed, interpreted and reported. Some of the findings on the causes of service delivery protests includes slow pace of service delivery, especially in the delivery of sustainable human settlements, poor public participation and other underpinning systemic factors.

Recommendations flowing from, *inter alia*, the results of the empirical study, are presented on how the existing *status quo* can be changed to enhance service delivery and development. If adopted, these recommendations will enable the Nelson Mandela Bay Municipality, as a development agent, to fulfil its developmental mandate thereby addressing the causes of the service delivery protests currently facing it.

ACKNOWLEDGEMENTS

The successful completion of this study would not have been possible without the support, assistance and encouragement of a number of individuals.

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LIST OF ACRONYMS

ANC	: African National Congress
COGTA	: Corporative Governance and Traditional Affairs
DLGTA	: Department of Local Government and Traditional Affairs
EPWP	: Expanded Public Works Programme
HIV	: Human Immunodeficiency Virus
IDP	: Integrated Development Plan
KPA	: Key Performance Area
KPI	: Key Performance Indicator
LED	: Local Economic Development
MC	: Mayoral Committee
MFMA	: Municipal Finance Management Act, 56 of 2003
MURP	: Motherwell Urban Renewal Programme
NDP	: National Development Plan (Vision 2030)
NMBM	: Nelson Mandela Bay Municipality
NMMU	: Nelson Mandela Metropolitan University
NT	: National Treasury
PGDP	: Provincial Growth and Development Plan
PR	: Proportional Representation
SDBIP	: Service Delivery and Budget Implementation Plan
SMME	: Small Medium and Micro Enterprises
WC	: Ward Councillor

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RESEARCH PROPOSAL
D Phil (Public Administration)

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DATE: FEBRUARY 2011

CHAPTER ONE

INTRODUCTION AND ORGANISING OF CHAPTERS

1.1 BACKGROUND AND REASONS FOR STUDY

Service delivery is what governments are mainly concerned with. It is the *raison d'être* for the establishment of service delivery institutions, such as municipalities, which comprise local government - the sphere of government closest to the citizenry. In South Africa, government is constituted in terms of the Constitution of the Republic of South Africa, 1996. In terms of Section 40(1) of the Constitution of the South African government is constituted as national, provincial and local spheres of government, which are distinctive, interdependent and interrelated. South Africa currently has 283 municipalities, based on the three Constitutional categories. Of the 283 municipalities, six (6) are metropolitan municipalities, forty six (46) are district municipalities, and two hundred and thirty one (231) are categorised as local municipalities. In terms of Section 152 of the Constitution, the objects of local government are:

- (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 organisations in the matters of local government.

Once an institution has been created, it has to deliver on what it was set up to do (Cloete, 1997:1-5). In addition, a government is constitutionally obliged to provide basic goods and services to its citizenry. It can, therefore, be argued that service delivery protests by communities are an indication of citizenry dissatisfaction with the manner in which South African municipalities are discharging their constitutional obligations. Furthermore, Section 153 outlines the developmental duties of municipalities, by stipulating that a municipality must (a) structure and manage its administration and 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; and (b) participate in national and provincial development programmes.

The Constitutional obligations mentioned above correlate well with the provisions of the Freedom Charter adopted at the Congress of the People, Kliptown, Johannesburg, on 26 June 1955, in which the following ten (10) important declarations were made:

- (a) The people shall govern;
- (b) All national groups shall have equal rights;
- (c) The people shall share in the country's wealth;
- (d) The land shall be shared among those who work it;
- (e) All shall be equal before the law;
- (f) All shall enjoy equal human rights;
- (g) There shall be work and security;
- (h) The doors of learning and culture shall be opened;
- (i) There shall be houses, security and comfort; and
- (j) There shall be peace and friendship.

It is, therefore, clear that the above declarations and Constitutional provisions can be regarded as the origins of developmental local government in South Africa. It can also be argued, based on the above, that local governments, and municipalities in particular, are charged with the provision of basic services to communities in a sustainable and democratic manner. The democratic element of service delivery requires, *inter alia*, the practice of public participation and consultation in the rendering of public services. It also requires the protection of human rights, as enshrined in the Bill of Rights for all South Africans and provided for in Chapter 2 of the Constitution.

It is further evident that failure to render public goods and services could prompt impatient communities into rioting and protesting as a means of forcing the government to deliver (<http://www.allafrica.com>) The recent wave of service delivery protests in many South African municipalities is a cause for concern. It is imperative that a proper investigation into the root causes behind them be launched and that appropriate solutions and recommendations be formulated.

In an address to Parliament in 2005, a former South African Minister of Safety and Security stated that there had been 5 085 service delivery related protests against local government country wide. Some of these protests had turned violent, resulting in loss to property and innocent lives (<http://www.polity.org.za>). A number of reasons and causes for these service delivery protests have been suggested. Whilst some argue that it may be attributed to third force elements (<http://www.polity.org.za>) others suggest that dissatisfaction with the kind of services and the manner in which they are rendered could be the main cause of the protests (<http://www.pmg.org.za>). It has also been argued that the protests could have been instigated by disgruntled politicians from political parties other than the ruling party or even from within the African National Congress (hereafter referred to as the ANC) itself, which has been the ruling political party in South Africa since 1994 (<http://www.mg.co.za>). Others argue that the protests are a demonstration by communities desperate for poverty alleviation and the provision of basic services like housing, electricity, potable water, sanitation, waste management services, roads, jobs and other public amenities (<http://www.ajol.info/index>). This view is supported by certain authors (<http://www.tia-mysoa.com>), who hold the view that the protests could have resulted from dissatisfaction in communities when certain of the promises made by politicians during elections have not been met. Some have suggested that a lack of proper public consultation, engagement and participation could be the root cause. It has even been argued (<http://www.defenceweb.co.za>) that if the service delivery protests that have emerged since 2005 had been better coordinated and orchestrated, they could have culminated in a revolution (<http://www.erinnews.org>) .

According to the overview report regarding the State of Local Government in South Africa, issued by the Department of Cooperative Governance and Traditional Affairs (COGTA) in December 2009, the Gauteng Province had the highest number of service delivery protests between January and July 2009 (Figure 1.1).

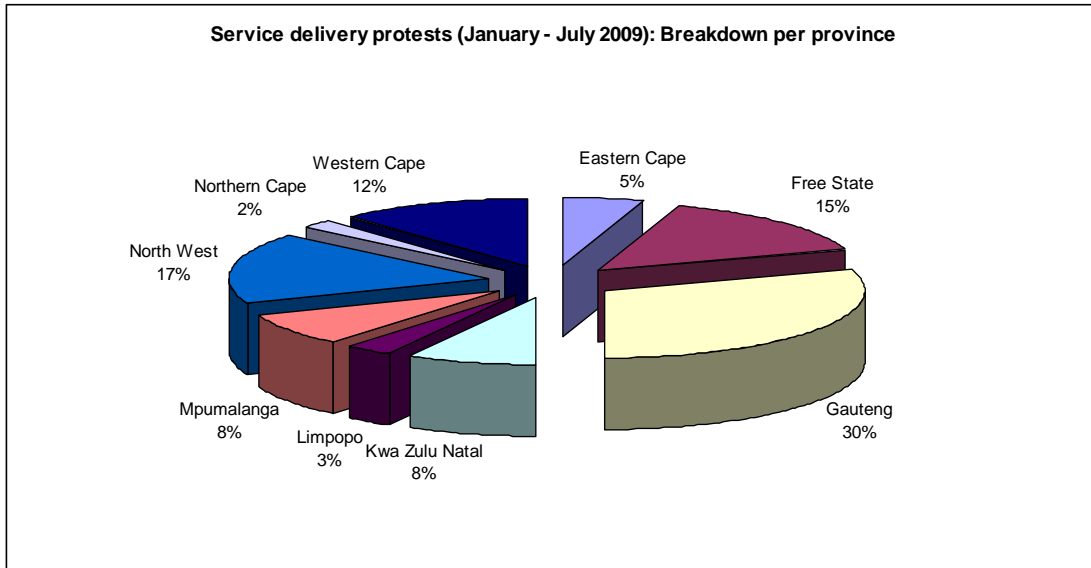


FIGURE 1.1: Breakdown of service delivery protests: January – July 2009

(Overview report: State of Local Government in South Africa, by Department of Cooperative Governance and Traditional Affairs, 2009)

Based on the above breakdown per province, there is a strong correlation between the number of service delivery protests and the rate of urbanisation or population growth in an area (<http://www.allafrica.com>). This could be due to the increase in service delivery backlogs created by increased pressure on services as a result of rapid population growth, as would be associated with urbanisation.

The Humanitarian News and Analysis Service of the United Nations Office for the Coordination of Humanitarian Affairs (<http://www.erinnews.org>) holds the view that the recent service delivery protests and incidence of xenophobic violence in South Africa are due to the eruption of the economical, social and political frustrations of increasingly marginalised communities, the apparent unwillingness on the part of government to act or listen to the concerns of the poor, and the view held in dissatisfied communities that violence is the only voice heard by government. These reasons, if proven, could be a source of major concern. If communities' perception truly is that government only listens when service delivery protests erupt, the principles of a developmental state, which South Africa professes to be, could be seriously jeopardised. In the view of the United Nations Office for the Coordination of Humanitarian Affairs, the xenophobic violence that swept through South Africa in 2008, killing 62 people and displacing 100 000 others will be repeated if nothing is done to address the root causes of service delivery protests

<http://www.somaliaassociation.org>). It is important to note that xenophobic attacks and violent service delivery protests occurred over the same period (2008) and were interrelated.

An observation is that at a significant number of participants in the above-mentioned service delivery protests often sing ANC liberation songs to demonstrate their dissatisfaction with the poor service delivery of the ANC-led government (<http://www.polity.org.za>). This is one of the anomalies that this study will investigate further.

According to an interview conducted on 2 June 2010 by the researcher, Mxube (Strategic Political Advisor: Policy, Research and Planning – Office of the Executive Mayor: Nelson Mandela Bay Municipality), the root causes of service delivery protests lie in a number of factors, including the growing social distance between the elected representatives and the communities that Councillors are supposed to serve; poor communication; incapacity on the side of elected politicians to understand the complexity of the issues they have to deal with as a result of misdeployment; structural problems in terms of governance structures and systems in municipalities being too complex, rigid, bureaucratic and not user friendly; policy failure on the part of government; and the emergence and dominance of the new liberal agenda/ideology, which has crippled service delivery by making communities customers instead of beneficiaries. Further reasons cited are the meagre equitable share of only 6% that municipalities obtain from the National Government to render services to communities; the intra- and inter-party conflicts within the broader liberation movements the ANC; the Congress of South African Trade Unions (COSATU); the South African Communist Party (SACP); the rural poor, women formations, and the like); the arrogance of power that failed other African states (in other words, a leadership that prefers to not listen to communities); hooliganism, combined with opportunism and criminal activities, among certain groups; a breakdown of discipline in the ANC and the former liberation movement; material greed; the gross materialism of the elect, forgetting the plight of the poor and marginalised; the erosion of revolution morality by material greed; business politicians manoeuvring tenders and promoting corruption, serving narrow interests at the expense of the poor; the liberal conservative school of thought that advocates that the state must be removed from delivering services and create conducive conditions for the private sector to render services, arguing that the private sector is efficient and the public sector not; and/or third force elements trying to destabilise the state.

A third force element in a state is a counter-revolutionary contingent seeking to usurp the ruling party (<http://www.tia-mysoa.blogspot.com>). To date, there is no evidence of such a force (<http://www.erinnews.org>). Neither is there intelligence proof of the existence of such a contingent (<http://www.polity.org>). In view of the above arguments, it would seem that the 'third force' assumption is more a perception than a fact.

According to the South African Institute of Security Studies (SAISS) (<http://www.erinnews.org>), the reasons behind the recent wave of service delivery protests include dissatisfaction with the delivery of basic municipal services, such as running water, electricity and toilets, especially in informal settlements, high levels of unemployment (officially at around 23%), high levels of poverty, poor infrastructure, lack of houses, and empty and unrealistic political promises made during election times.

To some extent, the above claims are supported by Le Roux (<http://www.polity.org>), who holds the view that the 2004 elections were followed by similar demonstrations in 21 local communities in different parts of South Africa for precisely the reasons cited by SAISS. On 3 December 2009, the Department of Cooperative Governance and Traditional Affairs tabled a proposal to Cabinet concerning the Local Government Turnaround Strategy (LGTAS). The Strategy, which was adopted by Cabinet, identified the following root causes of municipal problems:

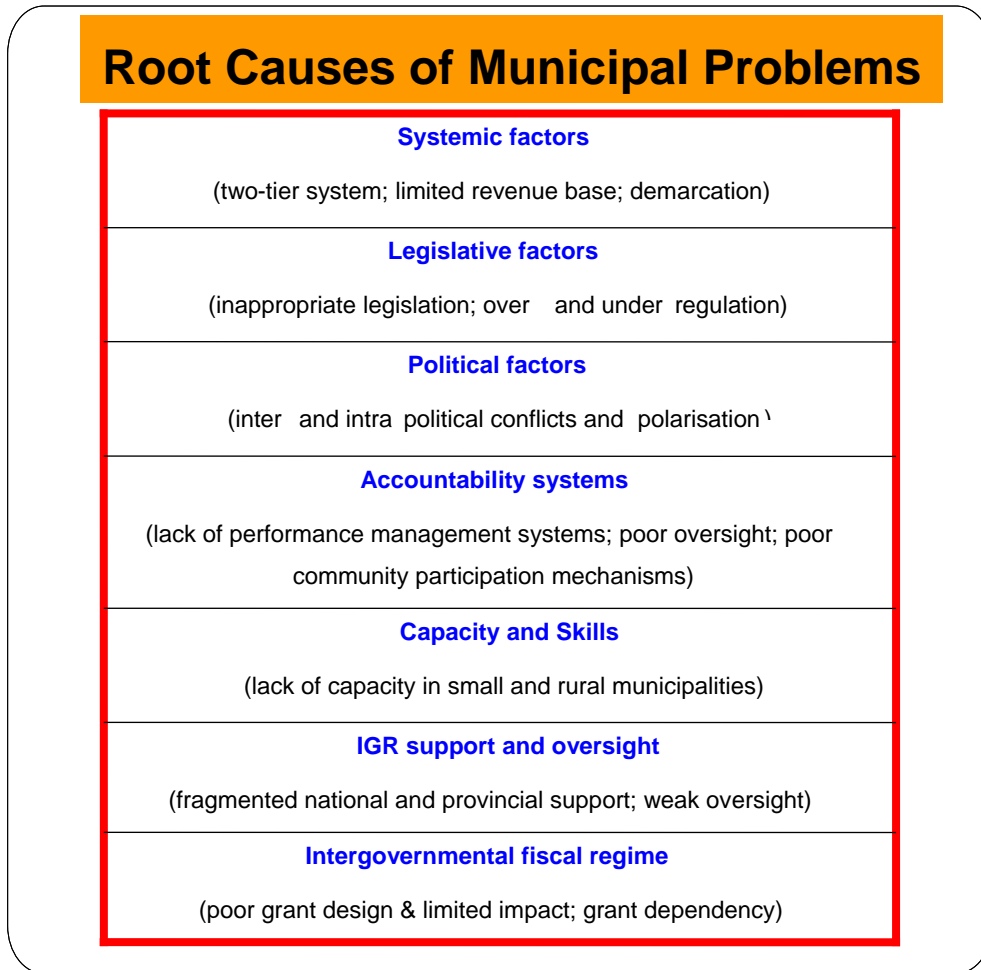


FIGURE 1.2: Root causes of municipal problems, Cabinet Report, 3 December 2009

During the said Cabinet meeting, a number of key interventions were mooted to address the current root causes of service delivery protests. These interventions are indicated in Figure 1.3 below and will be analysed and discussed later in this study.

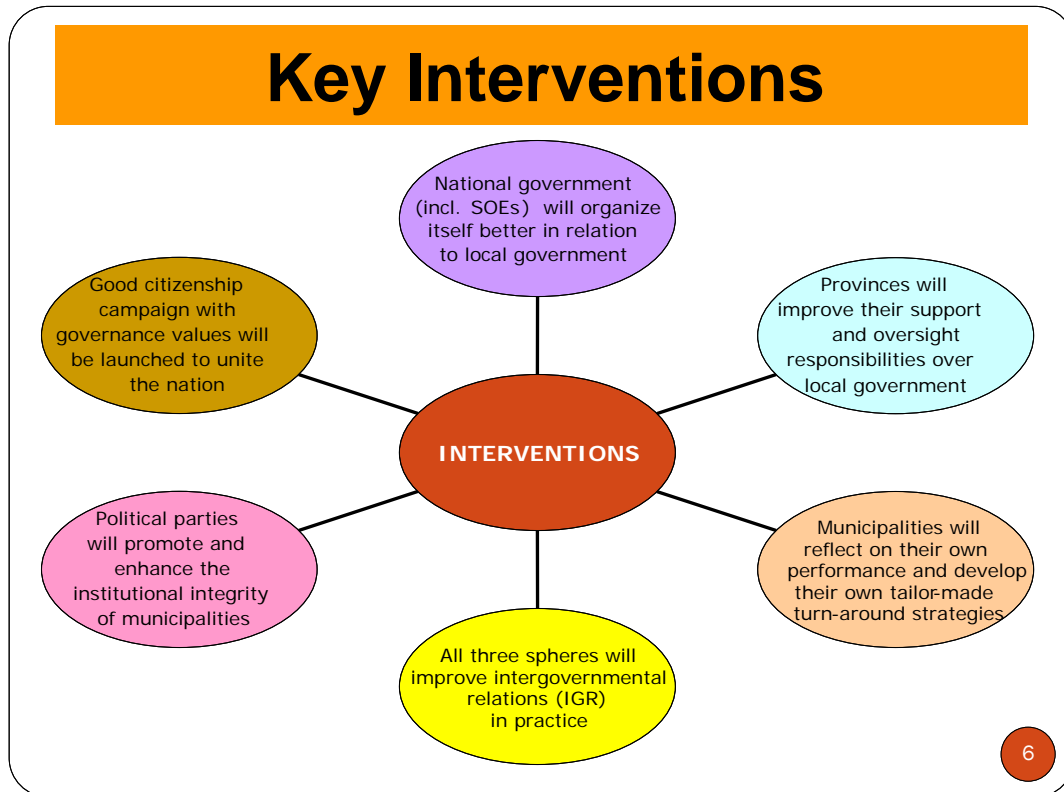


FIGURE 1.3: Proposed key interventions to address municipal problems, Cabinet Report, 03 December 2009.

One of the root causes of service delivery protests identified by the LGTAS is weak, fragmented national and provincial support. It could, therefore, be argued that, if proven, this could be an indication that Chapter 3 of the Constitution of the Republic of South Africa, 1996, is yet to be given full effect with respect to matters of interdependency and interrelation between the three spheres of government.

In terms of a presentation by Khanyile (Head of the Department of Local Government and Traditional Affairs Office in the Eastern Cape Province), at a Nelson Mandela Bay Mayoral Committee Retreat, held in Port Alfred on 13 January 2010, the Provincial Department of Local Government and Traditional Affairs proposed that the root causes of municipal failure and service delivery protests lay in inappropriate national and provincial government policies, practices and onerous requirements; the fact that the poor socio-economic conditions prevailing in many municipalities have not been adequately addressed through macro- and micro-economic and industrial policies and plans of the state; political parties that are undermining the integrity and functioning of municipal councils through intra- and

inter-party conflicts and inappropriate interference in the administration of municipalities; a breakdown of values at societal level that is breeding unethical behaviour, corruption, a culture of non-payment and lack of accountability; communities that are engaging in destructive forms of protest, including withholding of payment for local taxes and services; those municipalities that are not geared for delivering basic services and are not adequately responsive and accountable to residents; failure by municipalities to adequately involve communities in their own development; absence of communication resources (people, technology, equipment and processes); and no accountability for how and when municipalities communicate to and with communities.

The above root causes appear to correlate with the findings of the Eastern Cape's leading weekend paper, which indicated that frustrated ratepayers across the Eastern Cape Province were increasingly resorting to rate boycotts, complaining that they were fed up with the lack of service delivery caused by political interference and cronyism. This followed a countrywide trend, with ratepayers in at least 40 municipalities already having embarked on rates boycotts and ratepayers of a further 30 municipalities declaring disputes with their local councils.

In its Annual Report of 2007/08, the Nelson Mandela Bay Metropolitan Municipality (NMBM) identified the following five categories of service delivery challenges:

(a) *Category 1: General challenges regarding service delivery.* These include lack of adequate funding for maintenance backlogs; lack of secure and sufficient energy requirements for both domestic users and investors; the rising high cost of electricity; lack of external contractor capacity; Environmental Impact Assessment (EIA) delays in project approvals; shortage of scarce skills; and housing delivery challenges.

(b) *Category 2: General challenges with regard to financial viability and sustainability.* These include unfunded mandates (for example, provision of health services, roads, libraries and housing); funds to provide for Coega bulk services (water and sanitation), 2010 FIFA World Cup™ budget (capital and operating); sustaining the Capital Replacement Reserve (CRR); late payment to creditors; the development of a new billing system; and problems with sustaining improvement in the collection of municipal debt.

(c) *Category 3: Challenges regarding municipal transformation and organisational development.* These include the technical skills shortage (especially civil and electrical engineers); difficulty with balancing staff requirements with the personnel expenditure target; integration and coordination challenges; and the relationship between skills development and competency requirements.

(d) *Category 4: Challenges related to local economic development.* These include high levels of poverty and unemployment; lack of a long-term inclusive vision for the city; and the adverse effects of globalisation.

(e) *Category 5: Challenges related to good governance and public participation.* These include the need to improve customer care; the need to improve on public participation and engagements; and, finally, the need to maintain the unqualified audit opinion against the Municipality.

From the above, it is clear that these challenges cannot be dealt with by the Municipality itself. They require an intergovernmental approach, as most of the challenges appear to emanate from the provincial and national spheres of government. The NMBM's challenges with respect to unfunded mandates and inadequate funding for programmes and projects are supported by COGTA's Overview Report of 2009, mentioned earlier. According to COGTA's overview report of 2009, the provincial budget allocations (Figures 4 and 5) to local government programmes for 2005/06 amounted to, on average, 3.5% of the provincial budget (excluding health, education and social development). It is, therefore, not surprising that municipalities claim to be underresourced, considering the huge task of public service delivery for which they are responsible.

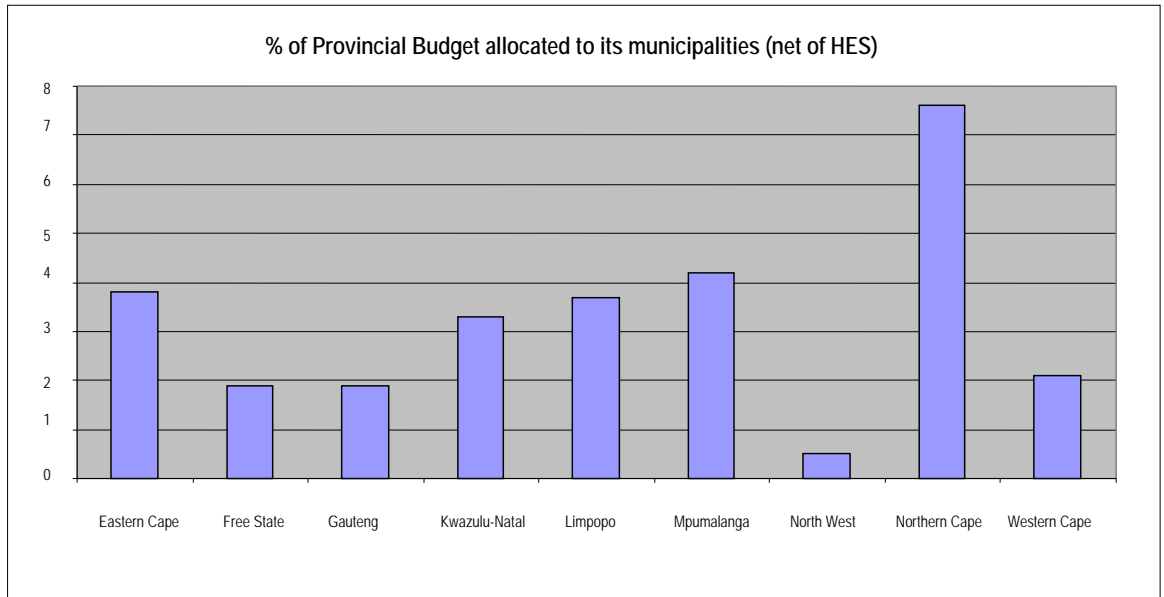


FIGURE 1.4: Provincial budget allocations to local government programmes (2005/06)
 (Overview report: State of Local Government in South Africa, by Department of Cooperative Governance and Traditional Affairs, 2009).

Figure 1.4 above reflects that most local governments were found to be under resourced, receiving on average, only 3.5% of the provincial budget. Similar trends were revealed in the study of the Office of the Premiers (OTPs), as indicated in Figure 1.5 below.

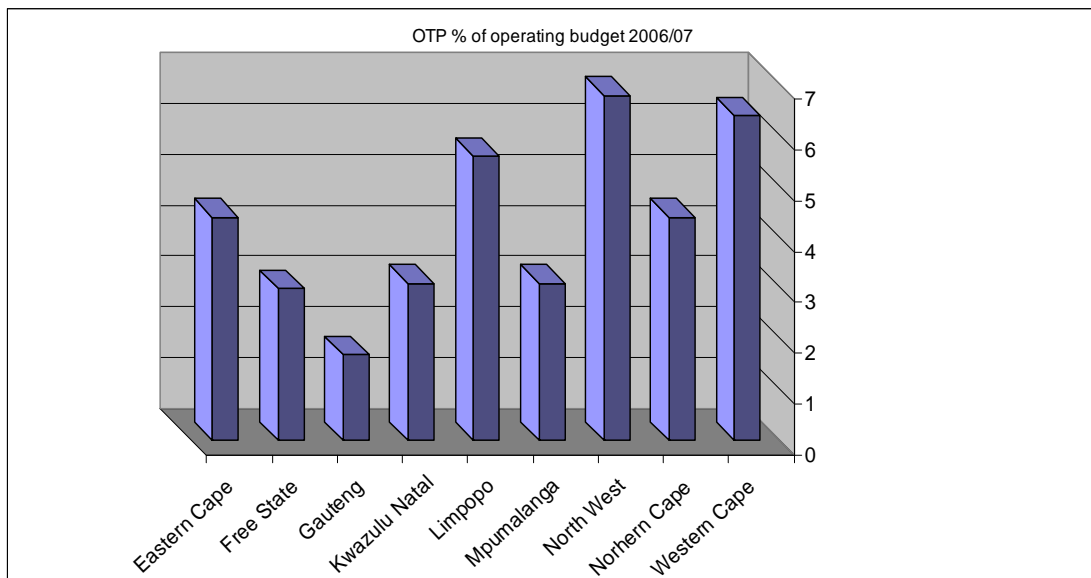


FIGURE 1.5: Budget allocations from the Office of the Premiers to governance structures in the municipalities (Overview report: State of Local Government in South Africa, by Department of Cooperative Governance and Traditional Affairs, 2009).

Whilst low budget allocations are part of the service delivery problem, the capacity to spend appears to be a problem in particularly weak municipalities (<http://www.irc.nl>). Sourcing high level skilled personnel capacity to perform is a major challenge in most municipalities. Specific shortages of these skills exist in the fields of economic development, project management, engineering, development planning and spatial planning (<http://www.polity.org>). These specialists cost money. It may, therefore, be argued that provincial and national allocations to municipalities will have to be increased significantly to allow for the installation of strong institutional capacity in municipalities, if they are expected to expand and expedite service delivery.

The challenges faced by the Nelson Mandela Bay Municipality will also be included in this study, as they may provide a better insight into the reasons behind the community dissatisfaction that has manifested itself in the form of violent service delivery protests. At its meeting on 3 December 2009, NMBM Council identified the following ten (10) service delivery protests hotspots as follows:

1. KwaNobuhle Area 9 (Phase 2);
2. KwaNobuhle Area 10;
3. Missionvale;
4. Rosedale;
5. Joe Slovo, Uitenhage;
6. Red Location – Silvertown;
7. Wells Estate;
8. Peri-urban areas;
9. Zosa and Roos Street Developments; and
10. Tiryville Settlement.

After engaging with the protestors, the Municipality identified the root causes of the service delivery protests to be dissatisfaction with the level of delivery of basic services (such as the provision of housing, running water, electricity and toilets); unhappiness with certain serving Ward Councillors; and party-political strife. It is against this background that the researcher decided to embark on a scientific study to establish the root causes of and reasons behind the service delivery protests that have plagued South African municipalities since 2005.

It is proposed that if the root causes, as well as the violence and intimidation linked to certain of the protests, are not addressed, this phenomenon could pose a serious risk to the country's democracy, safety and stability. The element of rampant corruption in municipalities has also been a cause for concern for some time now. According to Human Council Research Council (<http://www.hscrpess.ac.za>) corruption occurs when people violate their duties, for personal gain or political gain.

According to the website (<http://www.polity.org.za>), the Minister of Cooperative Governance and Traditional Affairs staked his political future on cleaning up the rampant corruption in South Africa's municipalities. The Minister committed his Department to ensuring a clean audit for 60% of South African municipalities by 2010; 75% by 2013; and 100% by 2014. This year, 2013 only 2% of South Africa's municipalities received a clean audit report. The article stated that the Minister believed that strengthening political oversight was the key to obtaining clean audits. It is important to note that the audits referred to above are not only financial; they now also include a component of performance audits.

In his State of the Nation Address of 11 February 2010, the President of South Africa, while addressing the joint Parliament of South Africa in Cape Town, urged all municipalities in South Africa to improve the provision of housing, water, sanitation, electricity, waste management and roads as part of the solution to the ongoing wave of service delivery protests in the country. A month earlier, while in Kimberley, President Zuma had conceded that the blurring of political and administrative roles hampered service delivery at the local government sphere (<http://www.polity.org.za>).

Furthermore, the study attempted to establish whether the Intergovernmental Relations Framework Act of 2005 was effective, as well as the manner and extent to which municipalities render public services in the context of a developmental state. Answers to these questions, coupled with the results of an empirical survey, should provide insight into the root causes of service delivery protests in South Africa.

Apparent governance challenges that have been identified by all spheres of government as one of the root causes for service delivery protests were also reviewed in the study. The good governance principles contained in the King III report (<http://library.up.ac.za>), which came into effect in March 2010, formed an important component of the literature review.

Unlike its predecessors, the King III Report applies to all entities, regardless of the manner or form of incorporation or establishment, whether public, private or the non-profit sector. The philosophy of the King III report is based on leadership, sustainability and corporate citizenship. This approach mirrors global corporate governance, which also incorporates emerging governance trends.

Although the above views regarding the root causes of service delivery have been suggested by various sources, limited scientific research has been undertaken to validate these opinions. This motivated this study. Furthermore, from the above discussion, a number of themes emerged as possible root causes of the service delivery protests. These themes were researched in this study to determine their validity. They include:

- (a) Ineffective inter-governmental relations;
- (b) Lack of effective public consultation and participation;
- (c) Governance challenges, which include corruption, poor performance management;
- (d) The legislative environment, which is heavily overregulated and bureaucratic;
- (e) Lack of capacity in municipalities with respect to, *inter alia*, project management and scarce skills, which are essential in the rendering of public goods and services;
- (f) Political infighting and interference with the administration; and
- (g) High levels of poverty and unemployment, aggravated by the recent worldwide recession.

In order to establish the validity of the above themes, the researcher included questions on said themes in the empirical study.

1.2 PROBLEM STATEMENT

In terms of various legislative prescriptions pertaining to local government, municipalities have the responsibility of rendering basic services such as, *inter alia*, clean water, sanitation, housing, roads, safety and electricity provision. If municipalities are unable to provide and meet these basic community needs then the potential exists for community unrest and conflict. The Local Government: Municipal Systems Act 32 of 2000 and the 1996 Constitution clearly impose the duty and responsibility on municipalities to provide and ensure that basic services are provided in a sustainable manner. Taken further,

municipalities are required (in terms of the new developmental local government mandate) to promote local economic and social development; encourage communities to participate in local governance; and provide a safe environment. These obligations on municipalities create community expectations which, if not met, may lead to community unrest and communities retaliating against government authority.

In terms of Section 195(1) of the 1996 Constitution, public service delivery should be guided by the following democratic values, namely human dignity, the achievement of equality, the advancement of human rights and freedoms, non-racialism and non-sexism. These principles are further enshrined in the White Paper on Local Government (1998) the White Paper on Transforming Public Service Delivery (1997), and the Municipal Systems Act 32 of 2000. The legislative prescriptions imply that public service delivery should be characterised by efficiency, accountability and equity.

It appears that no consensus or scientific process exists that can identify the root causes underlying the service delivery protests that have affected South African municipalities since 2005. This implies that government interventions in addressing community unrest could be misguided or misplaced or be ineffective.

1.3 DEFINITION OF CONCEPTS

Definitions of key concepts used in the research are outlined below:

Developmental Local Government: The White Paper on Local Government (1998) defines developmental local government as government committed to working with the citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives.

Governance: Theron, Van Rooyen and Van Baalen (2000:29) define governance as a process in which power and authority is exercised between and within institutions in the state and civil society, around the allocation of resources. Therefore, it refers to the environment in which the government and its stakeholders interact. According to Friedman (1992:18-21), governance process must empower citizens to participate in their own development.

Integrated Development Plan: In South Africa, an Integrated Development Plan (IDP) is a municipality's principal strategic planning document. Importantly, it ensures close co-ordination and integration between projects, programmes and activities, both internally and externally, with other spheres of government (Section 25(1) of the Local Government: Municipal Systems Act, 32 of 2000). In agreement with this legislative approach, Bekker (1996:7-12), is of the view that citizen participation in matters of local government is a key ingredient in ensuring sustainable development.

In view of the above, this study attempted to analyse the 2008/09 – 2010/11 IDPs of the Nelson Mandela Bay Municipality, with the view to determine the extent to which these IDPs took into account the community concerns raised in recent service delivery protests. The study also investigated the extent to which the Municipality's IDP was integrated with the Provincial Growth and Development Plan (PGDP) and the National Development Plan (NDP).

Local government: Cameron and Stone (1995:100) suggest that local government is the sphere of government that interacts most closely with citizens through service delivery and that can respond most speedily and effectively to local problems.

Service delivery protests: Service delivery protests refer to community action through which the residents of an area decide to voice their dissatisfaction with the manner and scale at which public services are rendered to them. These protests could be either peaceful or violent (Craythorne, 1996:198).

Sustainable development: Sustainable development is a social-economic and cultural change that meets the needs of the present generation without compromising the ability of future generations to meet their own needs. Liebenberg and Stewart (1997:126) define it as a holistic development strategy that is multi-sectoral and that requires environmental, social and economic integration in order to ensure the long-term wellbeing of citizens.

Third force: The third force is a term used to make reference to some hidden power or influence that causes harm and injury without being visible (Internet 14).

1.4 KEY QUESTIONS PERTAINING TO RESEARCH

This research proposed to investigate and attempt to answer the following key questions:

- (1) Were the service delivery protests an honest act of community dissatisfaction with the level or pace of public services rendered by government, or were they the outcome of possible manipulation?
- (2) Were the service delivery protests a result of a 'third force', as explained under Section 1.3.10 above?
- (3) Are the service delivery protests an indication by communities of their fading confidence in the ANC-led government?
- (4) Could the service delivery protests be a result of communities' frustrations at the unfulfilled promises by politicians during election time?
- (5) Why could a community protesting against the manner in which service delivery is rendered by the ANC government, sing ANC songs in their protests?
- (6) Were the service delivery protests orchestrated by disgruntled politicians, either by the ANC or other political parties?
- (7) Were the service delivery protests a result of deliberate misinformation to communities by certain individuals with political agendas?
- (8) Is the Integrated Development Plan of the NMBM adequately informed by the pertinent needs of its communities?

1.5 DELIMITATION OF STUDY

This study is limited to an investigation into and critical analysis of the root causes of the service delivery protests that have affected South African municipalities since 2005, using the Nelson Mandela Bay Municipality as a case study.

1.6 ASSUMPTIONS

It is widely assumed that the root causes behind the recent service delivery protests in South African municipalities are poor public participation and consultation; poor communication between the municipalities and citizenry; systemic inhibitions; legislative inhibitions; lack of capacity at local government level to implement projects and

programmes; legislative factors inhibiting the effective and efficient rendering of public services; political factors, including the emergence of feuding and infightings; corruption playing out in a number of forms and types; ineffective intergovernmental cooperation and coordination between the three spheres of government; design challenges in the way municipalities are structured, funded and capacitated; failure by municipalities to deliver essential, basic services to its communities; frustrations on the part of the community arising from unfulfilled promises made by the elected politicians during their election campaigns; and the worsening economic conditions resulting from the recent worldwide recession.

The researcher, therefore, intended to also investigate the validity of these assumptions, based on the recently identified 'hotspot' areas in Nelson Mandela Bay, which have experienced serious service delivery protests. Similar experiences in other municipalities were also considered. For the purpose of this study, 'hotspot' area refer to those areas in which local communities have embarked upon violent service delivery protest action.

1.7 HYPOTHESIS

South African municipalities could succeed in rendering effective public services if matters of poor public participation, corruption, inhibiting systemic factors, a cumbersome legislative environment, political infighting, poor intergovernmental fiscal regime and the low capacity of municipalities were adequately addressed.

This study is based on the assumption that the Nelson Mandela Bay Metropolitan Municipality, like other municipalities in South Africa, could be confronted with the possibility of further violent service delivery protests. The causes of these protests could be aligned to the above-mentioned reasons. The researcher intended to investigate the validity of the above assumptions, based primarily on the recent ten 'hotspot' areas in Nelson Mandela Bay where violent service delivery protests were witnessed. For the purpose of this study, the following hypotheses were proposed:

- 1.7.1 The often violent service delivery protests that have taken place in the greater Nelson Mandela Bay Metropolitan area are a consequence of poor municipal administration and ineffective political leadership at the local sphere of government. The following sub-hypotheses are proposed:

- 1.7.2 A root cause of the service delivery protests relates to weak and fragmented National and Provincial government support; and
- 1.7.3 The theory of a third force to encourage service delivery protests at the local sphere of government, lacks credibility.

1.8 SIGNIFICANCE OF STUDY

If the (often) violent service delivery protests that have emerged in the country since 2005 were left to continue unabated, they could pose a major threat to South Africa's fledgling democracy. They could also result in political instability and pose a serious safety risk to the country. This study, therefore, set out to determine the root causes of community dissatisfaction regarding the level of service delivery by the NMBM and recommend suitably informed recommendations to the Council of the Nelson Mandela Bay Municipality. It is proposed that a study of this nature could offer insights into solutions to the major causes of service delivery protests currently confronting South African municipalities.

1.9 AIMS OF STUDY

The presence of service delivery protests, especially violent ones, is a threat to the country's young democracy and its sustainability. This study, therefore, aimed to:

- (1) establish the main root causes behind the violent service delivery protests;
- (2) develop mechanisms and systems to address any root causes for the service delivery protests identified from the study;
- (3) develop mechanisms to ensure coordinated, integrated and well-informed public participation, community confidence and support pertaining to local government matters;
- (4) suggest recommendations and lessons learnt from the service delivery protests that have affected the country since 2005;
- (5) advise a system that will enhance effective public participation in local government planning and decision-making, particularly with regard to service delivery; and
- (6) develop a normative model to improve government action from all three spheres to ensure community satisfaction, ownership, buy-in and support.

1.10 LITERATURE REVIEW

The literature review provided an opportunity for the researcher to critically analyse the various theories on what triggered the service delivery protests since 2005. The analysis entailed a discussion on the views expressed in, *inter alia*, the State of Local Government in South Africa; the Overview Report issues by COGTA (2009); the National Perspective expressed by the Department of Cooperative Governance and Traditional Affairs (COGTA) and adopted by Cabinet on 3 December 2009; the Provincial Perspective expressed by the Department of Local Government and Traditional Affairs, Eastern Cape; the municipal perspective expressed by the Nelson Mandela Bay Metropolitan Municipality; the King III Report, as updated in March 2010; material from credible institutions, such as the South African Institute of Security Studies; and recent contemporary journals and academic periodicals.

The literature review also attempted to critically analyse the roles of national, provincial and local government in service delivery with the view to determine the extent to which these three spheres of government work together, as envisaged in Chapter 3 of the 1996 Constitution. In the process, service delivery bottlenecks and impediments were identified and addressed. The case study of the NMBM service delivery protests was further investigated to provide insight into the root causes behind community protests.

The end result of the review would be an attempt to identify the root causes of the protests and suggest remedial solutions to government with regard to the appropriate public actions that will see municipalities deliver public services to their communities in an effective and efficient manner. These deductions would later be tested in the empirical study to determine their validity.

The review also investigated, *inter alia*, whether municipalities adequately involved their communities in matters of local government. According to Yadav (1990:87), public participation encompasses participation in the decision-making process, participation in development programmes and projects, participation in the monitoring and evaluation of development programmes and projects, and participation in sharing the benefits of development.

According to Tsatsire (2008:166), public participation is both a constitutional and legal requirement. In support of this, Bekker (1996:75) states that citizen participation can serve as a means of converting dependants into independants – that is, converting the poor from the passive consumers of services into the producers of those services, thereby benefiting them both economically and socially by taking part in governing.

Tsatsire (citing Pope, 2000:247) holds the view that an informed citizenry, aware of its rights and asserting them confidently, is a vital foundation for a national integrity system. An apathetic public that does not take part in governance provides fertile ground for widespread corruption, fraud and maladministration. Furthermore, participation in government empowers citizens with information and the vital tools to shape their own destiny. Finally, *integration* is vital: public participation processes must be integrated into mainstream policies and services, such as the IDP process and service planning.

According to an article published in *The Herald* of 6 September 2010, more than 600 households waiting for houses in the Rosedale area alone, which falls within the boundaries of the Nelson Mandela Bay Municipality (NMBM), are using the bush as a toilet because they have neither sanitation services, nor even the despised bucket system. This is why toilets are mentioned in service delivery protests as a key community demand. Rosedale has been identified by the NMBM as one of the ten service delivery 'hotspots' in its area of jurisdiction.

The literature review also interrogated the current Local Government Turnaround Strategy adopted by the NMBM to determine its effectiveness and relevance in addressing the community concerns raised during service delivery protests. According to a declaration of the Local Government Indaba held in October 2009 (<http://www.polity.org.za>), as led by the Department of Cooperative Governance and Traditional Affairs (COGTA), all municipalities in South Africa were instructed to develop and adopt a 'Turnaround Strategy' relevant to their local conditions. In addressing the current service delivery protests, the Nelson Mandela Bay Metropolitan Municipality have developed a 'Turnaround Strategy' based on the following objectives:

- (a) The restoration of confidence in the Nelson Mandela Bay Municipality as a primary service delivery arm of government that is effectively addressing community concerns.
- (b) The universalisation of service delivery to all communities of Nelson Mandela Bay.
- (c) Addressing the key socio-economic challenges in Nelson Mandela Bay, especially unemployment and poverty.
- (d) Developing a shared agenda for the growth and development of Nelson Mandela Bay.
- (e) Understanding and managing institutional risks.
- (f) Ensuring a fraud and corruption free Municipality.
- (g) Ensuring good corporate governance and an accountable and performance-driven institution, which is focused on service delivery.
- (h) Ensuring that all municipal planning, budgeting and decision-making processes are embedded in public participation and community involvement.
- (i) Restoring the human dignity of the residents of Nelson Mandela Bay, especially in the disadvantaged areas/wards.
- (j) Ensuring sound financial management and sustainability.
- (k) Ensuring a joint intergovernmental approach to the implementation of the Turnaround Strategy.

The NMBM's Turnaround Strategy is underpinned by the Constitutional mandate of South African Local Government; the ANC Local Government Manifesto (2006); the Local Government Turnaround Strategy, adopted by Cabinet on 3 December 2009; the NMBM ANC Region's Operation Guqula; the NMBM Mayoral Committee Retreat Report (January 2010); the NMBM Management Retreat Report (March 2010); the NMBM Mayoral and Oversight Community Outreach Report (February to March 2010); Standing Committee Retreats; service delivery protests reports; Annual and Oversight Reports (2008/09); the 2010/11 IDP/Budget consultations; management and audit reports from the Office of the Auditor-General; biannual input from National Treasury; reports of the Internal Audit Services Division, and reports of the NMBM's Audit Committee.

The above key documents and processes present an opportunity to both the political and administrative leadership to identify and understand the key challenges facing the Nelson Mandela Bay Municipality, thereby providing a solid foundation for the Municipality's

Turnaround Strategy. Craythorne (2006:158) cites the Local Government: Municipal Systems Act 32 of 2000 in defining local service delivery as a process that municipalities employ in order to ensure a reasonable quality of life for communities. An analysis of these documents could give an insight into the primary reason behind service delivery protests in South Africa, namely dissatisfaction with the delivery of basic services, such as water, electricity and toilets and the reason why the protests are more common in informal settlements, namely that poor communities feel that violent protests are the only way to voice their concerns and dissatisfaction. These were investigated in this study. It is thus that municipalities need to strive to meet service delivery challenges, but often fail to meet community expectations (Memela, Mautjane & Nzo, 2008:10).

In its efforts to render effective and efficient services to its communities, the Nelson Mandela Bay Municipality has established 13 (thirteen) customer care centres across Nelson Mandela Bay, namely in Mtombolwazi, Motherwell, Korsten, Cleary Park, New Brighton, Zwide, Uitenhage, Despatch, Daleview, KwaNobuhle, Khayamnandi, Walmer, and in the Mfanasekhaya Gqobose Building, previously known as the Eric Tindale Building, in Central.

With these customer care centres established and with a number of capital projects worth more than R2.8 billion currently under implementation in the 2009/10 Capital Budget, it is of concern that service delivery protests appear to be on the increase. It was, therefore, an objective of this study to address the latter concern as well as other similar anomalies.

The above synopsis clearly indicates that the NMBM should establish the true reasons behind the service delivery protests before it makes decisions on appropriate interventions to be rolled out as solutions. Einstein once said, "*Problems cannot be solved by thinking within the same framework which created them*" (Public Sector Innovation Journal – Ideas that Work, 2010).

1.11 RESEARCH METHODOLOGY

1.11.1 Research design

A triangulation research design was used in this study to generate information from the target samples. The study combined both quantitative and qualitative methods. The

methodological triangulation provided richer data by exposing information that might have remained undiscovered if a single approach had been employed. According to Babbie and Mouton (2001:270), qualitative research distinguishes itself from quantitative research in terms of the following key features:

- (a) Research conducted in the natural setting of social actors.
- (b) A focus on process rather than outcome.
- (c) The actor's perspective (the 'insider' or 'emic' view) is emphasised.
- (d) The primary aim is in-depth ('thick') descriptions and understanding of actions and events.
- (e) The main concern is to understand social action in terms of its specific context (idiographic motive), rather than attempting to generalise to some theoretical population.
- (f) The research process is often inductive in its approach, resulting in the generation of new hypotheses and theories.
- (g) The qualitative researcher is seen as the 'main instrument' in the research process.

Based on the above, the qualitative approach was considered the most appropriate method to extract data from 100 community respondents in the ten service delivery 'hotspot' townships in Nelson Mandela Bay. The researcher used focus group interviews to gather data from the above respondents.

Quantitative research is perceived to be objective in nature and involves examining and measuring the phenomena being studied. It involves the collection and analysis of numerical data and the application of statistical tests (Tonono, 2008:40). Quantitative research is more focused and aims to test assumptions, whilst qualitative research is more exploratory in nature. Quantitative data is of the kind that may lead to measurement or other kinds of analysis involving applied mathematics, while qualitative data cannot always be put into a context that can be graphed or displayed as a mathematical term (<http://www.polity.org.za>).

For the purpose of this research, the quantitative research approach was considered best to suit local government Councillors and senior municipal officials. The quantitative research design used in this study generated important information from the target samples.

Quantitative research is perceived to be objective in nature and involves examining, concentrating on and measuring the phenomena being studied. It involves the collection and analysis of numerical data and the application of statistical tests (Tonono, 2008:40). Quantitative research is more focused and aims to test assumptions, whilst qualitative research is more exploratory in nature. Quantitative research concerns aspects that can be counted. One of its most common disciplines is the use of statistics to process and explain data and to summarise the findings. In general, quantitative research is concerned with systematic measurement, statistical analysis and methods of experimentation.

1.11.2 Population and sampling

According to Cooper and Schindler (2003:179) and Babbie and Mouton (2003:100), a population constitutes the entire collection of elements or groups in respect of which inferences must be drawn. The sample of respondents to be used in the study consisted of the following:

RESPONDENT GROUP	SAMPLING FRAME	SAMPLE SIZE	DATA-GATHERING INSTRUMENT	SAMPLING METHOD
GROUP A – QUANTITATIVE METHOD				
Mayoral Committee	10	10	Questionnaire	Universum
Ward Councillors	60	60	Questionnaire	Universum
GROUP B – QUALITATIVE METHOD				
'Hotspot' community respondents	100	100	Focus group sessions	Purposive random sampling
GROUP C – QUANTITATIVE METHOD				
Senior Management	50	50	Questionnaire	Universum
Officials – Constituency Office	10	10	Questionnaire	Universum

The 100 respondents from the ten service delivery protest 'hotspots' in Nelson Mandela Bay were selected based on equitable population distribution of the entire 'hotspot' area being surveyed, irrespective of gender, race, creed or party/political affiliation. This means that the area under survey was divided into equal zones/sections from which equal representation of informants was randomly selected. The minimum age was limited to 18 years old. These respondents were selected for the focus group interviews.

Sixty (60) Ward Councillors of the Nelson Mandela Bay Municipality were also administered with questionnaires. Proportional Representation (PR) Councillors were not included in the selection of informants. This is due to the fact that PR Councillors are primarily accountable to the political party to which they are affiliated. Councillors are the elected representatives acting as links between the municipality and the voters/community. Service delivery protesters march to Ward Councillor's offices not to the PR Councillors' residences. Due to this argument, it is believed that Ward Councillors should be more 'Hands On' as well as experienced with the root causes of service delivery protests on a 'first hand' basis than PR Councillors.

In addition, fifty (50) senior management in the administration of the Nelson Mandela Bay Municipality were administered with questionnaires as part of quantitative research. These public officials were selected as indicated in the table below.

OFFICE / DIRECTORATE	INFORMANT	NOs
Office of the Municipal Manager	Municipal Manager	2
Office of the Chief Operating Officer	Chief Operating Officer	6
	IDP Director	
	Director: Communications	
	Director: Internal Audit & Risk Management	
	Director: Policy & Strategy	
	Director: Legal Services	
Special Programmes Directorate	Manager: Expanded Public Works Programme	3
	Coordinator: Helenvale Urban Renewal Programme	
	Manager: Integrated Poverty Alleviation	
Budget and Treasury Directorate	Chief Financial Officer	5
	Director: Expenditure Management	
	Director: Revenue Management and Customer Care	
	Director: Supply Chain Management	
	Director: Budget and Financial Accounting	
Corporate Services Directorate	Executive Director: Corporate Services	2
	Director: Councillor Support and Public Participation	

Infrastructure and Development Directorate	Executive Director: Infrastructure and Engineering	5
	Director: Water & Sanitation	
	Director: Roads, Storm Water and Transportation	
	Director: Design and Implementation	
	Director: Special Assignments and Strategic operations	
Electricity and Energy Directorate	Executive Director: Electricity and Energy	3
	Director: Projects	
	Director: Retail and Commercial Management	
Public Health Directorate	Executive Director: Public Health	5
	Director: Environmental Health and Public Health	
	Director: Primary Health Care	
	Director: Waste Management	
Economic Development, Tourism, Sports and Recreation	Executive Director: Economic Development	3
	Director: Libraries, Arts, and Culture	
	Director: Sports and Recreation	
Housing and Land Directorate	Executive Director: Housing & Land	4
	Director: Housing Delivery	
	Director: Social Development, Education & Development	
	Director: Development and Support	
Safety and Security Directorate	Executive Director: Safety and Security	5
	Director: Security Services	
	Director: Disaster Management	
	Director: Fire and Emergency	
Motherwell Urban Renewal Programme (MURP)	MURP Director	4
	Physical Cluster Coordinator	
	Local Economic Development Coordinator	
	Social & Institutional Cluster Coordinator	
Chief of Staff, Office of the Executive Mayor	Chief of Staff	1
Mandela Bay Development Agency (MBDA)	Chief Executive Officer	1

Uitenhage, Despatch Development Initiative (UDDI)	Chief Executive Officer	1
Nelson Mandela Bay Tourism	Chief Executive Officer	1
TOTAL INFORMANTS		50

For the purpose of the empirical survey undertaken in this study, members of the Mayoral Committee (10) and Ward Councillors (60), who fell into the category of local government councillors, formed **Group A**. Members of the Mayoral Committee were full-time Councillors and their number of 10 were prescribed in terms of the Local Government: Municipal Systems Act 32 of 2000. The 60 participating Ward Councillors represented the 60 wards in the area of jurisdiction of the Nelson Mandela Bay Municipality. They were part-time councillors directly elected by their respective communities (wards) in the geographical area of jurisdiction of the Municipality. Data were collected from these groups using the quantitative research method and use was made of a questionnaire. The questionnaire comprised of three sections, divided as follows: Section A required biographical information. Section B consisted of brief statements, using the Likert Rating Scale; and a number of open-ended questions were also employed. Section C will comprised a SWOT analysis.

The 100 respondents from the ten service delivery protest 'hotspots' in Nelson Mandela Bay were randomly selected for the purpose of the focus group interviews, which formed part of the qualitative study. For the purpose of this study the 100 'hotspot' respondents formed **Group B** of the empirical survey. The 100 'hotspot' respondents would provide valuable information relating to service delivery expectations. Consequently, the qualitative research methodology was considered the most appropriate for the purpose of this group. Semi-structured interviews are guided conversations where broad questions are asked, which do not restrict the conversation and new questions are allowed to arise as a result of the discussion. Five questions were formulated to be put to each of the focus groups in this category.

Officials forming part of senior management at Nelson Mandela Bay Municipality and whose positions were directly related to the provision of basic services were chosen as members of the empirical survey. This group comprised appointed career officials and (it was estimated that there were 50 such positions at the NMBM). Officials responsible for Constituency Services and public participation in the NMBM numbered ten and also formed part of this

group. The two above-mentioned groups of officials were required to implement resolutions of the Council that comprised Group A above. The quantitative approach was followed with this group, using the same questionnaire as with Group A (the Councillors).

1.11.3 Data collection instruments

Before the fully-fledged questionnaire was implemented, a pilot study was undertaken, using a convenient sample in order to enable the researcher to eliminate any ambiguous areas or questions, to refine the questionnaire, and to gauge the standard of the questions.

1.11.3.1.1 Questionnaire

Data for the proposed study were collected from groups A and C through a self-administered questionnaire consisting of the following two main sections:

Section A: Biographical particulars of the respondents, including occupational categories, educational qualifications, mother tongue, age and gender.

Section B: Pertaining to administrative and institutional capacity to promote public participation and service delivery, the level of public participation in decision-making, community involvement in the IDP and budgeting processes, public participation initiatives and programmes, the resourcing thereof, and service delivery protests. Use was made of both close-ended and open-ended questions. Data were extracted from group B (respondents from the ten 'hotspots' in terms of the focus group interviews, as described above. Themes were identified from the group interviews.

1.11.3.1.2 Documents to be reviewed

The researcher intended to review a number of documents for the purpose of this study.

These included relevant books, journals and other publications on service delivery and protest action. A review and analysis of a variety of 'developmental' local government legislative prescriptions were also embarked upon. Legislation consulted, included but was not limited to the White Paper on Local Government (1998), the *Batho Pele* White Paper, the Municipal Planning and Performance Management Regulations of 2001, the Municipal

Structures Act 117 of 1998, the Municipal Systems Act 32 of 2000, the Municipal Finance Management Act 66 of 2003, and the 1996 Constitution. Lastly, a review of applicable periodicals, theses, published and unpublished material, newspaper articles, and other key municipal documents, as well as internet searches and protestors' submissions to the Nelson Mandela Bay Municipality will be undertaken.

1.11.3.2 Data analysis

The data interpretation and analysis undertaken consisted of the following:

- (a) Determining relative values pertaining to the established criteria that will emerge from the literature study and empirical survey and transforming such data into codified form and capturing it in a computer database;
- (b) Statistical procedures will be utilised to interpret and analyse the quantitative data to determine the results using the Statistica package for data analysis including percentage and frequency of occurrence. The Chi square test will be employed to test for relationships between categorical variables and the T test for comparisons between the mean scores between different groups.
- (c) The qualitative data analyses will involve thematic content analysis whereby a software package will be used. A qualified statistician in the Nelson Mandela Metropolitan University will be approached to assist with data analysis and interpretation.

1.12 NORMATIVE MODEL CONSTRUCTION

Based on the literature study and empirical research, a normative model aimed at enabling municipalities to render effective and efficient services to their communities in a manner that ensures community ownership and satisfaction, were constructed.

1.13 ETHICAL CONSIDERATIONS

Ethical issues arise out of our interaction with other people. As a social researcher, one had to deal with a number of ethical obligations during the course of the study. All participants who formed part of the sample for the empirical component of the research

were informed of their rights. Each participant was required to sign the informed consent form. Participants were also informed of their right to anonymity, the right to withdraw from the study at any time without any adverse consequences and that their participation is would be on a voluntary basis. Data were presented in such a way that the identity of the respondents will not be divulged. The findings and the results of the research would be made available on request by the respondents. Voice recorders would not be used, as they might intimidate or deter the informants from expressing their opinion in an open and honest manner as the environment might be experienced as threatening.

1.14 SEQUENCE OF CHAPTERS

This thesis comprises eight chapters:

Chapter One: Introduction and organising of chapters.

Chapter Two: Theoretical investigation pertaining to the new local government developmental role.

Chapter Three: Literature review on the emergence of service delivery protests.

Chapter Four: Legislative environment governing the rendering of public goods and services by municipalities.

Chapter Five: Research methodology.

Chapter Six: Empirical survey and analysis of results.

Chapter Seven: Development of normative model for effective and efficient rendering of public services.

Chapter Eight: Conclusions and recommendations.

CHAPTER TWO

THEORETICAL INVESTIGATION INTO NEW LOCAL GOVERNMENT DEVELOPMENTAL ROLE

2.1 INTRODUCTION

The objective of this chapter is to conduct an investigation into the origin, objectives and principles of developmental local government in South Africa. A descriptive and explanatory approach will be adopted in analysing the framework of developmental local government from historical, process and policy perspectives. A comparative study undertaken will be presented between the roles of traditional local government and developmental local government. Finally, some form of yardstick will be suggested to determine whether a municipality is developmental.

2.2 RECOGNITION OF LOCAL GOVERNMENT AS SPHERE OF GOVERNMENT

In terms of Section 40 of the Constitution of the Republic of South Africa, 1996 (the Constitution), South African government is constituted as national, provincial and local government spheres of government that are distinctive, interdependent and interrelated. This means that the national, provincial and local government spheres are no longer tiers or levels of government. They are spheres that operate under and in terms of certain mandates, principles of co-operative governance and intergovernmental relationships.

To preserve order, distinctiveness and interrelation between the three spheres of government, Section 41(1) of the Constitution provides the principles of co-operative government and intergovernmental relations, in stipulating that all spheres of government and all organs of state within each sphere must, *inter alia*, preserve the peace, national unity and indivisibility of the Republic and provide effective, transparent, accountable and coherent government for the Republic as a whole and be loyal to the Constitution, the Republic and its people.

The recognition of local government as a sphere of government in Chapter 7 of the Constitution of the Republic of South Africa, 1996 has enhanced the status of local government as a whole and of municipalities in particular, giving them a new, dynamic role as instruments of service

delivery. According to the Local Government Turnaround Strategy of November 2009, the aims of democratising South African society and growing an inclusive economy can be realised only through a responsive, accountable, effective and efficient local government system that is part of a developmental state. It is clear from the above that developmental local government is a direct derivative of a developmental state.

The current form of local government is the result of an evolution process. This process will now be analysed and discussed. The establishment of a South African developmental state is grounded in the vision of the state and society working together at all levels to advance social justice, economic growth and development. It follows from the above that developmental local government will underpin the building of a developmental state.

Since the establishment of the local sphere, a number of measures to support and strengthen local government have been introduced. In terms of the Local Government Turnaround Strategy of November 2009, these measures included training in various aspects of the system and the introduction of the Local Government Support Programme, Integrated Sustainable Rural Development Programmes (ISRDP) and Urban Renewal Programme (URP), specialised training by professional institutes, Project Consolidate, including Siyenza Manje, and the Five-Year Local Government Strategic Agenda.

All these measures of support were intended to enable municipalities to realise the 'ideal' of developmental local government as envisaged in the Constitution of the Republic of South Africa, 1996 and the White Paper on Local Government, 1998, which cites that *"Developmental local government is local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives"*.

Working with local communities to find sustainable ways to improve their lives implies public participation in the affairs of local government. Raga (1997:104) supports the above view, indicating that community values must be taken into account, because the right of existence of government as well as public officials rests in serving the needs of the community. Public participation and consulting are two pillars of democratising development, and service delivery in particular.

Based on the above, it may be concluded that municipalities should strive to fulfil their developmental role by, providing democratic and accountable government for local communities, be responsive to the needs of local communities, ensure the provision of services to communities in a sustainable manner, promote social and economic development, promote a safe and healthy environment, and encourage the involvement of communities and community organisations in the matters of local government affairs.

2.3 EVOLUTION OF LOCAL GOVERNMENT IN SOUTH AFRICA

The evolution of local government in South Africa is a complex yet unilinear process that has taken place with a concomitant suppression of indigenous subsystems (Ismail, Bayat & Meyer, 1997:116). When the Union of South Africa was established on 31 May 1910, in terms of the South Africa Act, 1909, municipal affairs were made the responsibility of the provincial authorities. For many years central government showed little interest in municipal affairs and did not contribute to the development of local government and administrative systems appropriate to South Africa's urban areas (Cloete, 1997:12).

The Interim Constitution of 1993 (Act 200 of 1993) acknowledges the existence of indigenous local government, but remained ambiguous about its roles, powers and functions (Ismail, Bayat & Meyer, 1997:117). As a result of the Interim Constitution, 1993, the Local Government Transition Act 209 of 1993, which provided for democratic governance, was promulgated. It could, therefore, be argued that the Interim Constitution, 1993, also contributed to the foundation for the establishment of developmental local government.

2.4 TRADITIONAL ROLE OF LOCAL GOVERNMENT

Any form of government, whether national, provincial or local, has as its objective the promotion of the general welfare of the community by satisfying its identified needs through the rendering of public goods and services (Ismail, Bayat & Meyer, 1997:137). According to Hanekom and Thornhill (1993:44), the traditional role of local government includes law enforcement, the rendering of public services, and collecting revenues from citizens in order to render public goods and services.

A different perspective was subsequently expressed in the Constitution of the Republic of South Africa, 1996. In terms of Section 153 of the Constitution of the Republic of South Africa, 1996, South African municipalities are mandated to carry out the following developmental duties:

- (a) Structure and manage their administration and budgeting and planning processes to give priority to the basic needs of local communities, and to promote the social and economic development of communities; and
- (b) Participate in national and provincial programmes.

It is evident from the above that the traditional role of municipalities did not include the following:

- Promoting social and economic development within the communities; and
- Promoting community participation in the matters of their local government in a manner that the total population is involved in the municipal structuring, administration, planning and budgeting processes.

Furthermore, Section 152(1) of the Constitution of the Republic of South Africa, 1996, stipulates that the objects of local government are:

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

It is clear from the above that the traditional role of municipalities, as listed by Hanekom and Thornhill (1993:44), did not include the following matters:

- Promoting social and economic development within the communities.

- Promoting community participation in the matters of their local government in a manner that ensures that the total population is involved in municipal structuring, administration, planning and budgeting processes.
- Provision of democratic and accountable government for local communities.
- Ensuring the provision of services to communities in a sustainable manner.
- Encouraging the involvement of communities and community organisations in the matters of local government.

These matters signal the advent of the new developmental local government era in South Africa.

As mentioned earlier, the main aim of all spheres of government is the development of the citizenry. It is, therefore, important to define exactly what is meant by the term 'development' in order to understand the concept 'developmental local government'.

2.5 ORIGIN, OBJECTIVES, PRINCIPLES AND AIMS OF DEVELOPMENTAL LOCAL GOVERNMENT

2.5.1 Local government defined

According to Nel (1998:79), local government can be defined as the sphere of government of a state that aims to identify the needs of local communities and promote the general welfare by developing the environment in such a manner as to meet such community needs. In this regard, local government is defined as a sub-ordinate member of government, vested with prescribed, controlled governmental powers and sources of income to render specific local services and to develop control and regulate the geographic, social and economic development of defined local areas (Meyer, 1978:10). In turn, local government have certain characteristics, namely:

- A clearly defined territory with boundaries;
- A permanent population; and
- A political government that has the delegated authority to act and make decisions (De Villiers & Meiring, 1995:63)

The above classification is supported by Hanekom (in Heymans & Totemeyer, 1988:13), who holds the view that a local authority is further characterised as, *inter alia*:

- being a legally independent entity;
- having the authority to raise revenue for the purpose of executing various activities; and
- being able to make decisions concerning the administration of its particular area.

Section 151 of the Constitution of the Republic of South Africa, 1998 stipulates that the local sphere of government consists of municipalities, which must be established for the whole of the territory of South Africa. According to Section 152(1) of the Constitution, the objects of local government are:

- (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 local communities and community organisations in the matters of local government.

It is clear that local government can be defined as that sphere of government that is closest to the citizenry. In addition, it is that part of government that deals mainly with matters concerning the rendering of public goods and services to communities of a specific geographical area in a sustainable manner.

2.5.2 Development defined

In any society, specific arrangements are required to ensure that the physical and spiritual needs of the inhabitants are met and, in so doing, that the general welfare is promoted (Meiring & Parsons, 1994:48). To increase the quality of life of communities, various components of the environment need to be improved or raised to an acceptable level. It is in this context that development is receiving widespread attention, especially in South Africa, as it is regarded as

the instrument through which the government and other roleplayers can take active measures to address poverty, inequality and other social evils.

According to Torado (1994:16), development is a multidimensional concept involving changes in social structures, popular attitudes and national institutions, as well as the acceleration of economic growth, the reduction of inequality, and the eradication of absolute poverty.

The *New Concise Oxford Thesaurus* (Waite, Hawker, Bailey & Cowley) (2002:221) provides a definition of the verb 'develop' suggesting that it means to change gradually, progressing through a number of stages towards some state of expansion, improvement or completeness. Thus, development is used to refer to the process of developing or becoming developed, either due to the actions of the subject or as a result of outside intervention (Conyers & Hills, 1984:22). Bryant and White (1982:3) point out that while development is often used as a euphemism for change, modernisation or growth, it is in reality more complex. Torado (1994:16) regards development as a multidimensional concept involving changes in social structures, popular attitudes and national institutions, as well as the acceleration of economic growth, the reduction of inequality, and the acceleration of absolute poverty.

Development is defined by Meiring and Parsons (1994:54) as the purposeful change of the environment to improve the well-being of the inhabitants, both qualitatively and quantitatively. To achieve this goal of improving or promoting the general welfare, development is aimed at, *inter alia*, eliminating poverty caused by a lack of the means necessary to provide food, clothing, shelter and other material needs, equipping a society materially and spiritually so that each individual member is able to pursue a specific standard of living, enjoy a meaningful job opportunity, live according to personal values, and eliminating social problems, such as insufficient housing, rapid population growth and unemployment.

A similar conceptualisation of development was adopted by Torado (1994:16-19), who has asserted that development, in its essence, must represent change whereby an entire social system moves away from a condition of life widely perceived as unsatisfactory toward a condition of life materially and spiritually 'better'. The United Nations (Louw, 1993:94) perceives development as a process through which the efforts of the inhabitants themselves are combined with those of government authorities to improve the economic, social and cultural conditions of communities. The United Nations Declaration on the Right to Development not

only classifies the right to development as an inalienable human right belonging to every human person, but also proclaims the human person as the central subject of development (Van Reenen, 1995:427).

Coetzee (1987:7-8) writes that development can generally be regarded as a process of directed change leading to economic growth, political autonomy and a broad basis of social reconstruction. The improvement of human conditions is held to be the underlying motivation for development. It can be asserted that development is about people and for people. Development should begin with identifying human needs and keeping these as objectives in order to raise the standard of living of the masses. In this respect, development indicators such as per capita income, literacy and life expectancy levels are not ends in themselves, but means for enriching the quality of human life.

Fundamentally, it may be argued that development involves both 'doing' and 'being'. It firstly involves doing, in that its emphasis is usually on designing and managing programmes and projects to bring about visible and significant change in the circumstances of people. Secondly, development also involves being, in the sense that it aims to increase the capacity of people to influence their future. This implies that development programmes and projects not only need to accomplish physical and concrete changes, but do this in such a way that people have an increased capacity to respond to and even shape these changes. This perspective of development has certain implications, including the following:

- Capacity (that is, devoting attention to expanding the ability and energy of people to make change).
- Equity (ensuring even attention to different groups).
- Empowerment (enabling people to make choices with regard to development and to participate in decisions affecting them).
- Sustainability (taking seriously the need to deal with problems of scarce and finite resources and ensuring that the benefits of development are long term (Bryant & White, 1982:14-15)).

From the above, it is possible to deduce that development is difficult to define since the term means different things for different people, depending on the frame of reference adopted.

However, it is apparent that development implies change from a less desirable state to a state that enhances the well-being of communities. Improvement and growth are pursued, with the ultimate objective of raising standards of living, meeting basic needs, and eradicating social problems, such as absolute poverty. In other words, development cannot be defined in terms of economical indicators alone, but also in terms of the cultural and social cohesion and the general well-being of the population.

This means that development is aimed at developing the environment in which people live, but also the people themselves. For this reason, developmental local government shies away from the traditional role of simply rendering public services. Instead, it seeks to facilitate public participation, local economic development and the provision of a democratic local government for all population groups.

2.5.3 Developmental local government defined

Having defined the terms 'local government' and 'development' a definition of 'developmental local government' is now provided. According to the White Paper on Local Government, 1998, developmental local government is that sphere of government that is committed to work with citizens, interest groups and communities to create sustainable human settlements that provide for a decent quality of life and meet the social and economic needs of communities in a holistic way.

In terms of Section 153 of the Constitution of the Republic of South Africa, 1996, in a developmental local government sphere, a municipality must:

- (a) structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community and promote the social and economic development of the community; and
- (b) participate in national and provincial development programmes.

It is evident that developmental local government entails democratising development through public participation and consultation and meeting communities' basic needs in an effective and efficient manner.

2.5.4 Historical background to developmental local government in South Africa

In order to understand the background and history of developmental local government in South Africa, it is necessary to look at the history that South Africa as a nation went through in the last half of the 21st century.

According to Lester, Menguele, Karuri, Kruger and Nell (2009:11), South Africa has undergone six transformation time periods since 1900, as depicted in Figure 1 below.

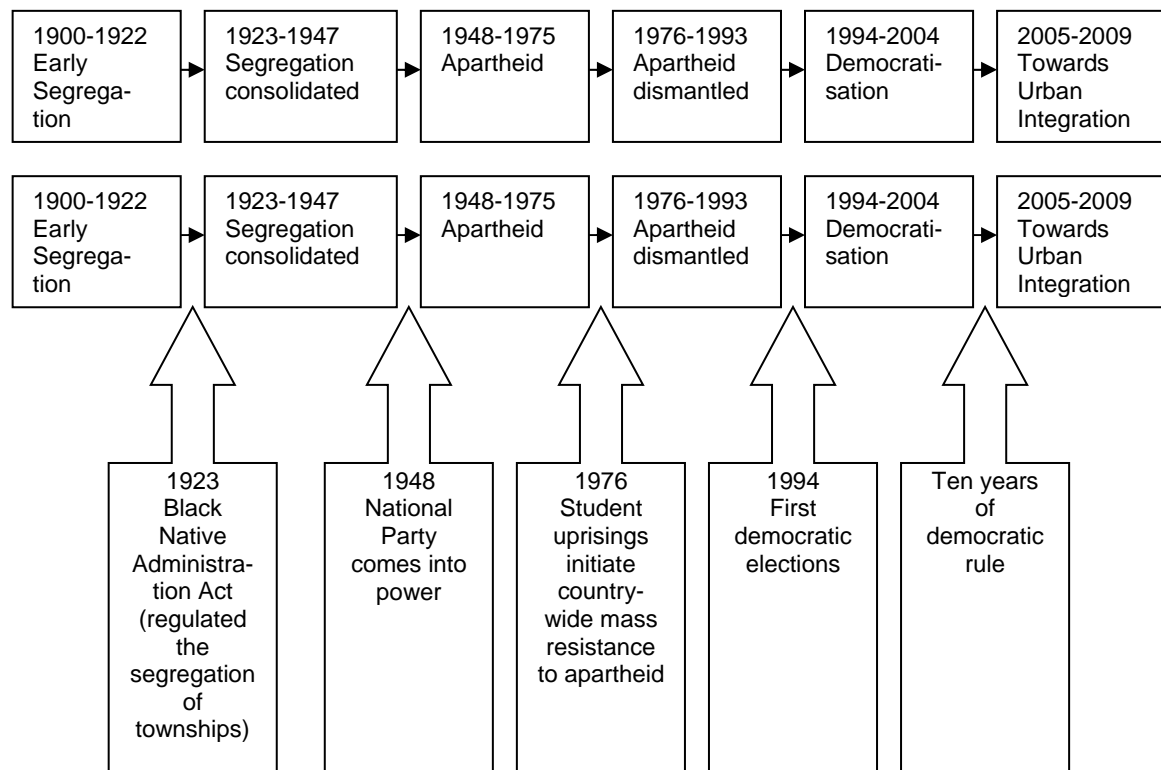


FIGURE 2.1: Transformation time periods (1900 – 2009)

Source: Township Transformation Timeline (Department of Co-operative Governance in collaboration with the European Commission, 2009).

The period 1900 – 1922 was characterised by the emergence of apartheid, whereas the period 1923 – 1947 was basically the period in which apartheid was adopted and consolidated.

The real apartheid era began after the right-wing National Party was voted into power in 1948. As soon as the National Party came into power, it began to introduce legislation that entrenched segregation across the population groups of South Africa. It promulgated and enforced the Group Areas Act 41 of 1950, thereby achieving its objective to geographically separate the different race groups. Apartheid did not enjoy the legitimate support of the majority of the population groups (Chaskalson, 1987:4). No voting rights were granted to non-white groups in South Africa, who constituted the majority of South Africans. It is clear that apartheid rule was an undemocratic regime that lacked legitimacy among the majority of the population.

The period 1948 – 1975 was further characterised by resistance to segregated development, while the period 1976 – 1993 saw the dismantling of apartheid. The development and adoption in 1955 in Kliptown, Johannesburg, of the Freedom Charter is a classic example. The period 1994 – 2004 saw the dawn of democracy in the country, and the period 2005 – 2009 was a period of inclusion through integrated development. In 1996, the new democratic constitution of South Africa was promulgated, known as the Constitution of the Republic of South Africa, 1996.

From the above, it is evident that apartheid was not an event, but a process. Similarly, the dismantling of apartheid and the dawn of democracy was not a single event, but a prolonged process.

2.5.5 Origin of developmental local government in South Africa

In June 1955, the leaders of South Africa's main anti-apartheid and liberation movements met in Kliptown, near Johannesburg. They called the meeting the Congress of the People and agreed to adopt a list of rights, called *The Freedom Charter*. This Charter contained a list of demands for rights that the majority of South Africans did not have, because of the institutionalised inequalities and discrimination of the apartheid regime. The declarations made in the *Freedom Charter* are now embedded in the Constitution of the Republic of South Africa, 1996.

In the *Freedom Charter*, adopted at the Congress of the People in Kliptown, on 26 June 1955, the following declarations were made for the world to know:

- The people shall govern;

- All national groups shall have equal rights;
- The people shall share in the country's wealth;
- The land shall be shared amongst those who work it;
- All shall be equal before the law;
- All shall enjoy equal human rights;
- There shall be work and security;
- The doors of learning and culture shall be opened;
- There shall be houses, security and comfort; and
- There shall be peace and friendship.

Equal rights, equality before the law, and human rights were later provided for in Sections 7 – 21 of the Constitution of the Republic of South Africa, 1996, while the right to work and security are provided for under Sections 21 and 27 of the Constitution. Sections 29 – 31 also provide for learning (education) and cultural rights. Security is provided for in, *inter alia*, Sections 27 and 152(d) of the Constitution. Section 26 of the Constitution stipulates that everyone has the right to access adequate housing, which has resulted in the introduction of, *inter alia*, the provision of Reconstruction and Development Programme (RDP) housing to the poor.

From the above declarations, it is clear that the *Freedom Charter* of 1955 already envisaged the advent of a new era of a developmental state in which developmental principles would form the cornerstone of developmental local government. It could be argued that the origin of developmental local government principles lies in the *Freedom Charter* of 1955. However, It is important to note that these principles could not take effect until they were promulgated into law through the Constitution of the Republic of South Africa, 1996, and especially the Bill of Rights (Chapter 2 of the Constitution of the Republic of South Africa, 1996).

As events unfolded following the adoption of the Freedom Charter in 1955 and the intensification of the struggle against apartheid. South Africa in 1994 became a democratic state, following the general elections that took place on 27 April 1994. These elections heralded the end of the apartheid era, in which the approach to development was that of '*apartness*', and 'segregation', as opposed to integrated development. The elections also paved the way for the establishment of local authorities based on democratic principles, allowing residents to participate in planning and decision-making regarding matters affecting their general welfare.

In order to create a legal framework for a democratic state, a new constitution was promulgated by the South African Parliament in 1996, known as the Constitution of the Republic of South Africa, 1996. This Constitution made provision for the promulgation of a number of statutes to be promulgated at a later stage, in order to give effect to the new mandate of developmental local government.

It can be concluded that developmental local government had its roots in the *Freedom Charter* adopted in Kliptown, Johannesburg in 1955. Thereafter, the principles of developmental local government were further entrenched in the Interim Constitution of 1993 and later formally enshrined in the Constitution of the Republic of South Africa, 1996. It is this Constitution that in turn provided for the promulgation of a series of developmental local government statutes, including the White Paper on Local Government (Government Gazette Vol. 418, No. 21126, of 26 April 1998), 1998, the Municipal Structures Act 117 of 1998, the Municipal Electoral Act 27 of 2000, the White Paper on Municipal Services Partnerships, 2000 (Government Gazette Vol. 418, No. 21126, of 26 April 2000), the Municipal Systems Act 32 of 2000, and the Municipal Finance Management Act 56 of 2003.

2.5.6 Objectives of developmental local government

Developmental local government is a concept supported by a set of aims, objectives, principles, framework and enabling legislations.

According to Taylor (2001:12), the principles of developmental local governments are underpinned by the following objectives:

- Poverty alleviation;
- Economic growth;
- Good governance;
- Democratisation of development;
- Addressing the need of vulnerable groups; and
- Environmental management aimed at ensuring the achievement of sustainable development at the local government sphere.

The outcomes of meeting these objectives include the provision of household infrastructure and services; the creation of liveable, integrated and inclusive cities, towns and rural areas; local economic development; and community empowerment and distribution. In turn, these outcomes should create a healthy local environment in which vulnerable groups are supported and protected. It should also mitigate the growing social distance between government and communities.

2.5.7 Principles of developmental local government

For many years prior to 1996, the central government showed little interest in municipal affairs and contributed little to the development of local government and administrative systems appropriate for South African urban areas (Cloete, 1997:12). Although certain principles of developmental local government were conceived as early as 1993 through the Interim Constitution of Republic of South Africa, 1993 (Act 200 of 1993), and Chapters 2 and 7 of the Constitution of the Republic of South Africa, 1996 have laid the founding principles of developmental local government.

As discussed earlier, principles of developmental local government can be summarised to include poverty alleviation, economic growth, good governance, the democratisation of development, the prevention of vulnerability, and ensuring environmental sustainability.

2.5.8 Framework for developmental local government

Taylor (2006:22) proposes the following framework for developmental local government in South Africa.

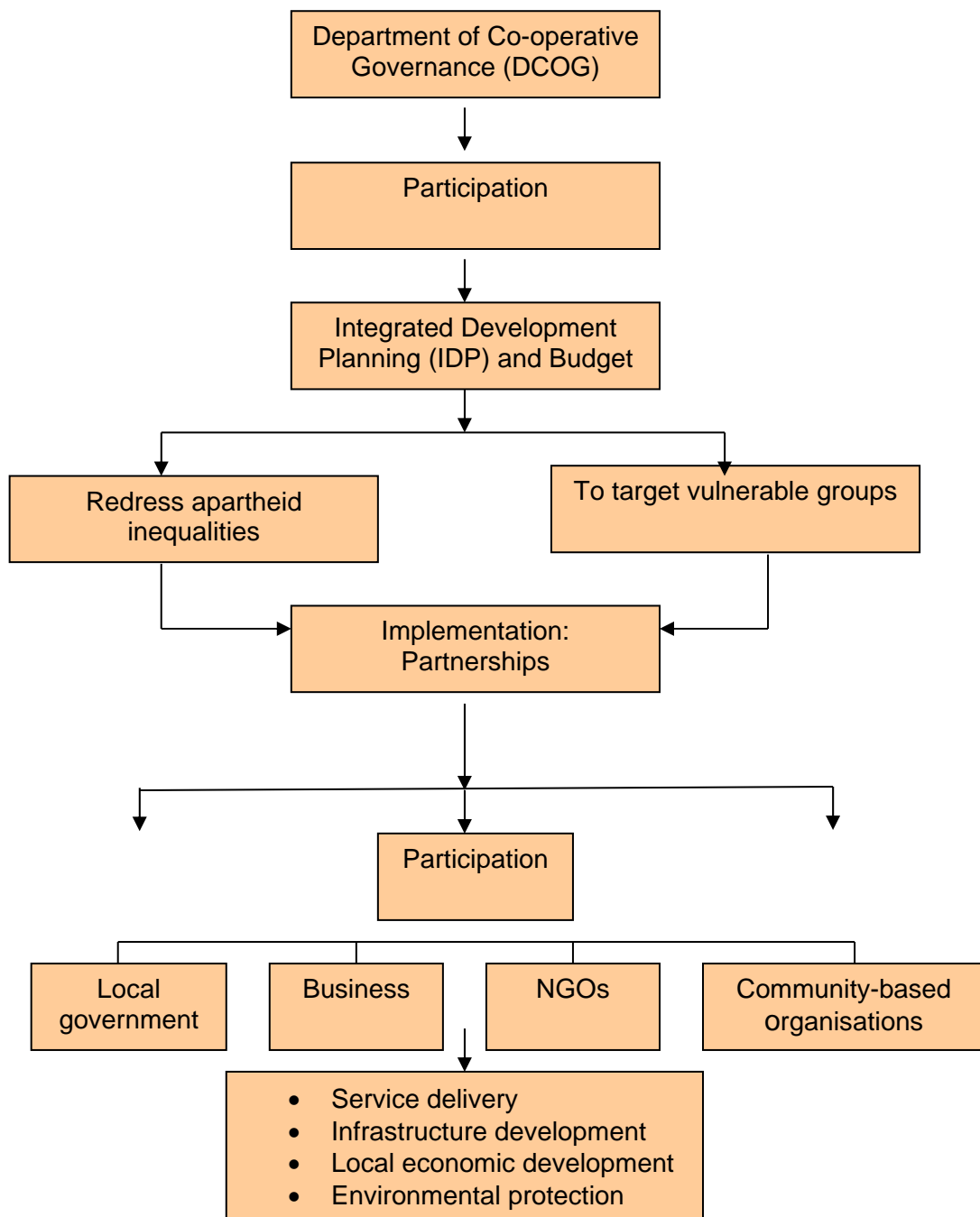


FIGURE 2.2: Framework for developmental local government in South Africa

Source: Taylor Municipal Administration Class Handouts: Nelson Mandela Metropolitan University (2006)(Taylor)
 From the above, it is evident that public participation and service delivery partnerships between government and other social partners, environmental sustainability, local economic development and the exercising of democratic and constitutional rights by citizens provide a

solid framework in facilitating developmental local government; hence this new mandate in the context of a developmental state.

2.5.9 Planning tools of developmental local government

In order to achieve the objectives of developmental local government, the government uses a number of tools, including the Integrated Development Plans of municipalities, aligned to budget provision and community needs, land development plans, and spatial development frameworks seeking to redress the spatial exclusions of apartheid-type designs. Other tools include the National Spatial Development Framework, Provincial Growth and Development Plans (PGDPs), with linkage to the IDPs of the municipalities within a specific province, the application of *Batho Pele* principles, and the like.

In terms of the 1997 White Paper on Transforming Public Service Delivery (Government Gazette No. 18340, 1 October 1997:14-15), the concept of *Batho Pele* was first introduced in October 1997. The words *Batho Pele* are from Sesotho origin meaning '*People First*'. The main aim of the *Batho Pele* principles is to provide a policy framework and a practical implementation strategy for the transformation of the public sector in order to improve the quality, effectiveness and efficiency of service delivery to the citizenry.

It may be argued that *Batho Pele* principles is South Africa's way of moving towards a '*citizens as valued consumers*' approach.

According to the aforementioned White Paper, the concept of *Batho Pele* is underpinned by some of which are:

- *Consultation*: The public should be consulted about the level and quality of the public services they receive and, wherever possible, be given a choice about the services that are offered.
- *Service standards*: Citizens should be told what level and quality of public services they will receive so that they are aware of what to expect.
- *Access*: All citizens should have equal access to the services to which they are entitled.

- *Information:* All citizens should be given full, accurate information about the public services they are entitled to receive.

Another tool that local government uses as a bargaining tool in fulfilling its developmental mandate as a collective is the South African Local Government Association (SALGA).

Section 163 of the Constitution of the Republic of South Africa, 1996, envisages an important role for organised local government and provides that an act of Parliament must cater for the recognition of national and provincial organisations representing municipalities and determine the procedures through which local government may consult provincial and national government, designate representatives to participate in the National Council of Provinces (NCOP), and nominate persons to serve on the Financial and Fiscal Commissions (FFC).

In giving effect to Section 163 of the Constitution of the Republic of South Africa, 1996, the Organised Local Government Act 52 of 1997 was promulgated. The Act recognises SALGA (South African Local Government Association) and the nine Provincial Local Government Associations (PLGAs) as representatives of organised local government.

In line with its constitutionally defined mandate, SALGA's role includes that of transforming local government to enable it to fulfill its developmental mandate. It is clear from the above that the Constitution of the Republic of South Africa, 1996, envisages an important role for organised local government in the new South Africa, with a unique focus on developmental service delivery. In this regard, SALGA has a clear mandate of assisting in the wholesale transformation of local government in South Africa, from the pre-1994 apartheid regime to the new dispensation under the country's first democratically elected government.

The creation of the South African Local Government Association (SALGA), which acts in the interest of the current 283 municipalities in South Africa through capacity building projects and as a single voice in furthering the interests of local government in the country and abroad, could also be viewed as a tool designed to enhance developmental local government in South Africa.

It is important to note that, prior to 1997, South African municipalities had no association that could enhance their participation as a collective in the national council of provinces, provincial

sphere and national sphere of government. The Organised Local Government Act 52 of 1997, which empowers, *inter alia*, the South African Local Government Association (SALGA) to fulfil its role, was promulgated in 1997 to provide for the recognition of national and provincial organisations representing the different categories of municipalities; determine the procedures by which local government may designate representatives to participate in the National Council of Provinces (NCOP); determine the procedures through which local government may consult with national and provincial government; and determine the procedures through which local government may nominate persons to the Financial and Fiscal Commissions. SALGA as an organisation has a mandate to represent the interests of organised local government in South Africa's intergovernmental relations system with a united voice. SALGA's business plan sets out a series of objectives namely:

- Building the capacity of local government to contribute towards a developmental democratic governance system that can meet basic human needs.
- Promoting sound labour relations and practices that can achieve high levels of performance and responsiveness to the needs of citizens.
- Representing, promoting, protecting and giving voice to the interests of local government at national and provincial spheres, in intergovernmental processes and in other policy-making bodies (<http://www.info.gov.za>).

The other developmental planning tools include the establishment of ward committees in terms of the Municipal Structures Act 117 of 1998 to provide a vital link between community, politicians and public officials; urban and rural environmental management planning guidelines; Local Economic Development (LED) strategies; Urban Renewal Programmes (URP) covering eight former townships in South Africa; Integrated Sustainable Rural Development Programmes (ISRDPs), aimed at stimulating economic growth and the general welfare of communities in rural areas; SMME development and empowerment through, *inter alia*, municipalities' supply chain policies; and the implementation of the Expanded Public Works Programme (EPWP) guidelines, which seek to create jobs in municipalities through labour intensive construction methods. Grassroots tools have also been created to enhance developmental local government, such as the creation of grassroots public consultation and participation, like *imbizos*, *indabas*, *masithethisane*, *masakhane* and door-to-door campaigns, the development of a leadership cadre prepared to listen and serve its citizenry, such as Presidential Hotline, the establishment of government customer care centres and Thusong

Service Centres (TSCs), which provide a one-stop service to communities near where they live, as well as poverty alleviation programmes, which come in different forms, types and sizes.

It is clear from the above that the aim of these tools is, *inter alia*, to foster sustainable service delivery and thereby bring about democratic and pragmatic development.

It can be concluded that local government is at the coalface of service delivery to communities. As such, it may be expected that it will apply these planning tools more than other spheres of government. For this reason, local government is under constant pressure to carry out its new mandate.

2.5.10 Aims of developmental local government

In terms of Sections 152 and 153 of the Constitution of the Republic of South Africa, 1996 and the White Paper on Local Government, 1998, developmental local government seeks to achieve the following aims:

- To provide a democratic and accountable government for local communities.
- To deliver public services in an effective, efficient and sustainable manner.
- To promote social and local economic development.
- To encourage the involvement of communities and community organisations in the matters of local government.
- To develop land through land development objectives (LDOs).
- To undertake Spatial Development Planning (SDP) that integrates the exclusion zones in the peri-urban areas into the urban centres.
- To control urban sprawl through densification and integrated public transport.
- To develop urban and rural environmental management strategies.
- To ensure Small, Micro and Medium Enterprises (SMME) development and enhance black economic empowerment.
- To develop and implement a supply chain policy that addresses the imbalances of the past in the public sector procurement system.

It is evident from the above that local government in South Africa has a new mandate of ensuring not only the provision of traditional services to its constituency, but also the

enhancement of the livelihoods of citizens through public participation, local economic development and the provision of accountable, democratic local government.

As local government is at the coalface of service delivery to South African communities, it could be expected that it will apply the abovenamed tools more than the other spheres of government. For this reason, local government is under constant community pressure to carry out its new mandate of developmental local government. The recent scourge of violent service delivery protests staged by communities across the breadth and length of South Africa proves this point.

2.5.11 Legislative framework governing developmental local government

Developmental local government in South Africa is governed by the Constitution of the Republic of South Africa, 1996, the White Paper on Local Government, 1998, and a number of subsequent local government legislations. The following is a brief analysis of the nature and provisions of these legislations in an attempt to establish their contribution in building a developmental local government within a developmental state.

2.5.11.1 Constitution of the Republic of South Africa, 1996

In 1994, South Africa became a democratic state, following the general elections that took place on 27 April 1994. The elections heralded the end of the apartheid era, in which the approach to development was that of 'apartness', and 'segregation', as opposed to integrated development. These elections also paved the way for the establishment of local authorities based on democratic principles that allow residents to participate in planning and decision-making regarding matters affecting their general welfare.

In order to create a legal framework for a democratic state, a new constitution was promulgated by the South African Parliament in 1996, known as the Constitution of the Republic of South Africa, 1996. In terms of Section 1 of the Constitution:

- a. The Republic of South Africa is one, sovereign state founded on the following values:

- b. Human dignity, the achievement of equality and the advancement of human rights and freedoms;
- c. Non-racialism and non-sexism;
- d. Supremacy of the constitution and the rule of law; and
- e. Universal adult suffrage, a national common voter's roll, regular elections and multi-party system of democratic government, to ensure accountability, responsiveness and openness.

In terms of Section 3(1)-(3) of the Constitution of the Republic of South Africa, 1996:

- f. There is a common South African citizenship;
- g. All citizens are:
 - (a) Equally entitled to the rights, privileges and benefits of citizenship; and
 - (b) Equally subject to the duties and responsibilities of citizenship
- h. National legislation must provide for the acquisition, loss and restoration of citizenship.

These rights are further detailed in Chapter 2 of the Constitution, which is commonly referred to as the Bill of Rights.

The above provisions compare favorably with Section 8(1) and (2) of the Interim Constitution of the Republic of South Africa, 1993 (Act 200 of 1993), which stipulates that:

- (1) Every person shall have the right to equality before the law and to equal protection of the law.
- (2) No person shall be unfairly discriminated against, directly or indirectly, and, without derogating from the generality of this provision, on one or more of the following grounds in particular: race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.

It is evident from the above that the framework for a developmental state was already laid in the 1993 Constitution of the Republic of South Africa.

The developmental duties of local government are clearly provided for in the Constitution of the Republic of South Africa, 1996. In terms of Section 153 of the Constitution, a municipality must:

- (a) structure and manage its administration and 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; and
- (b) participate in national and provincial development programmes.

Furthermore, in terms of Section 152 (1)(a) of the Constitution of the Republic of South Africa, 1996, the objects of local government are, *inter alia*, to provide democratic and accountable government for local communities.

It may be argued that these constitutional provisions make clear references to local government's developmental role, which had not been the case in preceding constitutions or legislations. It may also be argued that the Bill of Rights provided for in the Constitution is an instrument for social and economic transformation in post-apartheid South Africa. In a way, one can clearly see that the Bill of Rights has its origins in the *Freedom Charter* of 1955.

In order to give effect to the developmental provisions enshrined in the Constitution of the Republic of South Africa, 1996, a number of local governments had to be promulgated. Amongst these is the White Paper on Local Government, 1998, which is discussed below.

2.5.11.2 White Paper on Local Government, 1998

Up until 1999, local government in South Africa remained subject to the precepts of the transition process, as regulated by the Local Government Transition Act 209 of 1993, as well as the Local Government Transition Amendment Act 61 of 1995. However, the promulgation of the Constitution of the Republic of South Africa, 1996, envisaged the complete transformation of the local government system. This Constitution envisaged a strong, capacitated developmental local government that would seek to improve the quality of lives of all citizens, irrespective of colour, creed or ethnicity.

The process of transforming the institutions of the South African state is premised on the fact that the new democratic state, born in 1994, has a specific mission, namely that of meeting the new developmental objectives that will assist in creating a better life for all citizens. Hence, the formulation of the White Paper on Local Government, 1998.

The policies in the White Paper are the culmination of a long process and even longer history of a strong civic movement, a history of popular participation, and the development of principles that underpinned local government structures through the years of struggle. For this reason, the White Paper on Local Government is unique: it does not deal with a sectoral policy, but with an entire sphere of government. It can almost be regarded as a 'mini Constitution' for local government, as it affects all South Africans (<http://led.co.za/organisation/south-african-local-government-association-salga>).

The White Paper on Local Government, 1998 acknowledges the fact that local government is the sphere of government that interacts closest with communities and is responsible for the rendering of essential public goods and services to residents. It is also tasked with ensuring the growth and development of communities in a manner that enhances community participation and accountability.

As a result, the White Paper on Local Government 1998 provides a brief history of local government under apartheid, which points to the origins of many of the problems currently faced by local government in South Africa. The White Paper highlights the history of community mobilisation in South Africa, and locates the current transition process in its broader historical context.

The vision of and policies for how developmental local government should work, are set in the White Paper on Local Government, 1998. The White Paper essentially established how local government should be structured and operate from 1999 onwards. It is divided in eight sections, namely current reality, developmental local government, co-operative government, institutional systems, political systems, administrative systems in local government, municipal finance, and the transformation agenda.

The second section of the White Paper on Local Government puts forward a vision of a developmental local government that centers on working in local communities to find

sustainable ways of meeting their needs and improving the quality of their lives. It discusses the four characteristics of developmental local government, namely exercising municipal powers and functions in a manner that maximises their impact on social development and economic growth, playing an integrating and co-ordinating role to ensure alignment between the public (including all spheres of government) and private investment within the municipal area, democratising development, and building social capital through providing community leadership and a vision, whilst seeking to empower marginalised and excluded groups within the community. Even from the kind of wording used in the second section of the White Paper, 1998, it can be noticed that it was influenced by the provisions of Sections 152 and 153 of the Constitution.

The White Paper on Local Government, 1998, urges local government to focus on developmental outcomes, such as the provision of household infrastructure and services; the creation of liveable integrated cities, towns and rural areas; the promotion of local economic development and community empowerment; and the redistribution of national wealth. It also provides three approaches that can assist municipalities in becoming more developmental, namely integrated development planning and budgeting; performance management; and working together with local citizens and other development partners. It emphasises the importance of integrated development planning as a mechanism to enable prioritisation and integration in municipal planning processes, whilst strengthening links between development and institutional planning processes. The White Paper further proposes ways in which municipalities can engage citizens and community groups in their affairs, in their capacity as voters, citizens affected by municipal policies, consumers and end-users of municipal services, and partners in resource mobilisation for the development of the municipal area.

It is clear from the preceding discussions that although the Constitution provides a strong foundation for the creation of a developmental local government, the term 'developmental local government' was used for the first time in the White Paper on Local Government, 1998. It is also evident from the White Paper that developmental local government centres around democratising the affairs of local government, public participation in decision related to matters of their own development, meeting the basic socio-economic needs of communities, and the provision of human rights.

If one wants to appreciate the benefits of developmental local government, it is important to understand that apartheid fundamentally damaged the spatial, social and economic environments in which people lived, worked, raised their families and sought to fulfil their aspirations. It follows that local government, being the sphere of government closest to the citizens, has an important role to play in rebuilding local communities and environments, as the basis of a democratic, integrated, prosperous and non-racial society.

Within the framework of the Constitution, the White Paper on Local Government, 1998 establishes the basis of a new developmental local government system, which is committed to work with citizens, as well as interest groups and communities, to create sustainable human settlements that provide for a decent quality of life and meet the social, economic needs of communities in a holistic way.

In terms of Section 4.1 of the White Paper on Local Government, 1998, municipalities all over the world face the challenge of managing viable and environmentally sustainable urban and rural systems, whilst South Africa faces the following additional challenges:

- Skewed settlement patterns, which are functionally inefficient and costly.
- Extreme contradictions of taxable economic resources in formerly white areas, demanding redistribution between and within local areas.
- Huge backlogs in service delivery infrastructure in historically underdeveloped areas, requiring municipal expenditure far in excess of the revenue currently available within the local government system.
- Creating viable municipal institutions for dense rural settlements close to the borders of former homeland areas, which generally possess large populations with minimal access to services, and little or no economic base.
- Great spatial separations and disparities between towns and townships and urban sprawl, which increase service provision and transport costs enormously.
- Creating municipal institutions that recognise the linkages between urban and rural settlements.
- Entrenched modes of decision-making, administration and delivery inherited from municipalities geared for the implementation of urban and rural apartheid.

- Inability to leverage private sector resources for development, due to the breakdown in the relationship between capital markets and municipalities, the lack of a municipal bond market, and the poor creditworthiness of many municipalities.
- Substantial variations in capacity, with some municipalities having little or no pre-existing institutional foundations to build on.
- The need to rebuild relations between municipalities and the local communities they serve.

Section B of the White Paper on Local Government, 1998 explores developmental local government as the core responsibility of municipalities in working together with local communities to find sustainable ways to meet their needs and improve the quality of their lives.

It is clear that the focus of the White Paper on Local Government, 1998 is public participation and involvement in providing sustainable and democratic development. Section B also sets out a series of developmental characteristics and outcomes, and proposes several tools to assist municipalities in becoming more developmental. The developmental characteristics envisaged in the White Paper includes maximising social development and economic growth, integrating and coordinating development, democratising development, and leading and learning.

Citizens and communities are concerned about issues such as the environment in which they live, access to services and economic opportunities, mobility, safety, pollution and proximity to social and recreational facilities. In that regard, Section B(2) sets four desired outcomes, namely the provision of household infrastructure and services; the creation of liveable, integrated cities, towns and rural areas; local economic development; and community empowerment and redistribution.

To achieve developmental outcomes requires significant change in the way local government operates. In terms of Section B(3) of the White Paper on Local Government, 1998, three interrelated approaches are put forward as tools that can assist municipalities in becoming more developmental, namely integrated development planning and budgeting; performance management; and working together with local citizens and partners. These tools and principles were subsequently developed and shaped through, *inter alia*, the Municipal Demarcation Act 27 of 1998, the Municipal Structures Act 117 of 1998, the Public Finance Management Act 1 of

1999, the Municipal Electoral Act 27 of 2000, the Municipal Systems Act 32 of 2000, and the Municipal Finance Management Act 56 of 2003.

It is clear that, based on the White Paper on Local Government, 1998, a number of local government legislations were promulgated in order to give effect to the constitutional intention of establishing developmental local government within the ambit of a developmental state.

In the preparation of municipal IDPs, Section B(3.1.3) of the White Paper on Local Government, 1998 envisages the following relationship between planning and budgeting (Figure 2.3).

	PLANNING	BUDGETING
Long term (Up to 25 years)	Vision	
Medium term (Up to 5 years)	Integrated Development Plan (Including LDOs)	Financial Plan (Including Infrastructure Investment Plan on capital side)
Short term (1 year)	Key projects (Annual Action Plan)	Annual Budget

(Source: White Paper on Local Government, 1998)

FIGURE 2.3: Relationship between planning and budgeting

2.5.11.3 Municipal Structures Act 117 of 1998

Since local government is regarded as the sphere of government closest to the people, the core of all related legislation is to establish ways of ensuring that citizens provide input into the decisions that local municipalities make; hence the promulgation of the Municipal Structures Act 117 of 1998.

The intention of the Municipal Structures Act, 1998 is to provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipalities; establish criteria for determining the category of municipality to be established in an area; determine the types of municipalities that may be established within each category;

provide for an appropriate division of functions and powers between categories of municipalities; regulate the internal systems, structures and office-bearers of municipalities; and provide for appropriate electoral systems.

In terms of Sections 8-10 of the Municipal Structures Act 117 of 1998, the law provides for the establishment of three categories of municipalities in South Africa, namely Category A, Category B, and Category C. The Nelson Mandela Bay Municipality is a Category A Municipality.

In terms of Section 2 of the Municipal Structures Act, 1998, an area that must have a Category A Municipality can reasonably be regarded as:

- (a) a conurbation featuring –
 - i. areas of high population density;
 - ii. an intense movement of people, goods, and services;
 - iii. extensive development; and
 - iv. multiple business districts and industrial areas;
- (b) a centre of economic activity with a complex and diverse economy;
- (c) a single area for which integrated development planning is desirable; and
- (d) having strong inter-dependent social and economic linkages between its constituent units.

According to Section 72(1) of the Municipal Structures Act 117 of 1998, only metropolitan and local municipalities of the type mentioned in Sections 8(c), (d), (g), (h) and 9(b), (d) and (f) of the Act may have ward committees. The Nelson Mandela Bay Municipality falls within the prescribed categories.

The functions and powers of ward committees are stipulated in Section 74 of the Municipal Structures Act, 1998, which provides that a ward committee:

- (a) May make recommendation on any matter affecting its ward –
 - i. to the ward councillor; or

- ii. through the ward councillor, to the metro or local council, the executive committee, the executive mayor or the relevant metropolitan subcouncil.
- (b) Has such duties and powers as the metro or local council may delegate to it in terms of Section 59 of the Local Government: Municipal Systems Act 32 of 2000.

It may be deduced from the provisions of the Act that a ward committee is a public participation structure, as it facilitates the involvement of communities in the matters of their local government through the ward councillor. This view is further enforced by Section 3(iii) of the National Framework in the Municipal Structures Act, 1998, which stipulates that municipalities must ensure that ward committees are effectively supported by the provision of communications material and community interaction systems and campaigns.

Even in the case of areas influenced by traditional leaders, Section 82(3) of the Structures Act stipulates that before a municipal council takes a decision on any matter directly affecting the area of a traditional authority, the council must give the leader of that authority the opportunity to express a view on the matter.

Based on, *inter alia*, the above provisions, it can be proven that the Municipal Structures Act, 1998 is legislation of a developmental nature. This line of thought can be traced back to the White Paper on Local Government, 1998, the Constitution of the Republic of South Africa, 1996 and the 1955 *Freedom Charter* of Kliptown.

2.5.11.4 Municipal Electoral Act 27 of 2000

One of the most important ways in which citizens can participate in matters of government is through the ballot box. Voting for political leaders and office-bearers in national, provincial and local elections allows citizens to elect those they think will administer their interests and needs best.

In terms of Section 52 of the Republic of South Africa Constitution Act 110 of 1983, the population groups allowed to vote at the time were Whites, Coloureds and Indians. No Bill of Rights was explicitly provided for in the Constitution, although a number of provisions gave

more rights to Whites than any other population group. Blacks were excluded in terms of rights and participation in matters of national or provincial governments.

In terms of Section 19(3)(a) of the Constitution of Republic of South Africa, 1996, voting is a right of all South Africans, irrespective of colour, race, creed or ethnicity. In terms of democratic rights, this was a step forward in laying another building block towards the establishment of a developmental state and developmental local government. It brought into reality the provision of the Freedom Charter, 1955, which stated that *"the People Shall Govern"*.

In terms of the Section 52 of the Republic of South Africa Constitution Act 110 of 1983:

Every White person, Coloured person and Indian who-

- (a) Is a South African citizen in terms of the South African Citizenship Act, 1949;
and
- (b) Is of or over the age of 18 years; and
- (c) Is not subject to any of the disqualifications mentioned in section 4 (1) or (2) of the Electoral Act, 1979,

shall, on compliance with and subject to the provisions of the Electoral Act 49 of 1949, be entitled to vote at any election of a member of the House of Assembly, the House of Representatives and the House of Delegates, respectively, in the electoral division of the House in question determined in accordance with the last-mentioned Act.

It may be concluded from the above Section that the Electoral Act of 1949 and Section 52 of the Republic of South Africa Constitution Act 110 of 1983, denied all Black South Africans the right to vote, though they constituted the majority of the country's population. This was against all human rights and could not be regarded as having assisted in building a developmental state.

In terms of Section 93 of the Republic of South Africa Constitution Act 110 of 1983, the control and administration of Black affairs vest in the State President, who must exercise all those special powers in regard to Black administration that were vested in him immediately before the commencement of this Act were vested in him, and any lands which immediately before such

commencement for the occupation of Blacks and that in terms of any law will continue to vest in him, with all such powers as he may have in connection therewith, and no lands which were set aside for the occupation of Blacks and which could not at the establishment of the Union of South Africa have been alienated except by an Act of the Legislature of a Colony that became part of the Union of South Africa in terms of the South Africa Act, 1909, may be alienated or in any way diverted from the purposes for which they were set aside, except under the authority of an Act of Parliament.

It is clear that the refusal by the government of the time to allow Blacks to exercise their democratic rights resulted in the State President of the day being directly in charge of the administration of Black affairs. This was an awkward state of affairs indeed.

According to Section 19(1) – (3) of the Constitution of the Republic of South Africa, 1996,

- (1) “Every citizen is free to make political choices, which includes the right –
 - a. To form a political party;
 - b. To participate in the activities of, or recruit members for, a political party; and
 - c. To campaign for a political party or cause.
- (2) Every citizen has the right to free, fair regular elections for any legislative body established in terms of the Constitution;
- (3) Every adult citizen has the right to –
 - a. To vote in election for any legislative body established in terms of the constitution, and to do so in secret; and
 - b. To stand for public office and, if elected, to hold office.

The above indicates the sharp contrast between the South Africa Constitution, Act 110 of 1983 and the Constitution of the Republic of South Africa, 1996 regarding voting rights amongst the various population groups. The 1983 Constitution bars Black people from voting, whilst the 1996 Constitution stipulates voting as a right for all population groups, including Black people.

In this sense, the Constitution of the Republic of South Africa, 1996 could be viewed as a pragmatic, progressive and developmental law of the land.

In terms of Section 3(1) of the Municipal Electoral Act 27 of 2000, the Act applies to all municipal elections held after the date determined in terms of Section 93(3) of the Municipal Structures Act, 1998. Section 93(3) of the Structures Act stipulates that the first term of all municipal councils would expire on 31 October 2000.

It is important to note that the Municipal Electoral Act 27 of 2000 was promulgated in order to regulate municipal elections and to amend certain laws similar to the Electoral Act of 1979 that were not developmental insofar as the democratic right to vote was concerned.

2.5.11.5 Municipal Systems Act 32 of 2000

Amongst the objectives of the Municipal Systems Act 32 of 2000 is the provision of the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities and ensure universal access to essential services that are affordable to all.

In terms of Section 23 of the Municipal Systems Act 32 of 2000, a municipality must undertake developmentally-oriented planning so as to ensure that it:

- a) strives to achieve the objectives of local government set out in Section 152 of the Constitution of the Republic of South Africa, 1996;
- b) give effect to its developmental duties, as required by Section 153 of the Constitution of Republic of South Africa, 1996; and
- c) together with other organs of state, contribute to the progressive realisation of the fundamental rights contained in Sections 24, 25, 26, 27 and 29 of the Constitution of the Republic of South Africa, 1996.

Furthermore, Section 29 (a) and (b) of the Municipal Systems Act, 2000 stipulates that the process followed by a municipality to draft an integrated development plan, including its consideration and adoption of the draft plan, must:

- a) be in accordance with predetermined programme specifying time-frames for the different steps;
- b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for –
 - i. The local community to be consulted on its development needs and priorities;
 - ii. The local community to participate in the drafting of the integrated development plan; and
 - iii. Organs of state, including traditional authorities and other role-players, to be identified and consulted in the drafting of the integrated development plan.

It is evident from the above that matters of public consultation and community participation in the decision-making process of local government are clearly provided for in the Municipal Systems Act, 2000. These are principles previously embedded in the White Paper on Local Government, 1998 and the Constitution of the Republic of South Africa, 1996. In that regard, the Municipal Systems Act, 2000 can be categorised as being amongst developmental legislation designed as an enabler to municipalities to fulfil their developmental mandate.

2.5.11.6 Municipal Finance Management Act 56 of 2003

The Municipal Finance Management Act 56 of 2003 was promulgated with the objective to secure the sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government; and to establish treasury norms and standards for the local sphere of government.

In terms of Section 23 of the Municipal Finance Management Act, 2003, when the annual budget of a municipality has been tabled, the municipal council must consider any views of:

- a) the local community; and
- b) the National Treasury, the relevant Provincial Treasury, and any provincial or national organs of state or municipalities that made submissions on the budget.

Once again, the importance of the views of the community in the financial and non-financial affairs of their local government is highlighted.

Every public action, and especially the development of the environment in which communities live, will carry a financial implication (Meiring, 2001:130). With this in mind, the budget/funding levels that local government in South Africa has been resourced with since 2007/08 to 2013/14 in order to fulfil its developmental mandate is analysed. Table 5 below illustrates this scenario, whilst also presenting the resources allocated to provincial and national spheres of government. The statistics originate from the Department of National Treasury, Pretoria.

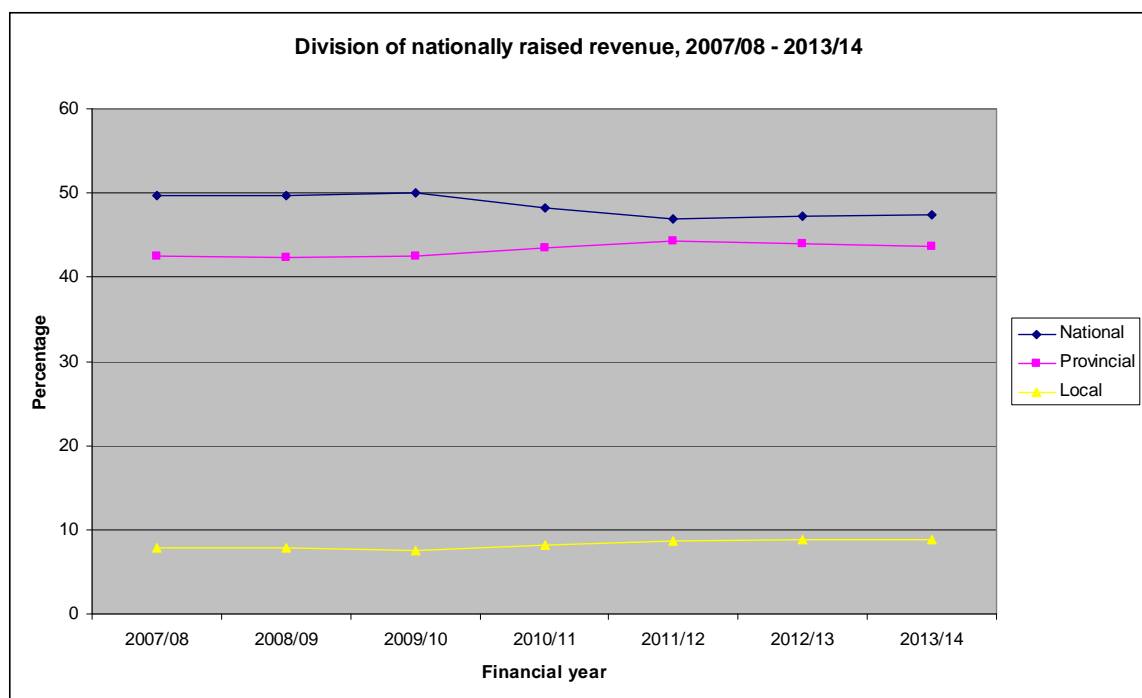


FIGURE 2.5: Division of nationally raised revenue

Source: The 2011 Local Government Budgets and Expenditure Review (2007/08 – 2013/14) by Department: National Treasury.

From the above table, it is apparent that local government has received a significantly low funding allocation compared to provincial or national government. One then wonders how can this be the case, given that core elements of the service delivery mandate rest with municipalities. This anomaly calls for a new thinking and a paradigm shift in the way national

government allocates resources to municipalities. It, therefore, comes as no surprise that municipalities have recently experienced a spate of service delivery protests.

2.5.12 Political and Administrative Systems in Developmental Local Government

In terms of Section E of the White Paper on Local Government, 1998, developmental local government requires a political leadership that provides community-wide leadership and vision, constantly builds its capacity to make policy judgments, is accountable and transparent, builds partnerships and coalitions, represents a diversity of interests, and demonstrates value for money by ensuring that the taxpayers' monies are utilised responsibly and to the maximum benefit of local communities.

A key aspect of developmental local government lies in the municipal electoral system. In terms of Section E (3.1) of the White Paper on Local Government, 1998, the current municipal electoral system consists of 40% proportional representation and 60% first-past-the-post ward candidature. It could be argued that this system has two excellent features, namely an element of representivity (the proportional matching of Council seats with votes cast), and an element of accountability (the identification of individual councilors with particular wards through election).

It is clear that developmental local government requires a dynamic political leadership, resulting from a free and fair democratic electoral system. It also requires appropriate political structures and systems to provide the much-needed governing functions and political oversight. The current political infighting occurring in certain municipalities in South Africa, as indicated in Chapter One of this thesis, should, therefore, be viewed as undesirable and retrogressive.

In terms of Section F (1) of the White Paper on Local Government, 1998, the process of amalgamating the old race-based municipal administrations initiated by the Local Government Transition Act 209 of 1993, proceeded very differently in different municipalities. In many instances, the structures and systems of better established municipal administrations (usually former White municipalities) were adopted and extended to 'absorb' staff from the smaller administrations (usually former Black local authorities). While this approach minimised administrative disruption, it did not result in new, more effective or more equitable

administrations. It could be argued that such amalgamation processes have not always resulted in real transformation.

It is evident from the above that transformation for developmental local government requires a further process of administrative reorganisation to gear municipalities to meet the considerable challenges of the social, economical and material development of their communities.

It is also clear that the transformation of municipal administration is an essential element of developmental local government. In that sense, transformation is not a choice, but an obligation placed on local government to fulfil its Constitutional mandate in terms of, *inter alia*, Sections 152 and 153 of the Constitution of the Republic of South Africa, 1996.

2.5.13 New growth path within developmental state context

According to Fuzile (2011:1), in order to meet South Africa's developmental needs, government has developed a new growth path that has employment creation as its central focus, with local government having a crucial role to play in the new growth path and the realisation of government's recently articulated 12 Outcomes. This view conforms with the State of the Nation Address speech of 9 February 2012, in which the State President indicated that the new growth path was one of the planning tools designed to give effect to the enhancement of a developmental state as envisaged in the Constitution of the Republic of South Africa, 1996.

In January 2010, government adopted 12 outcomes, underpinning its long-term development strategy, with the developmental local government role in the epicenter (Fuzile, 2011:19). Each outcome has measurable outputs, with targets. Furthermore, each of the 12 outcomes has a delivery agreement, which in most instances involves all spheres of government. When municipalities embark on reviewing their IDPs and developing their new budgets, they are obliged to ensure alignment with these 12 outcomes, as indicated in Table 4 below.

No:	Description	Role of Local Government
1	High-quality basic education	<ul style="list-style-type: none"> • Facilitating the building of new schools through participating in needs assessments done by provinces, identifying appropriate land and facilitating zoning and planning processes • Facilitating the eradication of municipal service backlogs in schools by extending appropriate bulk infrastructure and building connections
2	Improved health and life expectancy	<ul style="list-style-type: none"> • Many municipalities perform health functions on behalf of provinces • Strengthening the effectiveness of health services managed by municipalities by specifically enhancing TB treatments and expanding HIV and AIDS prevention and treatments • Municipalities must continue to improve Community Health Infrastructure by providing clean water, sanitation and waste removal services
3	All people in South Africa are protected and feel safe	<ul style="list-style-type: none"> • Facilitating the development of safer communities through better planning and the enforcement of municipal bylaws • Directing the traffic control function towards policing high risk violations rather than revenue collection • Metro Police services should contribute by increasing police personnel, improving collaboration with the South African Police Services (SAPS) and ensuring rapid response to reported crimes

No:	Description	Role of Local Government
4	Decent employment through inclusive economic growth	<ul style="list-style-type: none"> • Creating an enabling investment environment by streamlining planning application processes • Ensuring proper maintenance and rehabilitation of essential services infrastructure • Ensuring proper implementation of the Expanded Public Works Programme (EPWP) at the municipal level • Designing service delivery processes to be labour intensive • Improving procurement systems to eliminate corruption and ensure value for money • Utilising community structures to provide services
5	A skilled and capable workforce to support inclusive growth	<ul style="list-style-type: none"> • Developing and extending intern and work experience programmes in municipalities • Linking municipal procurement to skills development initiatives
6	An efficient, competitive and responsive economic infrastructure network	<ul style="list-style-type: none"> • Ring-fencing water, electricity and sanitation functions so as to facilitate the cost-reflective pricing of these services • Ensuring urban spatial plans provide for commuter rail corridors, as well as other public modes of public transport • Maintaining and expand water purification works and waste water treatment works, in line with growing demand • Assigning the public transport functions to cities • Improving maintenance of municipal road networks

7	Vibrant, equitable and sustainable rural communities and food security	<ul style="list-style-type: none"> • Facilitating the development of local markets for agricultural produce • Improving transport links with urban centres so as to ensure better economic integration • Working with provinces to promote home production to enhance food security • Ensuring effective spending of grants for funding extension of access to basic services
8	Sustainable human settlements and improved quality of household life	<ul style="list-style-type: none"> • Cities to work towards fulfilling the requirements to be accredited for the housing function • Developing spatial plans to ensure new developments are in line with national policy on integrated human settlements • Participating in the identification of suitable land for social housing • Ensuring capital budget priorities maintain existing services and extend services
9	A responsive and accountable effective and efficient local government system	<ul style="list-style-type: none"> • Adopting IDP processes appropriate to the capacity and sophistication of the municipality • Implementing the community works programme • Ensuring ward committees are represented and fully involved in community consultation processes around the IDP, Budget and other strategic service delivery issues • Improving municipal financial and administrative capacity by implementing competency norms and standards and acting against incompetence and corruption
10	Protection and enhancement of environmental assets and natural resources	<ul style="list-style-type: none"> • Developing and implement water management plans to prevent water losses • Ensuring effective maintenance and rehabilitation of infrastructure • Running water and electricity saving awareness campaigns • Ensuring proper management of municipal commonage and urban open spaces • Ensuring development does not take place on wetlands and other sensitive areas
11	A better South Africa, a better and safer Africa and World	<p>Role of local government is fairly limited in this area. It must concentrate on:</p> <ul style="list-style-type: none"> • Ensuring basic infrastructure is in place and properly maintained • Creating an enabling environment for investment
12	A development oriented public service and inclusive citizenship	<ul style="list-style-type: none"> • Continuing to develop performance monitoring and management systems • Complying with legal financial reporting requirements • Reviewing municipal expenditures to eliminate wastage • Continuing to implement the municipal turn-around strategies • Ensuring councils behave in ways designed to restore community trust in local government

TABLE 2.1: Outcomes: Government's 12 Priority Outcomes and the Role of Local Government

Source: White Paper on Local Government, 1998

It is evident from the above that the vision and policies for how local government should work is set out in the White Paper on Local Government, 1998. All subsequent local government legislation, policies and procedures are written in terms of the White Paper on Local Government, 1998. One such piece of legislation is the Municipal Structures Act 117 of 1998, which will now be discussed.

CONCLUSION

Developmental local government cannot exist outside the context of a developmental state. The declaration of the *Freedom Charter* in Kliptown near Johannesburg in 1955 opened a whole new avenue for the creation of a developmental state. This was later given effect to some degree in the Constitution of South Africa, 1993, and later fully in the Constitution of the Republic of South Africa, 1996.

The traditional role of local government has normally been that of law enforcement, rendering of public services and collecting revenues from its citizens in order to render public goods and services. Traditional municipalities do not prioritise the development of their citizens and their participation in matters of their local government. Local economic development and the creation of conducive environment for citizens to develop themselves is not its main goal. Public participation and consultation are negligible issues in a traditional local government arena.

The most significant policy shift that ushered in a developmental state in South Africa was the promulgation of the Constitution of the Republic of South Africa, 1996. For the first time in South African history, the concept 'developmental local government' emerged. Sections 152 and 153 of the Constitution clearly stipulate the developmental mandate of local government in South Africa.

Nonetheless, because a Constitution is simply an embodiment of the values of a given society, Acts of Parliament had to be promulgated to give effect to the intentions of the Constitution with respect to developmental local government. That is why the White Paper on Local Government, 1998, was developed. It laid down what may be loosely coined as 'a mini constitution' of local government. In this White Paper, all principles, objectives, aims, frameworks, tools and outcomes of developmental local government were discussed. These

included issues of public consultation and participation, the democratising of development, local economic development, responsive and accountable local government, and universal access to affordable basic public services.

Within the framework of the Constitution of the Republic of South Africa, 1996, the White Paper on Local Government, 1998, established the basis for a new developmental local government system, which is committed to work with the citizens, interest groups and communities to create sustainable human settlements that provide for a decent quality of life and meet the social and economic needs of communities in a holistic way.

Following the White Paper on Local Government, a number of local government legislation were promulgated to give effect to the intentions of the Constitution, as well as the White Paper. These included the Municipal Structures Act, 1998, which provided a new developmental structure to local government, the Municipal Electoral Act, 2000, which regulated democratic elections in the local government sphere, the Municipal Systems Act, 2000, which established systems, processes and procedures in local government and, finally, the Municipal Finance Management Act, 2003, which ensured that the financial resources of municipalities would be managed in an effective and efficient manner to ensure sustainable service delivery to communities.

The aims of democratising South African society and growing an inclusive economy can be realised only through a responsive, accountable, effective and efficient local government system that is part of a developmental state. Because local government is regarded as the sphere of government closest to the people, the core of all related legislation is to establish ways to ensure that citizens give input into the decisions that local municipalities make.

To this end, developmental local government has four interrelated characteristics, namely the maximising of social development and economic growth in its area, integrating and coordinating development, democratising development, and leading whilst learning. It is important to note that the challenge that South Africa now faces is the fact that no political democracy can survive and flourish if the mass of its people remain in poverty and without tangible prospects for a better life.

Finally, it should be possible to know whether or not a municipality is developmental. A municipality is developmental if it is able to deliver on the following:

- Provision of household infrastructure and services – this includes services such as water, sanitation, local roads, stormwater drainage, refuse collection and electricity;
- Creation of liveable, integrated cities, towns and rural areas;
- Local economic development.

In this regard, it may be concluded that South African municipalities face great challenges in fulfilling their developmental role, which includes promoting human rights, meeting human basic needs, and addressing past service delivery backlogs and challenges caused by apartheid planning. Consequently, to this, it has become difficult for them to even plan for a sustainable future in a meaningful manner. Municipalities can meet these challenges only by working together with local citizens, communities and businesses, whilst adopting a developmental approach within the intergovernmental co-operation framework.

CHAPTER THREE

LITERATURE REVIEW ON EMERGENCE OF SERVICE DELIVERY PROTESTS

3.1. INTRODUCTION

The nature of the violence currently rampant in South African society needs to be examined in a political context to be understood properly (Bennun & Newitt, 1995:26). According to the website of the South African Institute of Race Relations website (<http://www.sairr.org.za/services/publications>), grounds do exist for tracing service delivery protests back to the apartheid era. As such, a strong case can be made for a link to the discontent noted in surveys conducted in the late 1990's and to the social movements that emerged after 2000.

Following the abolition of apartheid, South Africa has remained a multicultural, polyglot society (with eleven official languages) of overwhelming complexity, deep historical antagonisms and profound differences between rich and poor, but with unlimited potential to occupy centre stage in the global community (Jackson, 2004:251). This complexity perhaps poses both a challenge and an opportunity. To examine these challenges and opportunities, one needs to review the efforts undertaken by South Africa's first democratic government, since it came into power in 1994, with the African National Congress (ANC) as the ruling party.

At the core of the 1994 election campaign of the African National Congress (ANC) was a promise to implement a radical programme to improve the quality of life for all, especially for the broad masses of disenfranchised South Africans (Khosa, 2000:247). In essence, this means that the first democratic government committed itself to the empowerment of the poor and the historically disadvantaged. It could, therefore, be argued that the promise to deliver affordable quality services, create jobs and repeal all apartheid laws played a key role in the election victory of the African National Congress (ANC) in that landmark election.

A number of programmes were introduced soon after the 1994 democratic election to give effect to the ANC's promises. One such programme was the Reconstruction and Development Programme (RDP), aimed to integrating growth, development, reconstruction and redistribution

into a unified programme (Khosa, 2000:35). Furthermore, in 1996, the government adopted another approach, called the Growth, Employment and Redistribution (GEAR) Framework.

Under the market-oriented GEAR, South Africa embarked on a range of legislative and policy ventures, which entrenched the power of corporate capital, at the expense of the workers and poor citizens of the country (McDonald & Pape, 2002:2). As a result, GEAR is not regarded as having significantly alleviated the plight of South Africa's poor, as expected.

Significant political transformation and administrative reforms have taken place in South Africa since 1994, impacting strongly on local government management (Ismail, Bayat & Meyer, 1997:1). According to Hanekom and Thornhill (1993:131), the Reconstruction and Development Framework, as adopted by the democratic government of South Africa, as well as an analysis of the prevailing conditions, indicate that the country's previous apartheid dispensation destroyed the political, economic, social and psychological fabric of South African society by creating:

- a politically charged society;
- a majority population that has experienced an unfair and exploitative work environment; and
- a lack of the skills and knowledge required to compete in the global arena.

Within the White labour force, employment and promotions were allocated on the basis of race, nepotism, cronyism and patronage (Hanekom & Thornhill, 1993:131). All of the above had a negative impact on South Africa's productivity, development and international competitiveness, spilling over to the newly democratic government that came to power in 1994 (Hanekom & Thornhill, 1993:132).

It is evident from the above that the socio-economic damage brought about by apartheid policies was of such broad and significant scope that it could not be reversed through short-term policies and programmes of government. This could in part explain why South Africa's new democratic government is struggling to overcome the legacy of apartheid in areas such as the delivery of basic services to all. Frustrated by the slow rate of progress, the patience of citizens has run out, as is manifested in the violent service delivery protests occurring across South African towns and cities. According to Gaffney (2004:13), a series of local protests (also

commonly referred to as service delivery protests) erupted in a number of municipalities in South Africa during 2004 and 2005. These protests have since escalated.

According to the Institute of Security Studies (<http://www.iss.co.za>), since 2004, South Africa has experienced an ever-increasing number of localised service delivery protests, amounting to a “rebellion of the poor”. Widespread and intense, the protests have reached insurrectionary proportions in some cases (<http://www.iss.co.za>). On the surface, the protests are concerned with poor service delivery and uncaring, self-serving and corrupt local government leaders. A key feature has been the mass participation of a new generation of militants, especially unemployed youth and school students (<http://www.amandlapublishers.co.za>). The extent to which service delivery protests have become violent is evident from a communique by the Nelson Mandela Bay Municipality to social partners in development, dated 15 May 2012. In terms of this communiqué, the social partners were invited to find ways of quelling the service delivery protests. In some instances, homes had been burnt down and the lives of Ward Councillors in the Nelson Mandela Bay Municipality were at risk.

Examining the nature of service delivery protests taking place in South African municipalities, Botes *et al.* (2007:64), (quoting Steven Friedman), state that very few South Africans take part in official participation exercises. And yet there have been hundreds, if not thousands, of public protests over the past year or two, according to government figures. So citizens do want to send messages to the government, but in a manner of their own choice. To hear the voice of their communities, government will need to devote more effort to listening to the protests in which citizens speak on their terms, and less to the laws and policies that tell people how they may speak.

The above suggests that a need is emerging for government to reconsider its policies and legislation governing service delivery, especially regarding public participation and consultation. It appears that a paradigm shift is imminent in South African municipalities in the manner which local government conducts and attends to public participation and its approach to rendering public goods and services as a whole.

As indicated in Chapter One of this thesis, a number of causes of service delivery protests have been proposed. They include abject poverty, lack of and slow pace of quality housing delivery, unemployment, lack of water and waterborne sanitation services, inadequate

electricity and refuse removal, political infighting, inadequate public participation, and rife corruption.

In order to place these causes in perspective, the national context in terms of service delivery and related funding levels will now be analysed. In so doing, the possible causes of service delivery protests and the reasons underpinning such causes can be determined.

3.2 CONTEXT / ESSENCE OF SERVICE DELIVERY IN SOUTH AFRICA

The context and essence of service delivery in South Africa can be viewed from many perspectives, including historical, political or legislative perspectives. As all legislation derives its existence from the Constitution of the country, it is imperative that the constitutional mandate of service delivery in South Africa be discussed.

3.2.1 Constitutional and legislative mandate of service delivery

Service delivery refers to the provision of tangible and intangible public goods and services (Venter, Van der Waldt, Phutiagale, Khalo, Van Niekerk & Nealar, 2007:148). In this regard, the rendering of public goods and services to local communities in South Africa is a constitutional obligation placed upon all municipalities in terms of the Constitution of the Republic of South Africa, 1996. In terms of Section 40 of the 1996 Constitution, in South Africa, government is constituted as national, provincial and local spheres of government which are distinctive, inter-dependent and interrelated. In this regard, the recognition of local government as a sphere of government in Chapter 7 of the Constitution has enhanced the status of developmental local government as a whole and of municipalities in particular, and has given them a new dynamic role as instruments of service delivery.

According to Section 152(1) of the Constitution, the objects of local government are:

- (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 local communities and community organizations in the matters of local government.

In addition to Section 152, Section 153 of the Constitution makes specific reference to the developmental mandate of local government by stipulating that a municipality must –

- (a) structure and manage its administration and 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; and
- (b) participate in national and provincial development programmes.

It is evident from the above that the developmental mandate of municipalities is centered around the following:

- Promoting social and economic development within communities.
- Promoting community participation in the matters of local government in a manner that ensures that the total population is involved in municipal structuring, administration, planning and budgeting processes.
- Provision of basic and essential services to citizens and residents.

It is clear from the preceding arguments that the Constitution of the Republic of South Africa has laid a firm foundation for the creation of developmental local government, mandated to render public services in a manner that is democratic, transparent and equitable.

Furthermore, the White Paper on Local Government, 1998, acknowledges the fact that local government is the sphere of government that interacts closest with communities and is responsible for the rendering of essential public goods and services to citizens. It is also tasked with ensuring the growth and development of communities in a manner that enhances community participation and accountability. One piece of key legislation that emanated from the White Paper on Local Government, 1998 has a bearing on service delivery is the Local Government: Municipal Systems Act 32 of 2000.

In terms of Section 23(1) of the Municipal Systems Act 32 of 2000, a municipality must undertake developmentally oriented planning so as to ensure that it –

- (a) strives to achieve the objects of local government, as set out in Section 152 of the Constitution;
- (b) gives effect to its developmental duties, as required by Section 153 of the Constitution.

In order to discharge a service delivery mandate, an appropriate development strategy needs to be adopted, suited to the unique circumstances in South Africa and attempting to reconcile structural adjustment and reconstruction (Nel, 1998:302). This is important, because development is a multidimensional concept and must be understood in a holistic sense to not imply economic growth only, but also the pursuit of satisfying the material and psychological needs of the inhabitants.

The closeness of local government to communities means that it is strategically located to perform its mandate of providing basic services to the public, as a first step towards community development. As such, it could be argued that the delivery of basic services assists in poverty eradication within the context of community development. It could, therefore, also be argued that, as part of its developmental role, local government is expected to form partnerships with its communities in order to deliver services in a sustainable manner. As a matter of fact, communities know their needs better than public officials (Tsatsire, 2008:321). As the sphere closest to the people, public participation is a vital prerequisite for the successful functioning of local government (Maphazi, 2012:11). This is why one of the crucial issues in contemporary public management in South Africa is the phenomenon of citizen participation (Hanekom & Thornhill, 1993:41).

According to Caulfield and Schultz (1993:32), local government cannot provide public services alone. According to Bekink (2006:90), the concept 'intergovernmental relations', which has emerged in South Africa's new government system, gives more meaning to the foundation of co-operative government, as enshrined in Chapter Three of the Constitution, 1996.

In terms of the Intergovernmental Relations Framework Act 13 of 2005, the following are the objectives of intergovernmental relations:

- (a) Coordinating strategic planning processes;
- (b) Promoting the joint implementation of programmes and projects;
- (c) Facilitating co-operation, co-ordination and communication between different spheres of government;

- (d) Minimising intergovernmental disputes;
- (e) Enhancing accountability between spheres of government, as well as within the community and other stakeholders, with regard to performance and other activities;
- (f) Promoting integrated delivery of goods and services to communities;
- (g) Improving increased access to services;
- (h) Ensuring effective consultation on policy and legislative matters;
- (i) Promoting sustainable development;
- (j) Marshalling the distinctive effort, capacity learnership and resources of each sphere and directing these as effectively as possible towards the objectives of government as a whole; and
- (k) Aligning plans and combine efforts in tackling social problems.

(Nelson Mandela Bay Municipality's Intergovernmental Relations Policy, 2007)

3.2.2 Politics and environment surrounding the provision of public goods and services in South Africa

The rendering of public goods and services in South Africa, as in all developing countries, takes place in a political environment that is rapidly changing. Because politics play a significant role in deciding who gets what services, when, where, and how, it is important to discuss the political environment in some detail.

3.2.2.1 Politics of service delivery

Traditionally, the term 'politics' is associated with the activities of political parties (Hanekom & Thornhill, 1993:52). Politics is, therefore, viewed as a process through which power and influence can be obtained and exercised. Politics also includes decisions concerning the goals to be achieved, the utilisation of resources, and the means of bringing about an equilibrium in the various spheres of social life (Thornhill & Hanekom, 1993:52).

Some researchers have defined politics as the authoritative allocation of values for society (Easton, 1965:21); as the world of politicians concerned with values, decisions, ends, judgments and responsibilities (Caiden, 1971:99-100), a medium through which the ends and purposes of public policy are established (Klinger & Nalbandian, 1980:36-37); a process

through which interests and causes are articulated (Aberbach *et al.*, 1981:99); and a process by which rules and values are authoritatively allocated and enforced for a specific community (Kotze & Van Wyk, 1986:130).

Public service delivery is highly politicised in South Africa, because it represents some of the contradictions of the transition from apartheid to democracy (Mc Lennan & Munslow, 2009:19). On the one hand, it is a continuing crisis, as the damaging effects of apartheid disrupt government's ability to grow the economy, compete globally and meet local demands. On the other hand, it is a redistributive route to development for those previously denied the right to citizenship, education and employment. This paradox captures the difficulty of building from a highly unequal apartheid base, a developmental state that will secure a "*better life for all, in a country that no longer contains within it and represents much that is ugly and repulsive in human society*" (Mbeki, 2007).

Because politics is concerned with power, violence will always be near the surface in every country where there is social and economic instability or deep-seated political differences based, for example, on religious, ethnic and cultural dissimilarities (Cloete, 1993:38). Management in a political institution such as local government, therefore, requires political sensitivity and awareness and an understanding of political purpose (Stewart, 1988:12).

Given apartheid and its legacies, service delivery in South Africa is linked to the politics of distribution, focused on providing access to services previously denied or limited. This leads to an assumption that expanding the delivery process will provide access and that managing delivery is about putting the right elements in place in the right combinations.

It could, therefore, be argued that service delivery is multifaceted and political. It is also clear that failure to pay attention to the politics of delivery can compromise the achievement of the developmental vision by government. Central to understanding and managing the politics of service delivery is an exploration of the role of the state and other institutions, such as markets, civil society, businesses and communities, in the provision of public services.

According to Mc Lennan and Munslow (2009:20), service delivery is commonly understood to mean the provision of public goods and services, by a government or other public organisations, to those who need or demand them. However, in South Africa, given its

apartheid legacy, the provision of services by government is linked to the larger tasks of redistribution, social justice, poverty alleviation and economic growth. In this regard, service delivery is strongly associated with development, while the developmental state is associated with the capacity to provide social justice.

Hemson and Owusu-Ampomah (2005:512-513) similarly argue that service delivery in South Africa has a wide meaning, indicating that in South Africa the definition is more encompassing and includes not only the ability to provide users with the services needed or demanded, but also a sense of redress; that the services should raise the standard of living of the majority and confirm their citizenship in the new South Africa. In this regard, in a society of growing inequality and uneven advances in education and training, service delivery is seen, at times, as an instrument for leaping over the contradictions and ensuring social economic justice.

Impoverished rural and urban communities are claiming the benefits of democracy, using service delivery protests as a means to secure the resources to meet their needs (Mc Lennan & Munslow, 2009:21). Some of these protests have, in the past, turned violent, resulting in loss of lives and properties. Some community members and workers believe that peaceful forms of protest have become ineffective in drawing government's attention to the plight of the poor and marginalised (<http://www.hsrcpress.ac.za>).

Since service delivery is associated with development, the stakes of non-delivery are politically high, as it compromises government legitimacy and possibly also the democratic process. It is also true that the administration of public affairs results from political activities and forms part of political life (Cloete, 1991:56). It could, therefore, be argued that public service delivery takes place in a political environment, and because politics is about power, violence tends to feature when there is political conflict.

Most state-driven delivery processes, while apparently technical or managerial, are political, as they define a power relationship between the state, its citizens and the economy (Mc Lennan & Munslow, 2009:22). This is based on the fact that those processes essentially determine who gets what, when, in what ways, and for what reasons. In this regard, defining access denied by apartheid is central to the process of service delivery, as is the case in violent service delivery protests.

In highly unequal societies, service delivery has to attain more than simply redistribute existing resources or provide entry rights: the expectation is that delivery will also shift established deprivation and poverty (Mc Lennan & Munslow, 2009:22). In this regard, the process of transition from apartheid to democracy has seen the introduction of many strategies to ensure expanded service delivery.

Democratic popularity will not secure delivery, but stable, able leadership with moral purpose will. The public service will increasingly be required to build trust by engaging honestly and providing the information that citizens need to make decisions and access resources. This will require strong, ethical and capable institutional leadership with a moral mission that can move beyond policy and planning to action/implementation (Mc Lennan & Munslow, 2009:42).

Because the political office-bearers have to accept responsibility for the activities of the institutions entrusted to them, it may be expected that all decisions regarding the curtailment, expansion or changing of activities should be initiated by them (Thornhill & Hanekom, 1993:55).

According to NMBM Council Agenda of 24 September 2012, a crucial Human Settlements Committee meeting of the Nelson Mandela Bay Municipality was cancelled due to the lack of attendance by ANC Councillors as a result of the ongoing infighting within the ruling party. One of the items to be resolved at the meeting, was the acquisition of land for the provision of RDP housing to Walmer Township residents, who staged violent service delivery protests during April to July 2012 against the slow pace of housing delivery. In this regard, it is important to note that service delivery cannot happen when there is paralysis at the centre of government and the ruling party (Gumede, 2012:63). In young democracies, such as South Africa, where democratic institutions are still in their infancy, the example set by political leaders is crucial, as it gives direction and a standard to the rest of the population.

Since public institutions like municipalities are created solely for the purpose of promoting the public good, the actions of the officials manning the institutions should be aimed at the implementation of the policies in accordance with the intentions and aims of and with the same goodwill as the policy makers; without prejudice, ill-will, delay or interruption (Hanekom, 1992:56-57). According to Stewart (1988:4), the management processes of local government are set in a political management system. Due to this fact, the role of management must be to support the legitimate political processes of the authority (Stewart, 1988:12).

Three participants are involved in the rendering of public goods and services, namely the politicians (elected representatives); the public officials; and the residents of the area (Flynn, 2007:166). It resembles marriage between three partners, which has to work. Politicians vote for the funds by appropriation resolution; they also prioritise and decide what services should be provided and take decisions about the nature and style of service delivery, as representatives of their constituencies (Flynn, 2007:9). The responsibility of public officials is to provide politicians with professional technical advice in order for the politicians to take informed decisions, based on facts and figures. Thereafter, it is the responsibility of the officials to implement the decisions and resolutions of the government of the day. The role of the communities as residents is to make input into the political and administrative processes through, *inter alia*, their elected representatives or pre-set public participation avenues and structures.

It could be concluded from the preceding discussions that the rendering of public services to South African communities occurs in a political environment that is rapidly changing. As a result, public officials need to appraise themselves of the new requirements in a changed environment in order to continue supplying their political principals with professional and informed advice. In this regard, the involvement of communities by municipalities, as development partners, cannot be overemphasised.

3.2.3 International experience with regard to the rendering of public services

The inability to transform from resistance movements into effective governing parties lies at the heart of the governmental failures of many African independence and liberation movements (Gumede, 2012:11). Such movements, of which the African National Congress is a case in point, usually assumed power with an extraordinary amount of legitimacy, given their history of opposing colonial governments or White minority regimes. This 'struggle legitimacy' gives them a much stronger political, economic and moral mandate than that of governments in most other developing countries (except some countries in East Asia, that have also emerged from colonial domination). However, if such power goes unchecked, it also means that they can get away with service delivery failure, autocratic behaviour and wrongdoing in the name of advancing the cause of liberation and democracy.

The difficulty for many African countries is how to reverse the negative impact on the state if the political culture of the dominant movement turns undemocratic, autocratic or authoritarian (Gumede, 2012:12). In this regard, most independence and liberation movements that are still in power see their movements as the embodiment of 'the people' and therefore see themselves as able to speak for the entire nation, with the leader as the tribune of 'the people'. According to Gumede (2012:11), the ANC seems to have fallen into this trap.

3.3 SURVEYS AND STATISTICS OF SERVICE DELIVERY PROTESTS IN SOUTH AFRICA

In order to understand the emergence of service delivery protests in South African municipalities, it is important to investigate the trends, nature and causes of these protests.

3.3.1 Trends and statistics related to emergence of service delivery protests in South African municipalities

According to the South African Broadcast Corporation (SABC), violent service delivery protests in South Africa emerged for the first time during 2004/05. Since then, a number of studies have been conducted in an attempt to establish the underlying reasons for the protests (<http://www.sabc.co.za>). Transparent Network Services (TNS) undertook these studies. TNS Research Surveys is a licensee of the TRUSTe Privacy Programme. TRUSTe, in turn, is an independent, non-profit organisation whose mission is to build users' trust and confidence by promoting the use of fair information and practices. TNS also complies with the European Union (EU) Safe Harbour Framework.

In a 2011 survey undertaken among 2 000 residents in South Africa's metropolitan areas, released by TNS Research Surveys (Pty) Ltd and broadcasted on the SABC website it was revealed that the proportion of residents felt dissatisfied with the services they received from their municipalities, with the dissatisfaction rate rising from 51% in November 2010 to 58% in February 2011, as indicated in Table 1 below. This survey was conducted amongst two thousand adults (1 260 Blacks, 385 Whites, 240 Coloureds and 115 Indians/Asians), with a margin of error of 2.5% for the total sample (<http://www.sabc.co.za>).

PROVINCE OR METROPOLITAN MUNICIPALITY	MUNICIPALITY	MUNICIPALITY, CITIES AND AREAS	PERCENTAGE DISSATISFIED WITH SERVICE DELIVERY FEB 2010	PERCENTAGE DISSATISFIED WITH SERVICE DELIVERY FEB 2011
Gauteng			56	62
	Johannesburg and environs		56	62
		Johannesburg, excluding Soweto	47	61
		East Rand	62	62
		West Rand	66	67
		Soweto	49	55
		Vaal Triangle / South Rand	64	70
		Pretoria	57	62
Cape Town			42	43
Durban			52	56
Eastern Cape			52	61
	Port Elizabeth		42	55
	East London		75	75
Bloemfontein			40	70

TABLE 3.1: Percentage residents dissatisfied with municipal services in February 2010 and February 2011

(Source: <http://www.deepenweb.com/business-research>)

It is clear from Table 3.1 that community dissatisfaction with municipal service delivery is growing. According to TNS research, perceptions have worsened amongst both Blacks (from 54% in February 2010 to 61% in February 2011) and Whites (from 44% to 52% in the same period). This further supports the deduction that citizen dissatisfaction with regard to service delivery by municipalities and government as a whole is on the increase and is being translated into violent service delivery protests.

This community dissatisfaction demands an explanation for the reasons behind the worsening perceptions. In this regard, the detailed follow-up survey by TNS revealed the following results:

(a) Job creation

This was ranked as their first concern by 66% of the respondents in the survey. Crime prevention was indicated as the second main concern. Job creation was more often mentioned by Blacks and Coloureds than by Indians and Whites. Crime was the Whites' main concern, followed by Coloureds, Indians and Blacks.

There is a link between unemployment and poverty (Leibbrandt, Poswell, Naidoo, Welch & Woolard., 2004:134). Most people experience poverty due to unemployment at household level (Bhorat, Leibbrandt, Maziya, Van der Berg & Woolard., 2001:9). Economic growth since 1994 has created jobs and income gains for the poor. However, the pace of job creation, especially for semi-skilled and unskilled workers, has been insufficient to translate into the level of income creation needed. The rate of growth of jobs is too slow relative to the growth of job seekers (Leibbrandt *et al.*, 2004:134). The unemployment rate has therefore risen over time.

(b) Provision of housing

Housing was ranked as their third priority by 44% of the respondents. However, it is important to note that people living in informal settlements ranked it as their first priority. The need for RDP housing emanates from government's policy to eradicate informal settlements. According to the UNHABITAT website (<http://www.unhabitat.org>), there are approximately 1.2 million households in informal settlements in South Africa, and about 23% of all households in the country's nine largest metro's live in informal settlements. The eight largest Metro's are Tswane, Johannesburg, Ekurhuleni, Durban, Mangaung, Cape Town, Nelson Mandela Bay and Buffalo City. The above statistics and findings explain why the bulk of service delivery protests across South Africa emanate from informal settlements and focus on the lack of or slow pace of quality housing delivery. It is important, therefore, that government develop and fund a comprehensive strategy to eradicate informal settlements if it is serious about addressing the scourge of violent service delivery currently taking place in South African municipalities.

Other concerns at the lower end of the list included the need for recreational facilities (10% of respondents); provision of refuse removal (7%); street lighting (7%); public transport (5%);

electricity (16%); roads network and maintenance (23%); education and training (29%) and potable water (10%), with only 2% mentioning it as a priority.

FIRST PRIORITIES INDICATED BY RESPONDENTS

PROVINCE OR METROPOLITAN MUNICIPALITY	MUNICIPALITY	MUNICIPALITY, CITIES AND AREAS	JOB CREATION	CRIME PREVENTION	HOUSING PROVISION	PROVIDE EDUCATION AND TRAINING	ROAD MAINTENANCE
Gauteng			24	29	14	9	6
	Johannesburg and environs		24	29	14	9	7
		Johannesburg, excluding Soweto	31	26	13	8	3
		East Rand	21	35	13	11	6
		West Rand	26	26	7	7	6
		Soweto	26	20	22	7	10
		Vaal Triangle / South Rand	9	34	15	10	12
		Pretoria	25	29	15	7	5
Cape Town			27	28	17	7	4
Durban			28	23	19	5	5
Eastern Cape			26	29	13	4	2
	Port Elizabeth		30	23	11	4	1
	East London		18	39	18	2	4
Bloemfontein			23	10	10	3	20

TABLE 3.2: Percentage respondents stating issues as first priority

(Source: Transparent Network Services (TNS) Research Surveys)

The above research results reveal that the Nelson Mandela Bay area prioritises job creation above crime and the provision of houses. This correlates with the fact that youth unemployment

is estimated at 70% in terms of the NMBM 2011-2016 Integrated Development Plan (IDP) (11th Edition).

As a normal practice, most service delivery protests culminate in either the handing over of a memorandum or some form of verbal or written petition to the relevant municipality. Whilst the three spheres of government have distinctive, interdependent and interrelated roles in terms of Section 40 of the Constitution of the Republic of South Africa, 1996, this may not be how citizens perceive the situation. Communities are generally unaware of the functions and duties of their municipality in terms of its constitutional mandate. That is why when the community 'toyi toyi'; they target the sphere of government closest to them – their municipality – and not provincial or national offices. Consequently, municipalities often bear the brunt of protest action for services for which they have no mandate.

According to the SABC website (<http://www.sabc.co.za>), the housing backlog in South Africa has grown from 1.5 million units to over 2.1 million units from 1994 to 2010. This means that more than 12 million South Africans still need housing. This seems to suggest that government is losing the service delivery war, especially in housing provision. The current slow pace in housing provision will exacerbate community anger against government delivery. As housing is one of the basic constitutional rights of South African citizens, it is proposed that the three spheres of government synchronise their delivery programmes in an integrated and coordinated fashion in order to overcome the rising housing backlogs. National government should also make deliberate decisions to increase the funding envelope for human settlements in the country.

In line with population group differences, housing is a greater concern for the poor. Altogether 36% of those living in informal settlements have indicated housing as priority. According to the UNHABITAT website (<http://www.unhabitat.org>), there are approximately 1.2 million households in informal settlements in South Africa, while approximately 23% of all households in the nine largest Metro's are located in informal settlements. This means that the number of informal settlements in South Africa has doubled over the last ten years. In 2001, there were approximately 1 066 informal settlements nationally. That number has since risen to 2 628 in the 2009/10 year. Currently (2012) it is estimated to be more than 2 700.

The current housing delivery rate equates to providing one house for every 20 homeless families each year, but the housing backlog never declines, because new household formation

and in-migration occur at the same rate as formal government housing subsidy delivery (RDP houses). In view hereof, it appears as if government will not be able to eradicate housing backlogs, as it can currently only keep the backlogs at the same level. This also implies that, given the population growth, the government runs the risk of losing the battle, and the backlogs may increase, given the rate of the population growth in South Africa.

As such, it could be inferred that service delivery protests in informal settlements are mainly concerned with housing: the lack of or slow and poor quality delivery of housing. All other concerns, such as the provision of water, electricity, refuse removal and sanitation, are raised in the context of habitable human settlements, in which housing is the central factor. It may also be inferred that in the formal areas, the protests have been more about jobs. It is also clear that, in both cases, poverty is a main factor.

3.3.2 Nature of service delivery protests

According to a presentation by Turok (2012), service delivery protests in which the Police clash with violent protestors (Figure 3.1 below) have become commonplace in South African towns and cities.



FIGURE 3.1: Police clashing with service delivery protesters in a South African municipality

(Source: Turok, 2012)

According to Turok (2012), the results of a recent study conducted by SASAS with regard to communities' trust in South African institutions are as indicated in Tables 3.3 and 3.4 below.

Trust in	1998	1999	2000	2001	2003	2004	2005	2006	2007	2008
Churches	82	81	74	81	84	81	81	82	83	82
SABC	-	-	-	-	75	73	71	72	-	71
National government	47	60	43	52	57	69	64	59	52	51
Courts	42	45	37	45	50	58	56	52	49	49
Parliament	-	-	-	-	57	65	59	55	46	47
Police	42	47	39	40	42	46	45	39	38	40
Local government	37	48	32	38	45	55	48	44	34	38
Political parties	30	39	29	27	-	-	42	37	27	29

TABLE 3.3: Percentage of community trust in South African institutions

(Source: Turok, 2012)

It is clear from Table 3.3 that public trust in local government was at its lowest ebb in 1998, after which it rose to a record high in 2004, and thereafter subsided to the 1998 level. It is also important to note that this new low level of community trust since 2004 has coincided with the emergence of violent service delivery protests in South African municipalities. A further deduction may, therefore, be that the deteriorating level of community trust in local government is linked to the emergence of violent service delivery protests.

Trust in local government in:	2003-2004	2007-2008	Difference
Cape Town	45	47	+2
EThekweni	35	47	+12
Nelson Mandela Bay	46	42	-4
Johannesburg	36	27	-9
Ekurhuleni	52	25	-27
Tshwane	47	24	-23
Metro average	42	36	-6
Rest of South Africa	54	37	-17

TABLE 3.4: Percentage of Community Trust in South African Metropolitan Municipalities

(Source: Turok, 2012)

The above table indicates that, between 2003 and 2008, community trust dropped further in all South African Metropolitan Municipalities, including the Nelson Mandela Bay Municipality. This is an important observation, based on the fact that during service delivery protests, communities commonly express that they do not trust their local government politicians or local government officials. Local government has been likened to a marriage between three partners, namely community; elected politicians; and public officials. If there is no trust, then a healthy relationship between these partners will not be possible. The worsening state of community trust in municipalities between 2003 and 2008 partly explains why the number and frequency of violent service delivery protests is on the increase across the country.

3.3.3 Levels of community satisfaction in Nelson Mandela Bay Municipality during 2008

Turok (2012) indicates the community's perception of the Nelson Mandela Bay Municipality in 2008 (Figure 3.2).

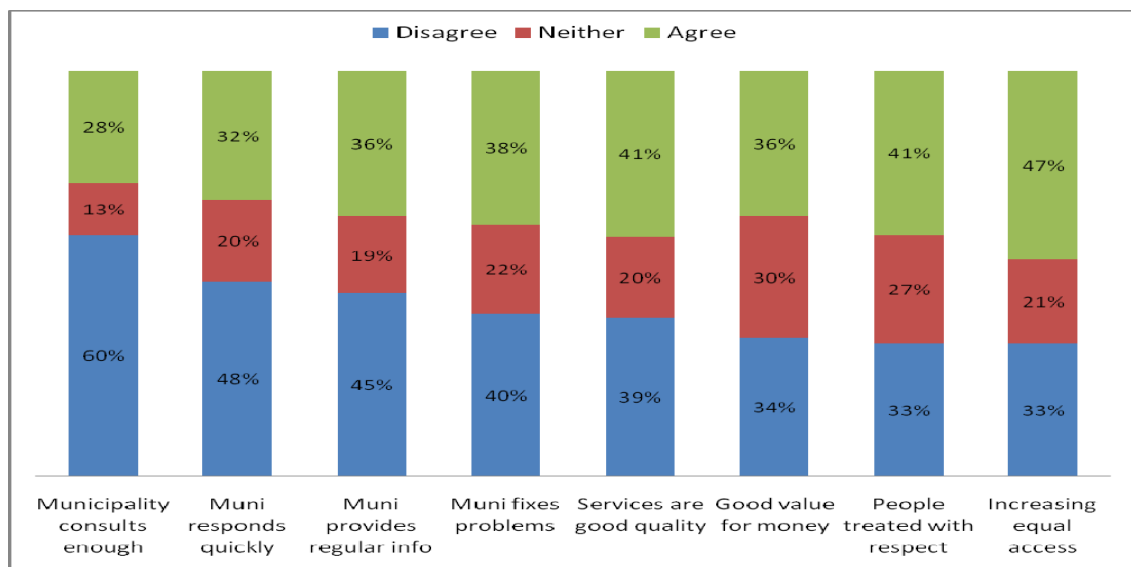


FIGURE 3.2: Statements concerning the performance of the Nelson Mandela Bay Municipality (2008) (%)

(Source: Turok, 2012)

Figure 3.2 indicates that 60% of the participating NMBM residents were of the opinion that the Municipality did not consult sufficiently. This is cause for serious concern, implying that citizen

orientation to local government appears to have changed; and that citizens' patterns of association may also have changed (<http://www.hsrcpress.ac.za>). It seems as if the ballot box crosses made during elections are not the final expression of public choice and opinion. Increasingly, local authorities have to seek new ways of informing the public and establishing public preferences and attitudes (Walker, 1997:21).

For local government, the challenge of communication is to act as a conduit; to identify what people want from it (Walker, 1997:21). This is a double-sided task: on the one hand, to establish people's views and opinions; and, on the other hand, to strengthen the Municipalities positions within their communities. This is public relations. The public relations function entails legitimating municipal councils by drawing on deepening reservoirs of popular understanding and support (Walker, 1997:23).

Given that inadequate housing has been identified a number of times as one of the main grievances of service delivery protests, especially in informal settlements, it is necessary to analyse the housing provision function, as well as related services, such as the provision of water, sanitation, electricity and refuse removal.

3.4 THEMATIC ISSUES ARISING FROM PROTESTS IN MATJHABENG MUNICIPALITY AND NELSON MANDELA BAY MUNICIPALITY

A number of themes can be drawn from an analysis of the violent service delivery protests that took place in Phomolong (the Matjhabeng Municipality) and the Nelson Mandela Bay Municipality in 2005.

3.4.1 Themes arising from Matjhabeng Municipality's service delivery protests since 2005

Early in 2005, a service delivery protest turned violent in Phomolong near Hennenman on the Free State Goldfields (Botes *et al.*, 2007:5). Phomolong is a Black township situated in the Matjhabeng Municipality, approximately six kilometers from the town of Hennenman.

3.4.2 Overview of grievances of protesters

In terms of the narrative tale of the unrest in Phomolong, Botes *et al.* (2007:16-25) summarise the grievances of the protesters as being eightfold, including the following:

- Corruption among political office-bearers and public officials.
- Slow pace and poor quality of public services rendered by municipalities, especially those associated with housing provision.
- Lack of economic development and employment creation, especially in the youth sector of the population.
- Poor governance related to public participation, democratisation of development through ward committees.
- Unfulfilled promises and expectations created by politicians during election time.

The protests in Phomolong reflected the challenges and complexities South African local government must contend with in ensuring adequate service delivery and managing associated conflicts. Although fundamental socio-economic factors, such as poverty, played a role, a number of systemic municipal management problems supplied the community with several reasons for discontent. It is important that these be addressed in such a way that new forms of exclusion are not promoted.

There can be no doubt that service delivery dissatisfaction was pivotal in the Phomolong unrest and that dysfunctions were exacerbated by the void in communication between the community and the relevant Ward Councillors.

A communication breakdown between Ward Councillors and communities should not be allowed, as this impedes public participation in matters of local government. The events in Phomolong demonstrate how local service delivery can go awry when Ward Councillors are not held accountable to their constituencies. Effective and timeous communication can help communities gain insight into those elements of development projects that are proving to be intractable. Accountability creates confidence in local political processes and facilitates effective interventions in cases of service delivery breakdown.

Although the Phomolong protests demonstrated a robust democratic culture, there were also intimations of social alienation and disaffection, especially among the unemployed youth. As the majority of service delivery protests in the country are driven by unemployed youth, South African municipalities, in conjunction with the provincial and national spheres of government, need to find ways to collaborate with the private sector and other non-state actors in order to engage the youth in education and skilling programmes, in pursuance of meaningful job creation. Government must also investigate ways of partnering with its social partners, like business, NGOs, institutions of higher learning, donors and other relevant actors in finding ways to expedite quality service delivery to citizens. Unless and until this happens, given the current statistics of youth unemployment in South Africa, more youth-driven service delivery protests will remain inevitable.

3.5 THEMES ARISING FROM SERVICE DELIVERY PROTESTS IN NELSON MANDELA BAY SINCE 2005

The service delivery protests in Nelson Mandela Bay first erupted in Kwadonga, Motherwell on 11 May 2005, and saw local residents take to the streets (Botes *et al.*, 2007:74). On 12 May 2005, roads were barricaded with stones and burning tyres in KwaZakhele and New Brighton, while the civil unrest in Motherwell continued. On 16 May 2005, communities from Veeplaas and Kleinskool and residents near Govan Mbeki Street joined the protests, which spread to Struan Road and Mavuso Street. Generally, the unrest took the form of barricading roads with burning tyres and stones and demands to see local Councillors and the Mayor, as well as marches to the Municipality's offices and the handing over of petitions to the Municipality.

Although the youth (especially the unemployed youth and school children) were at the forefront of the protests, older women and men were also involved. Many of the protesters lived in informal settlements, thereby lending credence to the claim that it was the in-migration of poor people that provided the main structural dynamic that led to high levels of deprivation, thus stimulating the protests (Botes *et al.*, 2007:76). It is ironic that the conflict originated in Motherwell, home to one of South Africa's eight Urban Renewal Programmes. Since then, service delivery protests have continued unabated, occurring in Missionvale, KwaNobuhle, Zosa Street, Wells Estate, Ericadene, Greenbushes / Kuyga, Rosedale, Walmer Township, Joe Slovo / Chatty, KwaLanga, and NU 29 Motherwell, as recently as 02 July 2012.

The reasons for unrest in Nelson Mandela Bay's townships and informal settlements can be summarised in the following themes:

- Poor, lack of or slow pace of service delivery, in particular human settlements, linked to informal settlements.
- Corruption, especially within low income housing delivery (RDP).
- Political infighting, under the pretext (camouflaged as) of service delivery protests.
- Maladministration and allegations of corruption.
- Onerous bureaucracy and a legislative environment that is slowing down service delivery.
- Funding constraints, which limit the scope and pace of public services to communities.
- Capacity constraints in terms of a shortage of skilled staff, especially in technical departments.
- Poor public participation;
- Poverty, economic deprivation and unemployment, especially amongst the youth, of whom 70% remain jobless.
- Inadequate, ineffective and inefficient intergovernmental relations and support (Botes *et al.*, 2007:77).

Based on the lessons learnt from the case study of 2005-2007 of the Nelson Mandela Bay Municipality and the more recent protests in Nelson Mandela Bay (between April 2012 and 24 June 2012) in Walmer, Kuyga, Joe Slovo, and NU29, Motherwell, the measures detailed below are proposed to prevent future unrests.

3.6 CURRENT STATE OF AFFAIRS WITH REGARD TO SERVICE DELIVERY IN SOUTH AFRICA

As the provision of sustainable human settlements features as a core issue in most service delivery protests, it is important to analyse its environment in more detail, commencing with an overview.

3.6.1 Human settlements overview in South Africa

Rwida (2012) provides the following overview of housing and human settlements in South Africa. The figures provide insight into the *status quo* regarding household incomes, the housing waiting list, the impact of the housing subsidy, housing delivery in relation to available budgets, the status of informal settlements, and access to essential services by communities.

3.6.1.1 Household categorisation by income group

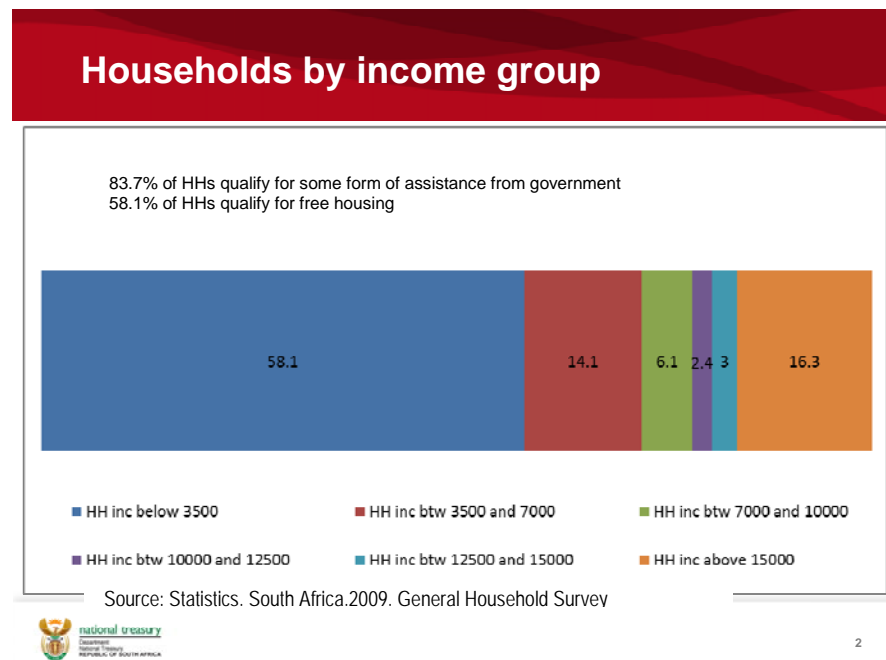


FIGURE 3.3: Households by income group

(Source: 2011 Local Government Budgets and Expenditure Review for 2006/07 – 2012/13, conducted by National Treasury)

It is evident from Figure 1 above that more than half (58.1%) of households in South Africa qualify for RDP housing, as their income bracket is less than or equal to R3500 per household per month. This is the category of residents who participate in service delivery protests. The 14.1% of households earning between R3500 and R7000 per month fall in the category of households that do not qualify for free RDP houses but also not for bank loans. This category of residents is usually disgruntled by the Housing Subsidy Scheme.

3.6.1.2 Housing waiting list

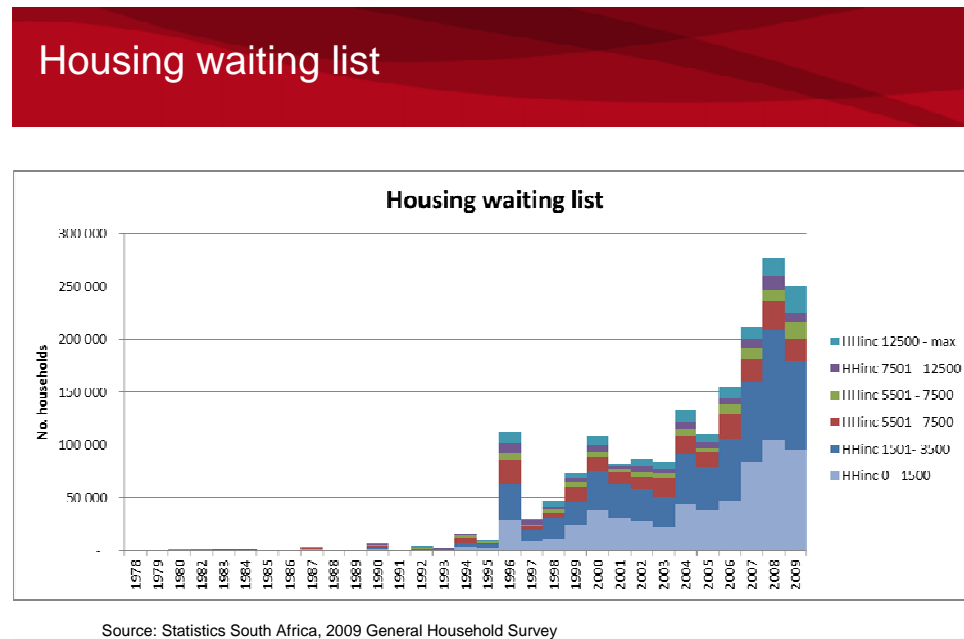


FIGURE 3.4: Housing waiting list

(Source: 2011 Local Government Budgets and Expenditure Review for 2006/07 – 2012/13 conducted by National Treasury)

It is evident from Figure 3.4 above that the waiting list (for housing subsidy allocation) in both categories of household incomes (R0-R1 500 and R1 501-R3 500 per month) has been growing since 1994, despite government building millions of RDP homes. These two categories do qualify for RDP homes. The fact that the waiting list is growing, implies that more and more community members will be disappointed at not receiving their houses when they expect them. This would then lead to further service delivery protests, some of which may turn violent. It is proposed that If the government solves the human settlements challenge, it will have quelled the main source of service delivery protests.

3.6.1.3 The impact of Housing Subsidy Programme : 1996-2011

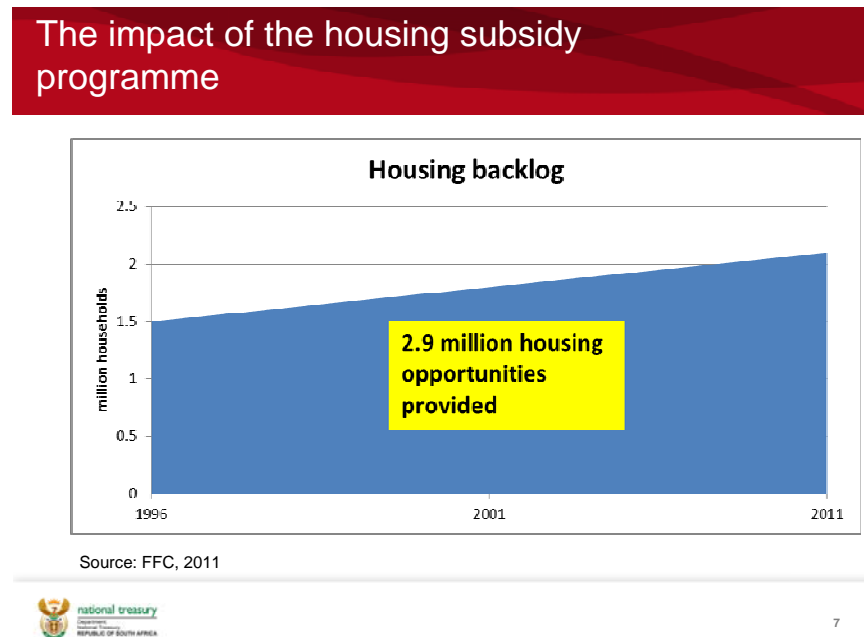


FIGURE 3.5: Impact of housing subsidy programme

(Source: 2011 Local Government Budgets and Expenditure Review for 2006/07 – 2012/13 conducted by National Treasury)

Based on Figure 3.5 above, it is evident that, despite the provision of 2.9 million homes to the poor between 1996 and 2011, the housing backlog in South Africa is now more substantial than in 1996. This means that the current strategies, policies and programmes of government regarding human settlements provision are not having the desired impact. The service delivery protests in communities can be seen as confirming that fact.

3.6.1.4 Housing delivery against Budget 2004/05 – 2010/11

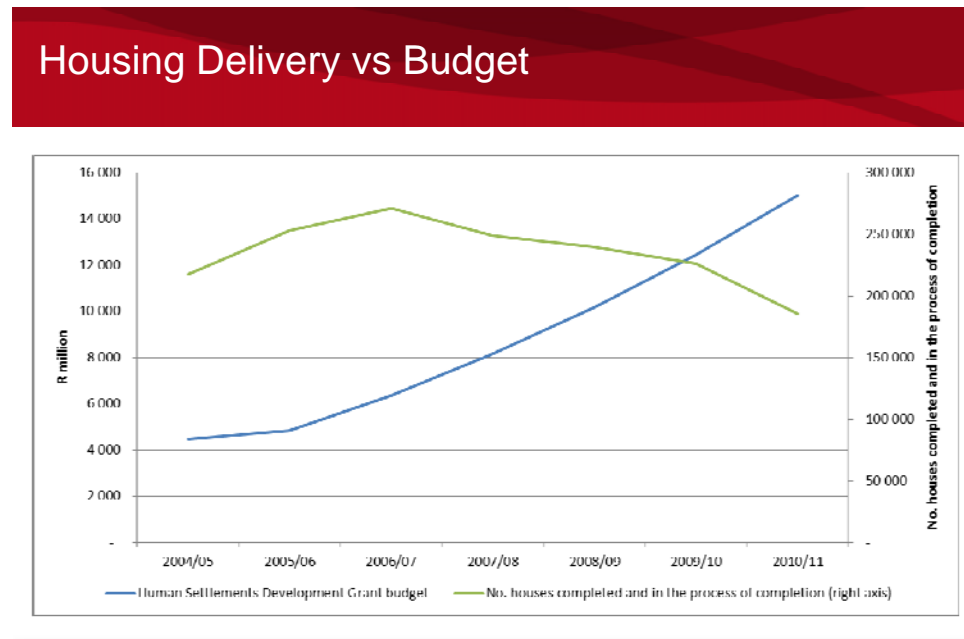


FIGURE 3.6: Housing Delivery vs Budget

(Source: 2011 Local Government Budgets and Expenditure Review for 2006/07 – 2012/13, conducted by National Treasury)

In terms of Figure 3.6 above, government in 2004/05 built more houses for a smaller subsidy than in 2010/11. This suggests the need to review the funding/financing model currently applied in housing programmes. The fact that quality is dropping in housing delivery, due to lack of supervision and limited funding envelopes, reinforces this need. It is therefore proposed that government's ability to build houses is on the decline. Government needs to communicate this to the public if no new streams of financing housing provision are foreseen. In addition, the possibility and feasibility of new, more cost-effective housing typologies need to be explored if the government is to continue honoring its constitutional obligation of housing provision. Exploring alternative housing types, such as those promoting high densities (densification), could prove valuable at this stage.

3.6.1.5 Informal households in Metropolitan municipalities

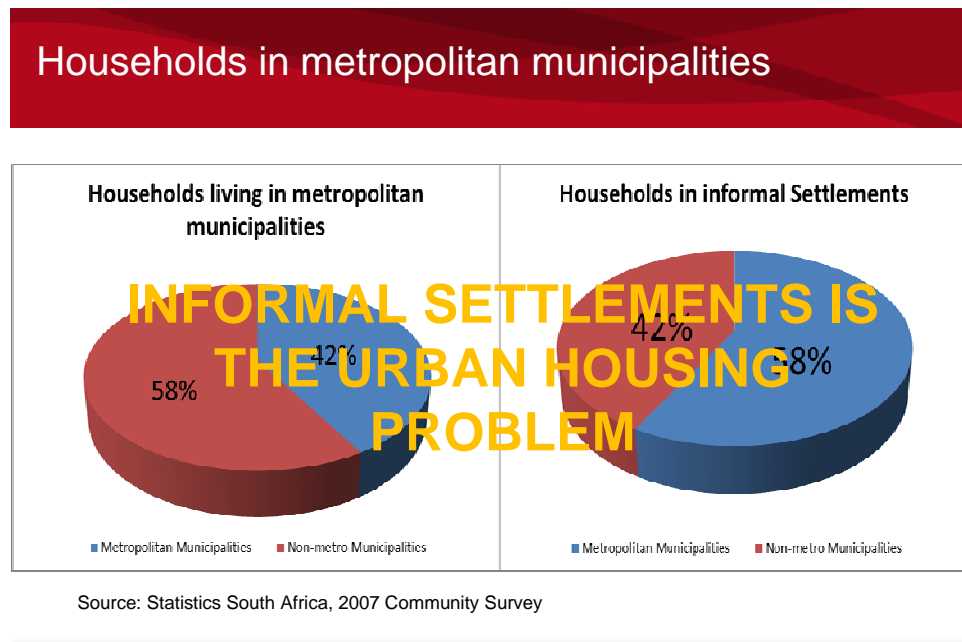


FIGURE 3.7: Informal households in metropolitan municipalities

(Source: 2011 Local Government Budgets and Expenditure Review for 2006/07 – 2012/13 conducted by National Treasury)

Based on Figure 3.7 above, it is clear that 42% of households in South Africa reside within metropolitan municipalities. At the same time, metropolitan municipalities are home to 58% of informal settlements households in South Africa. In this regard, the human settlement needs in informal settlements cannot be underestimated. It is put forward that the bulk of all service delivery protests emanate from informal settlements and that their main complaint is lack of adequate housing provision.

3.6.1.6 Income levels in households in informal dwellings

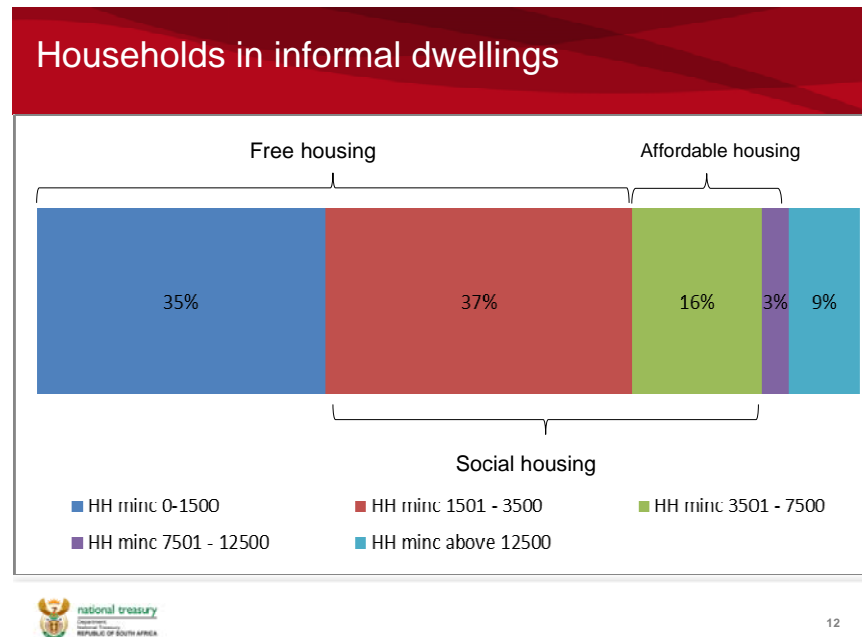


FIGURE 3.8: Households in informal dwellings

(Source: 2011 Local Government Budgets and Expenditure Review for 2006/07 – 2012/13 conducted by National Treasury)

It is evident from Figure 3.8 above that 75% of all households in informal settlements earn below R3 500 per month. These households therefore qualify for the RDP houses subsidy. In other words, nearly three quarters of all households in informal settlements are poor and could be categorised as indigent. This indicates why poverty and unemployment, alongside housing, are always pivotal issues in service delivery protests in informal settlements. In this regard, government should not consider providing houses in informal settlements as the only intervention, but also empowering the informal residents with life skills and other socio-economic interventions aimed at breaking the cycle of poverty and unemployment.

Swart (in Sorour, 1981:72) is of the view that housing is one of the basic needs of humans, in fact the most important need after the provision of food and water. Therefore, the provision of low income housing must be recognised as a main component in the larger integrated process of improving the quality of life of communities (Li, 2006:92). (<http://www.hsrcpress.ac.za>). The

international experience indicates that housing problems are usually related to the shortage of affordable accommodation for the urban poor, the low income being the majority.

Between 2000 to 2008, the Nelson Mandela Bay Municipality constructed over 42 072 low cost houses (RDP houses). Mathematically, this means that the Municipality built 5 259 low cost housing units per annum over that period. (Tsatsire (2008:216))

According to the Nelson Mandela Bay Municipality's Draft Integrated Development Plan, 2011 – 2016, 11th edition (2012/13 review), the current (2012) backlog stands at 80 000 housing units. It therefore follows that, at the current rate of delivery, the municipality will take 15 years from now to address the housing backlog of 80 000 units; this, assuming a zero increase in the waiting list over the next 15 years. It is clear why communities continue to protest against the slow pace of housing provision. It is also important to note that the bucket system (the pail system of sanitation) which is so unpopular in communities will not be eradicated completely over the 15 years from now (2012), as its eradication is dependent on housing provision (RDP houses with waterborne sanitation). It is therefore imperative that government comes up with a new strategy if the current scourge of service delivery protests is to be curtailed.

According to the 3rd Edition of the Nelson Mandela Bay Municipality's Integrated Development Plan of 2004, approved on 26 May 2004, in order to eliminate the housing backlog, the municipality needed to build 15000 new RDP houses per annum. However, this target has never been reached over the period 2004 till 2012. According to the full Council Agenda of 22 June 2012, the municipality succeeded only to build at most 3600 new houses per annum over that period and no budget provision was made for the construction of any new RDP houses in the 2012/13 financial year. With the current tempo of influx from rural areas into Nelson Mandela Bay, as well as the population growth, estimated in the said IDP at 2,8%, it is evident that housing backlogs will continue to be increase in the foreseeable future. This, in turn, explains, in part why, community dissatisfaction and subsequent protest continues unabated.

CONCLUSION

This chapter dealt with the emergence of service delivery protests in South Africa through a descriptive, explanatory and normative approach. The discussions confirmed that service delivery protests, which begun in earnest in 2004/05, have increased in number, frequency and

also the accompanying violence. The constitutional right of citizens to strike and protest peacefully has often been breached, and protesters carrying rudimentary weaponry has become a common phenomenon.

At the heart of most service delivery protests is a genuine demand from the community for the expedition of quality services, especially those related to the provision of sustainable human settlements. In this regard, service delivery protests have been prevalent, particularly in informal settlements, where lack of housing and related infrastructural services, poverty and unemployment are rife.

This chapter also suggests that the government will not be able to eradicate the service delivery backlogs it inherited from the apartheid era at the current levels of funding and policy implementation/delivery. There is a need for a paradigm shift and the development of a new model of delivery, particularly because the current government is also faced with new service delivery backlogs, on top of those inherited from the pre-1994 era.

Intergovernmental relations are not working well, contributing negatively to the intentions of Chapter Three of the Constitution of the Republic of South Africa. Public participation is inadequate, and misinformation and speculation is rife, fuelling protesters into action. The politics of service delivery have been intensified by political infighting. At times, service delivery protests appear to stem from political infighting.

In the chapter that follows, an overview on the legislative environment governing the rendering of public goods and service by municipalities is provided.

CHAPTER FOUR

LEGISLATIVE ENVIRONMENT GOVERNING SERVICE DELIVERY IN SOUTH AFRICA

4.1 INTRODUCTION

Service delivery in South Africa is governed by a plethora of legislation, ordinances, regulations, by-laws, policies and programmes. For the purpose of this study, the focus will be on the legislative environment pertaining to service delivery at the local government sphere. Such legislation will be examined in the light of its possible or potential impact or contribution to the current service delivery protests in South African municipalities. Furthermore, given the fact that service delivery is legislated, only a selection of the statutes that have a significant bearing on public services will be examined. In this regard, the starting point will be the Constitution of the Republic of South Africa, 1996, which is the supreme law of the country.

4.2 LEGISLATIVE ENVIRONMENT GOVERNING SERVICE DELIVERY IN SOUTH AFRICA

Since the constitution of a country is the supreme law from which all legislation flows, the discussion on service delivery in South Africa presented in this Chapter will commence with the Constitution of the Republic of South Africa, 1996.

4.2.1 Constitution of Republic of South Africa, 1996

In the *Concise Oxford Thesaurus* (Waite *et al.*, 2002:167), the term 'constitution' is defined as a charter, social code and a law that encapsulates a bill of rights, rules, regulations and fundamental principles. In this regard, a constitution can be considered as the organic and supreme law of a country that creates a system of government and provides a basis against which the validity of all other laws is determined. It could further be deduced that the constitution of a state is an encapsulation of the values, culture, traditions and charter of its society. It then becomes the supreme law for that particular country, from which all preceding legislation must derive legitimacy. According to Nel, Van Dyk, Haasbroek, Schultz, Sno and Werner (2004:81), the Constitution of the Republic of South Africa is the supreme Act of the country.

In terms of Section 40 of the Constitution of the Republic of South Africa, 1996, government is constituted as national, provincial and local spheres of government, which are distinctive, inter-dependent and interrelated. This implies that the three spheres must adhere to the principles of cooperative governance and intergovernmental relations that promote the common good of the Republic as a whole.

One of the aspects that makes local government distinctive, is its democratic base (Clarke, 1996:41). It is this distinctiveness and the legitimacy that comes from the *ballot box* that give a local authority a specific role in the governance of the community. This is further reinforced by a set of requirements underpinning its public accountability, such as audit processes, openness, public access to information, the ombudsman and the like, which are more robust than for any other organisation (Clarke, 1996:41).

In terms of Section 152(1) of the Constitution, the objects of local government are:

- “(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 local communities and community organisations in the matters of local government.”

In addition to Section 152, Section 153 of the Constitution makes specific reference to the developmental mandate of local government by stipulating that a municipality must:

- “(a) structure and manage its administration and 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; and
- (b) participate in national and provincial development programmes.”

It is evident from the above that the developmental mandate of municipalities is centered around the following:

- Promoting social and economic development within communities.

- Promoting community participation in the matters of their local government in a manner that ensures that the total population is involved in the municipal structuring, administration, planning and budgeting processes.
- Providing basic and essential services to citizens and residents.

It is clear from the preceding arguments that it is the Constitution that introduced the concept of developmental local government, mandated to render public services in a manner that is democratic, transparent and equitable. It could also be argued that the recognition of local government as a sphere of government in Chapter 7 of the Constitution has enhanced the status of developmental local government as a whole and of municipalities in particular, conferring on them a new, dynamic role as instruments of service delivery.

Given that the constitution of a country is the supreme law of the state, it was necessary that a number of national statutes be promulgated in South Africa to give effect to the values, intentions and provisions embedded in its Constitution. Amongst the number of elements that the Constitution was attempting to address was the need to create a new democratic state that respects the human rights of its citizens, in contrast to the apartheid era.

Apartheid left a legacy of pervasive poverty and inequality in South Africa. For the majority of people in South Africa, apartheid meant the following:

- The dispossession of people from their land and housing.
- The deliberate underdevelopment of black communities.
- Discrimination in the quantity and quality of education, housing, health care and social security (Khoza, 2007:21).

In terms of Chapter 2 of the Constitution of the Republic of South Africa, 1996, socio-economic rights are recognised, including the right to adequate housing, food, health care, education, social security and water. Although the concept of human rights is old, its content and scope are still debated today. According to Marshall (1964:68-72), human rights can be classified into three categories, namely:

- *Civil rights*: Freedom from slavery and servitude, torture and inhumane punishment, and arbitrary arrest and imprisonment, freedom of speech, faith, opinion, and expression, right to life, security, justice, ownership and assembly.
- *Political rights*: The right to vote and nominate for public office, and the right to form and join political parties.
- *Socio and economic rights*: The right to education, work, food, clothing, housing and medical care.

CHART OF SOCIO-ECONOMIC RIGHTS IN THE CONSTITUTION OF REPUBLIC OF SOUTH AFRICA, 1996

SECTION	THE RIGHT	BENEFICIARY
24	The right to a healthy environment	Everyone
25(5-9)	The right of access to land, to tenure security, and to land restitution	Citizens and individuals or communities whose land rights were violated as a result of past racially discriminatory laws or practices
26	The right of access to adequate housing and protection against arbitrary evictions and demolitions	Everyone
27	<p>The right to have access to:</p> <ul style="list-style-type: none"> • health care services, including reproductive health care; • sufficient food and water; • social security; if citizens are unable to support themselves and their dependants, appropriate social assistance <p>No-one may be refused emergency medical treatment.</p>	Everyone
28(1)(c), and (d)	<p>The right to human nutrition, shelter, basic health care services and social services.</p> <p>The right to be protected from maltreatment, neglect, abuse or degradation.</p>	Every child (a person under 18 years of age)

SECTION	THE RIGHT	BENEFICIARY
29	The right to education	Everyone
35(2)(e)	The right to conditions of detention that respect human dignity, including the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment.	Everyone who is detained, including every sentenced prisoner. This right would include, for example, someone detained in a psychiatric hospital.

Source: (Khoza, 2007)

Despite the fact that access to adequate housing is a constitutional right, a significant population of South Africans, in particular the poor, are still living in makeshift 'shacks' or mud huts. It is hardly surprising then that one of the common complaints in service delivery protests is housing. It is important to discuss the provision of housing as a right and investigate why those who qualify to receive free houses from government have not received such housing. In this regard, the constitutional right to housing will be discussed from the perspective of housing rights and land tenure.

4.2.2 Legislation related to provision of housing rights and land tenure

In terms of Section 26(1-3) of the Constitution of the Republic of South Africa, 1996:

- “(1) Everyone has the right to have access to adequate housing.
- (2) The State must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right.
- (3) No one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions.”

Based on the above sections of the Constitution, the relevant legislation can now be examined, commencing with the Housing Act 107 of 1997.

4.2.2.1 Housing Act 107 of 1997

In 1995, the government adopted a White Paper on a New Housing Policy and Strategy for South Africa. The White Paper recognises:

- Housing as a basic human right and the role of government to take steps and create conditions that will lead to an effective right to housing for all.
- The duty of the government to stop taking any steps that encourage or cause homelessness.
- The responsibility of the government to ensure conditions suitable for the delivery of housing.
- The importance of involving communities in the housing development process.
- The right of individuals to freedom of choice in satisfying their housing needs.
- The principle of non-discrimination in the delivery of housing.

The Housing Act 107 of 1997 sets out the framework for housing delivery in South Africa. The Act:

- repeals all discriminatory housing laws, dissolves all apartheid housing structures and creates a new non-racial system for the implementation of housing rights in South Africa;
- defines the respective roles of national, provincial and local government in housing delivery;
- commits local government to take reasonable steps to ensure that all people in its area have access to adequate housing progressively; in other words, over time;
- places a duty on municipalities to set housing delivery goals and identify land for housing development;
- deals with the basic principles that must guide housing development; and
- limits the sale of state-subsidised housing;

- The voluntary sale of a state-subsidised house cannot be done within a period of eight (8) years from the date on which it was acquired, without first offering it to the provincial government involved; and
- With an involuntary sale, a person's creditors cannot sell the house unless it has first been offered to the provincial government involved at a price not greater than the subsidy received for the property. This restriction was introduced into the Act by the Housing Amendment Act 4 of 2001, which came into operation on 1 February 2002.

In giving effect to the Housing Act, persons who qualify for a housing subsidy receive a once-off grant from the state for housing purposes. The government does not provide cash to beneficiaries. The grant is only used to service the site and for the construction of the house (Khoza, 2007:253).

Based on the above discussions, it is clear that access to adequate housing by the public is a constitutional and legal right. In other words, government is obliged to provide access to free low income housing to poor communities in South Africa. Although the Housing Act provides for the right to housing, Section 26(2) of the Constitution stipulates that the State must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. This means that government should do two things in housing provision: firstly, promulgate legislation and, secondly, make resources available within its funding limitations. Based on the complaints of slow pace of housing delivery during community protests, this research attempted to examine the housing provision environment in order to identify the underpinning reasons that prompt service delivery protests in municipalities.

Furthermore, in 1998, service delivery legislation was further shaped in content and approach following the promulgation of the White Paper on Local Government, 1998, which will now be discussed.

4.2.3 White Paper on Local Government, 1998

The process of transforming the institutions of the South African state is premised on the fact that the new democratic state, born in 1994, has a specific mission, that of meeting new developmental objectives that will assist in creating a better life for all citizens.

The prescriptions in the White Paper on Local Government, 1998, are the culmination of a long process and flow from a strong civic movement, a history of popular participation, and the development of principles that underpinned local government structures through the years of the struggle. For this reason, the White Paper on Local Government is unique: it does not deal with a sectoral policy, but with an entire sphere of government. It could almost be regarded as a 'mini Constitution' for local government, as it affects all South Africans (<http://www.local.gov.za>).

In the above regard, through the White Paper on Local Government, 1998, the Municipal Structures Act 117 of 1998, the Municipal Systems Act 32 of 2000, and the Municipal Finance Management Act 56 of 2003, local government is arguably the most important sphere of government in promoting development where citizens reside (Maphazi, 2012:45-48).

The White Paper on Local Government, 1998, acknowledges that local government is the sphere of government that interacts closest with communities and is responsible for the rendering of essential public goods and services to inhabitants. It is also tasked with ensuring growth and the development of communities in a manner that enhances community participation and accountability (Gwayi, 2010:30-34).

The second section of the White Paper on Local Government, 1998 puts forward a vision of a developmental local government that centres on working with local communities to find sustainable ways to meet their needs and improve the quality of their lives. It discusses the four characteristics of developmental local government, namely exercising municipal powers and functions in a manner that maximises their impact on social development and economic growth; playing an integrating and co-coordinating role to ensure alignment between public (including all spheres of government) and private investment within the municipal area; democratising development; and building social capital through providing community leadership and vision, whilst seeking to empower marginalised and excluded groups within the community.

Even the wording used in the second section of the White Paper, 1998 indicates that it was influenced by the provisions of Sections 152 and 153 of the Constitution of the Republic of South Africa, 1996, which deal with the rendering of public goods and services in a democratic, effective and efficient manner (Jakatyana, 2010:21-28).

In order to give effect to the aims, principles and objectives of the White Paper on Local Government, 1998, a number of local government statutes were subsequently promulgated, commencing with the Municipal Structures Act 117 of 1998, which will now be discussed. The White Paper on Local Government 1998 gave rise to a number of local government statutes, giving effect to Sections 152 and 153 of the Constitution regarding service delivery to communities (Tsatsire, 2008:172-176).

In this regard, the White Paper on Local Government, 1998, could be considered as the link between the 1996 Constitution and all subsequent local government legislation enacted to give effect to the intentions of the Constitution. In view of the democratic and developmental principles embedded in the White Paper, as well as subsequent developmental legislation, the question that now needs to be answered is why protesting communities still cite lack of public participation and slow or lack of basic services as the main causes of their violent protests. Could it be that South Africa as a government has passed good policies, but fails in policy implementation? These questions will be dealt with further in Chapter Seven of this study, and recommendations will be made in Chapter Eight. At this stage, it is clear that challenges may exist in the implementation of the intentions of the White Paper in so far as service delivery to communities is concerned. An Act that emanated from the White Paper as early as 1998 is the Local Government: Municipal Structures Act 117 of 1998, which will now be discussed, with the emphasis on its bearing on service delivery.

4.2.4 Municipal Structures Act 117 of 1998

Since local government is regarded as the sphere of government closest to the people, the core of all related legislation is to establish ways to ensure that citizens give input into the planning and decision-making processes of local municipalities.

The Municipal Structures Act 117 of 1998 was promulgated in order to provide for the establishment of municipalities in accordance with the requirements relating to categories and

types of municipalities; to provide for an appropriate division of functions and powers between categories of municipalities; to regulate the internal systems, structures and office-bearers of municipalities and to provide for appropriate electoral systems.

In terms of Section 79(1)(a), a municipal council may establish one or more committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers. In compliance with this Section of the Act, the Nelson Mandela Bay Municipal Council has established the following seven Section 79 committees:

- Budget and Treasury;
- Infrastructure, Engineering, Electricity and Energy;
- Human Settlements;
- Public Health;
- Safety and Security;
- Economic Development and Recreational Services; and
- Corporate Services.

The above committees consider service delivery items drafted by public officials under their jurisdiction and make recommendations to the Mayoral Executive Committee. Thereafter, depending on the nature of items, the Executive Mayor tables the items at Council, for either noting or consideration. All policy related items, such as the IDP and the like, are the prerogative of Council.

Policy indicates the broad outlines within which community life in any society has to develop to promote quality of life. In so doing, and due to limited resources, planning has to consider alternative ways of attaining policy goals with the most advantageous utilisation of resources (Hanekom & Thornhill, 1993:111). Programmes and projects are then compiled to ensure that each institution, division, section, subsection and individual official can implement the policy. In this regard, project management could be considered as policy implementation.

It is inferred from the above that political office-bearers conduct governing functions, whilst public officials conduct administrative functions. The two are understood to be complementary functions. In this regard, it is evident that the Municipal Structures Act, 1998 plays a pivotal role

in governing the service delivery environment, both directly and indirectly through, *inter alia*, municipal committee systems. This study set out to analyse and discuss the role of this Act in assisting with the reduction of service delivery protests. Although the Structures Act of 1998 had a role in governing the rendering of public services, it is the elected politicians who carry out the governing functions of deciding which constituency gets what services (Friedman, 1992:17). It is, therefore, important to examine the Municipal Electoral Act of 2000 to determine its role in the rendering of public goods and services in the context of the ongoing violent service delivery protests in South African municipalities.

4.2.5 Municipal Electoral Act 27 of 2000

According to the NMBM Council Agenda of 22 June 2012, communities can participate in matters of municipal government, and in particular service delivery, through a number of ways, such as public participation structures, submissions, memoranda and petitions to Council. It is always advanced that local authorities, with councils consisting of elected members, are essential institutions for the promotion of democracy (Cloete, 1993:159). It is, therefore, important to understand that local authorities are political institutions constituted for local choice (Clarke & Steward, 1990:16). Local choice is in turn legitimised by local elections, which is an expression of a political process.

Voting for political leaders and office-bearers in national, provincial and local elections enables citizens to elect those that they think will administer their interests and needs best. In terms of Section 19(3)(a) of the Constitution, voting is a right of all South Africans, irrespective of colour, race, creed or ethnicity. In terms of democratic rights, this was a step forward in laying another building block towards the establishment of a developmental state and developmental local government. It brought into reality a famous provision of the Freedom Charter, 1955, namely "*The People Shall Govern*" (<http://www.polity.org.za>).

As a result, in order to give effect to Section 19(3)(a) and (b) of the 1996 Constitution, the Municipal Electoral Act, 2000 was promulgated. As indicated in the aforementioned Act, the elected representatives are to serve in various legislatures. In the case of a municipality, they serve as municipal councillors, taking collective decisions on governing and the legislative matters that govern service delivery to communities. The decisions they take, include

prioritising development programmes and projects, appropriating money for development purposes, passing by-laws and policy making.

It may be argued that the Local Government: Municipal Electoral Act, 2000 has a direct bearing on the direction, scope and manner in which service delivery is rendered, especially at the local sphere of government. This is due to the elected representatives taking up office as political office-bearers or participating in committees, in which case they perform governing functions related to the rendering of public services to the community, whilst public officials concentrate on discharging administrative functions.

According to Cloete (1991:56), the administration of public affairs results from political activities and forms part of political life. In this regard, public administration not only takes place in a political environment, but concerns all areas of societal life (Hanekom & Thornhill, 1993:180). It is therefore important that political office-bearers and appointed public officials should, in the execution of their duties, show responsibility for rendering services of such a high quality that they can account in public for their actions. It may, therefore, be argued that public administration should be practised to convert the values of democracy into real benefits for the citizens, as individuals and as groups (Cloete, 1993:112).

Because politics is concerned with power, violence will always be near the surface in every country where there is social and economic instability or deep-seated political differences, based, for example, on religious, ethnic and cultural dissimilarities (Cloete, 1993:38). This is why the current service delivery protests in South Africa must be examined in a political context. One of the themes that this thesis examined during the empirical study, was whether or not the current service delivery protests were the work of a 'third force' or the result of political infighting. According to Botes *et al.* (2007:16-25), political infighting was identified as one of the causes of the violent service delivery protests that took place in Phomolong, Free State during 2005.

4.2.6 Municipal Systems Act 32 of 2000

Chapter 5 of the Municipal Systems Act 32 of 2000 provides for the nature of and the process to be followed in the compilation and adoption of a municipal Integrated Development Plan,

which is informed by the inputs and needs of the community. In terms of Section 23(1)(a), (b) and (c) of the Act, a municipality must undertake developmentally oriented planning so as to ensure that it:

- (a) Strives to achieve the objects of local government set out in Section 152 of the Constitution;
- (b) Gives effect to its developmental duties as required by section 153 of the Constitution; and
- (c) Together with other organs of state contribute to the progressive realisation of the fundamental rights contained in Sections 24, 25, 26, 27 and 29 of the 1996 Constitution.

Furthermore, Section 29(a) and (b) of the Municipal Systems Act 32 of 2000 stipulates that the process followed by a municipality to draft an integrated development plan, including its consideration and adoption of the draft plan, must:

- (a) be in accordance with predetermined programme specifying time-frames for the different steps;
- (b) through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for –
 - (i) the local community to be consulted on its development needs and priorities;
 - (ii) the local community to participate in the drafting of the integrated development plan; and
 - (iii) organs of state, including traditional authorities and other role-players, to be identified and consulted in the drafting of the integrated development plan.

It is evident from the above that amongst the objectives of the Municipal Systems Act 32 of 2000 is to provide for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities, and ensure universal access to essential services that are affordable to all.

Notwithstanding the developmental nature of the Municipal Systems Act 32 of 2000, some dissatisfaction with the Act, and especially Section 78 of the Act, has surfaced. The criticism relates to the time-consuming and often cumbersome and complex process involved in implementing that Section 78 of the Municipal Systems Act, 2000, which deals with criteria for deciding on mechanisms to provide municipal services (<http://www.polity.org.za>).

According to the NMBM Council Agenda of 20 August 2012, in order to comply with the provisions of Sections 77 and 78 of the aforementioned Act, decisions can take more than a year, due to the protracted nature of the process, especially since it involves engagement with trade unions (organised labour) which are in some instances slow-moving institutions.

Currently, the Nelson Mandela Bay Municipality has embarked on a Section 78 process with regard to the establishment of a Transport Administration Agency (TAA) for its upcoming public transport system, known as the Integrated Public Transport System (IPTS). This process has now taken three (3) years and has not as yet proceeded to Section 78(2-6). This is a clear case of slow service delivery. All public action will have intended and unintended consequences. In that regard, the slowing down of service delivery to communities due to the procedures stipulated in Section 78 of the Act could be regarded as unintended consequences that are now fuelling service delivery dissatisfaction at grassroots level. The amendment of, *inter alia*, this section of the Act will be proposed as a recommendation in Chapter Eight of this thesis.

Municipal service partnerships are largely dependent on complying with Section 78 of the Act. There are a number of important reasons why municipal service partnerships have special relevance in government's and especially local government's overall delivery programmes towards social and economic development. Municipal Service Partnerships (MSPs) have been defined as a contractual relationship, in terms of which an external organisation takes responsibility for all or part of the delivery of a municipal service (Mufamadi, 2006:1). Experience worldwide has shown that, when implemented effectively, MSPs can improve efficiency, customer service, competitiveness and quality (<http://www.dplg.co.za>). According to the Nelson Mandela Bay Municipality's Council Agenda of 22 June 2012, some of the issues mentioned by protesting communities in the NMBM during service delivery protests include complaints about the poor quality of RDP houses, inefficient service delivery mechanisms, the slow pace of delivery and lack of public consultation. The Municipality does not currently have a single MSP arrangement, as envisaged in Section 78 of the Municipal Systems Act, 2000.

Considering the benefits of MSPs, as indicated above, it will be recommended in Chapter Eight that MSPs be considered to form part of the solution to fast-track service delivery to communities. In fact, many municipalities are hampered by lack of flexibility in existing internal arrangements to deliver services and continued pressure on available human, financial and physical resources (Mufamadi, 2006:4).

Furthermore, Reddy (1999:209) suggests that in terms of the developmental approach, local government, as a prerequisite to development planning, should form partnerships with citizens, groups and communities to create sustainable human settlements in order to seek their fundamental goals in meeting social, economic and material needs in an integrated manner.

One of the concerns raised by the protesting community of Walmer Township in Nelson Mandela Bay was the absence of a partnership approach between the NMBM and the Walmer community in the planning, prioritisation and implementation of development projects in the community. It is therefore clear that the objectives of the Systems Act in terms of municipal service partnerships with communities have not been realised in the NMBM and the rising number of violent service delivery protests should therefore not come as a surprise. (<http://www.hsrapress.ac.za>).

A key local government statute that has a direct impact on service delivery to communities is the Municipal Finance Management Act 56 of 2003, which will now be discussed.

4.2.7 Municipal Finance Management Act 56 of 2003

In terms of its preamble, the Municipal Finance Management Act 56 of 2003 was enacted in order to secure the sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government; to establish treasury norms and standards for the local sphere of government; and to provide for international best practices.

The Act sets out, amongst others, the budget preparation process for a municipality. In terms of Section 21(1)(a) of the Act, the mayor of a municipality must co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revision of the integrated development plan and budget-related policies are mutually consistent and credible.

Furthermore, in terms of Section 21(2)(a) of the Act, when preparing the annual budget, the mayor of a municipality must take into account the municipality's integrated development plan.

According to NMBM Council of 22 June 2012, the opposition parties in the NMBM Municipal Council voted against approving the 2012/13 Annual Budget of the Municipality due to the fact that it was not linked to, informed or consistent with the Integrated Development Plan of the Municipality. In terms of the Council agenda of the NMBM of 11 October 2012, Council was informed that the Budget-IDP alignment, as well as the budget allocations, was completed in September 2012 – more than two months into the new financial year. The alignment should have been completed by 30 June 2012 latest. In this regard, it is evident that the opposition parties' objections to the passing of the Municipality's 2012/13 Budget were founded.

The Municipality's Annual Budget should be linked to the IDP, as community needs are captured in the IDP. Not aligning the budget to the municipal IDP means that the projects identified by communities in the IDP will not be funded. Therefore, the failure by the NMBM to link its budget to its IDP over the years could be considered as having had a negative effect on service delivery, due to either the underfunding or the non-funding of community priorities/projects. This could be one of the reasons why the communities of Nelson Mandela Bay have resorted to *toyi-toying*, citing lack of service delivery.

Although legislation provides an enabling and controlling environment for the provision of service delivery, there are other processes that inform the promulgation of such legislation as well as the design and implementation of government development programmes. In this regard, the ANC manifestos (as the ruling party) will now be analysed based on their bearing on service delivery at the local government sphere.

4.3 MANIFESTOS OF POLITICAL PARTIES AFFECTING SERVICE DELIVERY

According to NMBM Council Agenda of 22 June 2012, it states that the decisions taken at ANC policy conferences and elective conferences will have a bearing on the country's future in terms of policies and legislation through the route of Green Papers, White Papers, Bills and, eventually, Acts. In this context it is important to review ANC election manifestos and examine the extent to which they contributed to or affected service delivery in South Africa.

4.3.1 1994 National African National Congress (ANC) Election Manifesto

According to the 1994 ANC National Election Manifesto, the election theme or motto/slogan was *"Together we have won the right for all South Africans to vote"* (<http://www.anc.org.za/list>). In terms of its National Election Manifesto of 1994, the ANC pledged that an ANC-led government subsequent to 1994 would introduce one education system, providing ten (10) years of free and compulsory education for all children. To date, this has not transpired. The ANC also pledged in its Manifesto to deliver on the following (<http://my.unisa.ac.za>).

- Providing a roof over people's heads (housing) and reasonable living conditions close to where they work.
- Providing democratic, efficient and open local government that works closely with community structures in the supply of affordable housing and services.
- Eliminating discrimination in the labour market and workplace through affirmative action.
- Creating jobs.
- Growing the economy.

According to the 1994 ANC Election Manifesto, the new democratic government that took office in 1994 set a target to provide the following public services within five years (1994-1999):

- Building one (1) million homes for poor communities.
- Providing running water and flush toilets to over a million families/households.
- Electrifying 2.5 million rural and urban homes (Unwembi, 2011).

From the above, and with reference to the ongoing service delivery protests predominantly caused by a lack of housing, it is clear that the ANC-led government has not fully delivered on its promises. It is also evident that a number of the items mentioned in the Manifesto have actually found expression in legislation. For example, the pledge of affirmative action in 1994 found expression in the Employment Equity Act 55 of 1998, whilst the pledge of provision of housing found expression in the Housing Act 107 of 1997. The pledge for the provision of democratic and transparent local government found expression in the White Paper on Local Government, 1998, the Municipal Structures Act, 1998, the Municipal Systems Act, 2000 and

the Municipal Finance Management Act, 2003. In terms of job creation and growing the economy, the government of the day created the RDP of 1994, as well as GEAR.

It is clear that the 1994 ANC Election Manifesto had a bearing on the policy and legislative framework that governed the environment in which service delivery takes place thereafter. Although South Africa has sound policies, such as those embedded in the 1994 ANC Election Manifesto, according to an article in the *Mail & Guardian* of 22 June 2012 (<http://mg.co.za/article/2012-06-22>), South Africa as a government has good service delivery policies, but demonstrates poor implementation thereof. This further explains why communities intermittently embark on service delivery protests, citing poor service delivery or lack thereof.

The 1994 ANC National Election Manifesto was soon followed by the 1995 ANC Local Government Manifesto, which indicated to the public as to what the government policy direction would be if the ANC were to be elected as the ruling party. This 1995 Election Manifesto will now be analysed in terms of its influence on the rendering of public services to South African communities.

4.3.2 1995 Local Government ANC Election Manifesto

The overriding theme in the ANC's 1995 Local Government Election Manifesto was *"A better life: Let's make it happen where we live"*. The Manifesto did not differ significantly from the 1994 National Election Manifesto, because only a year had lapsed between the two manifestos (<http://www.anc.org.za/show>). The 1994 Manifesto adopted a ten-year horizon, and the 1995 election formed part thereof. By that time, the newly elected democratic government of 1994 had already created expectations within its communities which it was battling to fulfil. This could explain why protesting communities keep citing unfulfilled election time promises as one of the causes of their dissatisfaction.

Four years later, the 1995 ANC local government manifesto was followed by the 1999 national election manifesto whose bearing on service delivery will now be examined.

4.3.3 1999 National ANC Election Manifesto

The overriding theme of the ANC's 1999 National Election Manifesto was "*Change must go at a faster pace*" (<http://www.eisa.org.za>). This slogan implies that the ANC-led government had begun to sense community dissatisfaction with the pace of service delivery at grassroots level.

In terms of its 1999 Manifesto, the ANC promised the following delivery to the citizens in the five-year period that was to follow (1999 – 2004):

- Five years of accelerated change.
- Five years of partnership with the people.
- Five years of building a new patriotism.
- Five years of working for a better Africa and a better world.

With regard to the pledge for five years of accelerated change the ANC-led government's goal was to ensure that government became more effective, more focused on spearheading development and delivery, and more user-friendly. It is important to remember at this stage that violent service delivery protests began in 2004. This means that the protests brewed in the pre-2004 period, namely in the very same period in which the ANC-led government had promised to accelerate service delivery. It could be argued that the grandiose policies of the ANC-led government lacked in implementation and the will to execute them. This notion ties in well with the arguments put forward by protesting communities, namely that the government delivery mechanisms are slow or non-existent.

In 2000, the ANC developed another local government manifesto in its efforts to contest the municipal elections as indicated hereunder.

4.3.4 2000 Local Government ANC Election Manifesto

This was the first ANC Election Manifesto to mention in specific terms what an ANC-led government would do at the local government sphere. According to the 2000 ANC Local Government Election Manifesto, the ANC pledged that an ANC-led local government would

provide all poor residents with a free basic quality of water, electricity and other municipal services;

- strengthen the Masakhane Campaign, with improved services for all, to inculcate a culture of payment;
- forge social partnerships in the fight against HIV/AIDS;
- strengthen and grow local economies;
- support community-based enterprises; and
- redesign policies on, *inter alia*, public procurement (<http://dailymaverick.co.za>).

In terms of the Assistance to the Poor (ATTP) Programme of the NMBM, currently (2012) all indigent households receive a free allocation of 8 kilolitres of water and 75 KWh of electricity per month. This confirms that the undertaking by the ANC-led government in its 2000 Local Government Election Manifesto had in real terms influenced the rendering of essential services to the poor. However, with regard to inculcating a culture of payment for services, the ANC-led government has not performed well to date. Furthermore, whilst the government has kept its promise to redesign the procurement of goods and services in municipalities through the provisions of Chapter 11 of the Municipal Finance Management Act of 2003, with the United Nations Aids (UNAIDS) Report indicating a worsening state of affairs, much still needs to be done in forging effective partnerships to combat the HIV/AIDS epidemic.

In this regard, the empirical survey sought to establish why poor communities were still staging service delivery protests, whilst the government actually performed well in some areas, such as the provision of free basic water, refuse removal and electricity. In the process, the research proposed to determine the priorities of the communities of Nelson Mandela Bay to obtain greater insight into the unmet community expectations in relation to the provision of public goods and services.

4.3.5 2004 National ANC Election Manifesto

The motto for the 2004 ANC National Election Manifesto was *“A People’s contract to create work and fight poverty”*. According to the Manifesto (<http://www.anc.org.za/show>), the three main objectives of the ANC-led government for the five years that followed (2004 – 2009) were to create jobs, fight poverty and promote equality. Although not indicated as its main objective

at the time, the Manifesto made reference to the acceleration programmes to provide water, sanitation, electricity and build more subsidised (RDP) houses.

It is evident from the above that the ANC's Manifesto sought to influence directly the service delivery environment. It is interesting to note that although the express pledge of the ANC Manifesto was to intensify and expedite service delivery, service delivery protests from communities intensified during the same period (Botes *et al.*, 2007:15).

4.3.6 2006 Local Government ANC Election Manifesto

The 2006 ANC Manifesto slogan was "*A plan to make local government work better for you*" (<http://www.joburg.org.za>). This could have been implied acknowledgement on the part of the government that local government had not been working as well as it should have been for communities. It may be assumed that such an admission could have been informed by community dissatisfaction with municipal service delivery, manifested in violent service delivery protests at the time. Again, the pledge in the ANC Manifesto was for more job creation, building better communities, and fighting poverty. The recurrence of these generic pledges indicates that government was not winning the war against poverty and unemployment. According to Khoza (2007:134), the unemployment rate in 2005 stood at 26.5%, and according to a SABC3 News Bulletin of 3 November 2012, the unemployment in South Africa in the third quarter of 2012 stood at 25.5%. This means that, in the previous seven years, there had not been any significant improvement in unemployment figures in South Africa. Therefore, it is no wonder that one of the key issues cited in service delivery protests by dissatisfied communities is unemployment.

Following the 2006 Election Manifesto, the ANC launched a further policy direction in its 2009 National Election Manifesto, which will be discussed below.

4.3.7 2009 National ANC Election Manifesto

In the 2009 National Elections, the ANC adopted another slogan, namely "*Working together we can do more*" (<http://www.politicsweb.co.za>). This seems to be as much a plea to the communities as an admission on the part of the ANC-led government that community

participation and partnership was essential in service delivery. The ANC then identified the following five priority areas for the ensuing five years (2009 – 2014):

- creation of decent work and sustainable livelihoods;
- education;
- health;
- rural development, food security and land reform; and
- the fight against crime and corruption (<http://www.anc.org.za>).

The above five priorities are core functions in service delivery to the citizenry. Therefore, the ANC Manifesto has a direct bearing on the legislative environment governing service delivery in South Africa. It is, however, clear that the provision of sustainable human settlements did not feature as one of the five priorities of government for 2009 – 2014; yet this is a regular rallying point in service delivery protests. It could, therefore, be argued that the non-prioritisation of human settlements by the government over the period 1999 – 2014 has had a negative effect on the delivery of low income housing for the poor; hence the rising number of violent service delivery protests citing the slow pace of RDP housing delivery as a key community concern.

In order to introduce the 2009 priorities at the local government sphere, the ANC produced the 2011 Local Government Manifesto, as analysed hereunder.

4.3.8 2011 Local Government ANC Election Manifesto

In the 2011 Local Government Elections, the ANC adopted as a motto *“Together we can build better communities”* (<http://www.polity.org.za>). According to its 2011 Manifesto, the ANC decided to localise the priorities of the 2009 Manifesto. In meeting the key challenges facing communities, it pledged the following:

- Building local economies to create more employment, decent work and sustainable livelihoods;
- Improving local public services and broadening access to them;
- Building more united, non-racial, integrated and safer communities;
- Promoting more effective community participation in local government; and

- Ensuring more effective, accountable and clean local government that works together with national and provincial government.

It is worth noting that, for the first time since 1994, the ANC began to prioritise public participation and combating corruption. This may be an acknowledgement of the volatile situation on the ground, where communities are demanding to be involved in service delivery decisions and beneficiation.

It is also evident that, unlike the 1999 National ANC Election Manifesto, the 2011 Local Government ANC Election Manifesto included in its priorities a focus on job creation and improving access to public services (service delivery). This could indicate an admission on the part of government that high unemployment and poor service delivery were pressing community priorities that could not be ignored. This was clear from the violent service delivery protests in South African towns and cities. According to the Institute for Security studies, most service delivery strikes see violence as an essential bargaining tool (<http://www.iss.co.za>).

It may therefore be concluded from the ANC's election manifestos from 1994 to 2011 that the ANC-led government has been strong in policy formulation, but weak in policy implementation. According to Davies and Imbroscio (2009:259), policy is not just what is formally enacted: policy is what is implemented.

4.4 PROVINCIAL AND LOCAL GOVERNMENT POLICIES GOVERNING DELIVERY OF PUBLIC GOODS AND SERVICES

For the purpose of this study, the alignment between the Provincial Growth and Development Plan 2004 and the 2011 – 2016 Integrated Development Plan (11th Edition – 2012/13 Review) of the Nelson Mandela Bay Municipality will be discussed. These are policy documents that inform budget allocation, service delivery and project implementation at community level.

4.4.1 Eastern Cape Provincial Growth and Development Plan (PGDP)

In 2004, the Government of the Eastern Cape published the Provincial Growth and Development Plan (PGDP) (<http://www.ecdc.co.za>). This document is intended to serve as an overarching framework for socio-economic and development planning during the decade

leading up to 2014. The PGDP aims to provide a stimulus for transformation and sets out six core objectives: agricultural transformation; poverty eradication; manufacturing diversification; infrastructure development; transforming the public sector; and developing human resources.

The Provincial *Makgottas* of 2010 and 2011 took resolutions regarding and emphasised the need for infrastructure delivery to be accelerated in the period leading up to 2014, in order to stimulate economic growth and thereby sustainable growth and development.

At a time when the country is discussing the National Development Plan towards 2030, it should be noted that unless South Africa, in all three spheres of government, directly intervenes in the former Bantustans and rural areas with a deliberate state-driven and funded infrastructure programme, the geo-spatial reality of this country will continue to reflect the apartheid legacy of White minority rule (Manuel, 2011:1-3). As such, urban development, which continues to be funded by the State, must be balanced with a similar commitment to fund rural development priorities and programmes.

It is the belief of the Eastern Cape leadership that the identified key infrastructure programmes, both in social and economic infrastructure, will serve as catalytic interventions that will progressively respond to the structural poverty, growing inequality and increasing unemployment that continue to be inherent challenges facing government and therefore undermine all other efforts for service delivery in the Eastern Cape Province. The assumption is that the following projects will ultimately address the service delivery concerns raised by protesting communities. Thus the key infrastructure programmes and projects for the Eastern Cape are.

1. Nqgura trans-shipment hub and Project Mthombo;
2. Manganese capacity expansion;
3. Twinned Gateways Rail Upgrade (Nelson Mandela Bay and City Deep in Johannesburg);
4. Mthatha Airport Development;
5. N2 Wild Coast Road;
6. N2/R72 Corridor (*linking the two Metro's and IDZs in the Province*);
7. Wild Coast Meander Route;
8. Mzimvubu River Basin and Dam Development;

9. East London Port Expansion; and
10. Coastal Rail Belt (Durban – Mthatha – ELS – Nelson Mandela Bay – Cape Town)
[\(<http://www.info.gov.za>\)](http://www.info.gov.za).

In the above regard, it is clear that the provincial PGDP has policy and development implications for the Nelson Mandela Bay Municipality, which will now be examined. It is also evident that whilst the above mega projects hold the potential to create jobs and lower unemployment, they have no direct bearing on the improvement of housing provision for the poor or the provision of basic infrastructural services to the protesting poor communities. In this regard, the focus of the PGDP remains inadequate in addressing the root causes of service delivery protests in Nelson Mandela Bay.

According to the NMBM Council Agenda of 11 October 2012, some of the projects that the Presidential Infrastructure Coordination Commission (PICC) and PGDP should be considering in order to address the service delivery needs of protesting communities include:

- The upgrading of the Fish Water Flats Wastewater Treatment Works at a cost of R600 million in order to service the Seven-year RDP Housing Programme;
- Provision of R351 million to complete the Nooitgedacht Water Supply Scheme in order to meet the water demand of low cost housing provision, industry and future city expansion;
- Provision of R500 million in order to build a separate wastewater treatment plant for the Coega Industrial Development Zone in order to attract investors like Petrol SA, the manganese smelter, and the iron smelter, which has the potential of creating in excess of 10 000 jobs for Nelson Mandela Bay.

It is clear that there is a disjuncture in the way government plans development. Its strategies are yet to be aligned to community needs and priorities, and until that is done, it is proposed that service delivery protests will continue unabated.

4.4.2 Nelson Mandela Bay Municipality's Integrated Development Plan 2011-2016 (11TH Edition – 2012/13 Review), as adopted by Council on 31 May 2012

Since mid-2001, municipalities have been required to compile Integrated Development Plans (IDPs) (<http://www.hsrbpress.ac.za>). These IDPs are intended to be integrated multisectoral programmes, including a wide variety of development, ranging from 'hard' services, such as the provision of water, sanitation, electricity, housing and roads, to 'soft' or 'human development' issues, such as land reform, poverty alleviation, tourism and local economic development (LED).

In terms of Section 34 of the Municipal Systems Act 32 of 2000, a municipal council must:

- (a) review its Integrated Development Plan –
 - (i) annually in accordance with its performance measures;
 - (ii) to the extent that changing circumstances so demand; and
- (b) may amend its Integrated Development Plan in accordance with a prescribed process.

The Integrated Development Plan (hereinafter referred to as the IDP) is the Nelson Mandela Bay Metropolitan Municipality's principal strategic planning document. Importantly, it ensures close co-ordination and integration between projects, programmes, activities and the Budget, both internally (between clusters and directorates) and externally (with other spheres of government). The IDP should ultimately enhance integrated service delivery and development and promote sustainable, integrated communities, providing a full basket of services, as communities cannot be developed in a fragmented manner. As the key strategic plan of the Municipality, the priorities identified in the IDP inform all financial planning and budgeting undertaken by the institution. The IDP priorities of the Nelson Mandela Bay Municipality are informed by the following:

- Local perspective, informed by a situational analysis, developmental challenges, public participation processes and the ANC 2011 Local Government Election Manifesto.

- National perspective, informed by national priorities and Millennium Development Goals.
- Provincial perspective, informed by the PGDP.

According to the 2011-2016 IDP and Budget public participation speech by the Executive Mayor of the Nelson Mandela Bay Municipality, delivered on 18 May 2012:

- South Africa has the highest number of service delivery protests in the world; these are sporadic and uncoordinated in nature, and there appears to be no sense of urgency on the part of government to address same.
- When protesters demand schools, they do not go to the Department of Education; they go to municipal offices. When they demand clinic services, they do not go to the Department of Health, they go to municipal offices. When they demand houses, they do not go to the Department of Housing – they go to municipal offices.
- The current scourge of service delivery protests and the lack of urgency on the part of government to address them beg the question as to whether officials and politicians are relevant to the developmental local government discourse.

It is clear from the above statement by the Executive Mayor of the NMBM that the objectives and ideals of developmental local government have yet to be realised on the ground. This points to the fact that while government has good policies, implementation by public officials is poor. Furthermore, the slow pace of service delivery could be another cause of service delivery protests.

One of the interesting features of the NMBM's 2011 – 2016 IDP is that the provision of sustainable human settlements is for the first time detailed into specific focus areas, such as the rectification of houses, including those without toilets, relocations, new housing developments, the acquisition of strategic land for human settlements development, connecting water and electricity to houses built but not connected to services, and the development of facilities like sports fields, community halls, crèches, parks and clinics. These are the very service delivery challenges about which local communities have been protesting. It appears that the Nelson Mandela Bay Municipality is taking note of the issues raised by communities

during the recent community protests. The implementation of the 2011 – 2016 IDP and 2011/12 – 2013/14 Budget commenced on 1 July 2011, after which observations were made to determine community responses to the government's developmental interventions.

The previous IDP (2010/11 IDP and Budget), which was adopted by the NMBM Council on 31 May 2010, incorporated the priorities listed in the 2011 – 2016 IDP. Yet a number of service delivery protests were held by affected communities in Nelson Mandela Bay. This raises the question whether the inclusion of community needs in the IDP/Budget is in itself adequate to address the challenges faced by communities. According to *The Herald* of 29 April 2011 (page number four, column 2-5), angry Zosa street residents who had been waiting for houses for more than ten years, camped outside the Port Elizabeth City Hall on 28 April 2011, demanding answers from the Nelson Mandela Bay Municipality about why the project was moving at a 'snail's' pace.

Since 1995, the entire *raison d'être* of municipalities has changed (Atkinson, 2002:5). Municipalities are now required by legislation to become the foremost development agencies within the government system. The compilation of Integrated Development Plans (IDPs) constitutes the formalisation of this new role, in terms of which each municipality is obliged to define its own developmental vision and mission and identify specific programmes and projects. This means that municipalities must not only undertake a variety of infrastructural projects, but also define and implement complex social and economic development projects within their areas of jurisdiction.

According to *The Sowetan* of 5 November 2009, government planning that is not followed by decisive implementation creates false expectations and dissatisfaction among communities. From this angle, it can be deduced that service delivery protests are not only about lack of services, but also about the slow pace at which the services are delivered by government, as well as the unfulfilled promises made by politicians during national and local government elections.

CONCLUSION

The rendering of public goods and services in South Africa is a constitutional mandate assigned to local government. As discussed, besides the provisions of the Constitution of the

Republic of South Africa, 1996, a plethora of legislation, regulations, by-laws, policies and programmes further determines the environment within which service delivery should take place. The sheer number and complexity of some of these statutes have been cited by the Department of Cooperative Governance and Traditional Affairs, as well as the Cabinet, Eastern Cape Provincial government and the Nelson Mandela Bay Municipality, as an impediment to the timeous rendering of public services to citizens.

Since 1994, new legislation and institutions have been introduced in collaboration with the labour sector. While government has sought regulations that enhance growth and efficiency, labour has been concerned about greater security for workers. Labour market flexibility, the largest non-statutory institutional constraint, continues to be a hotly debated issue, since workers generally associate it with insecurity and the lowering of wages.

However, flexibility and security can best be balanced through bargained arrangements between employer and employee representatives.

For the same reasons, foreign investors have also shown signs of shying away from investing in the South African economy, citing its rigid and unfriendly labour laws. It is evident from the discussions that the service delivery environment is overlegislated and too bureaucratic, to the detriment of serving the public in a prompt manner. Noting that service delivery protests have increased sharply since 2004, it is suggested that the legislative environment governing service delivery has not been able to propose creative ways of fostering or expediting the rendering of public goods and services in South Africa. To this end, it is important to note that even the 'Second Transition' document recently tabled at the ANC Policy conference (June 2012) suggests that despite significant government interventions since 1994, the triple challenge of poverty, inequality and unemployment still remains. A paradigm shift in terms of proposing an appropriate legislative environment has now become necessary if South Africa is to make the desired progress in addressing this triple challenge and deliver effective and efficient services to its citizenry.

Having discussed the legislative environment governing service delivery in the context of ongoing service delivery protests in South Africa, the next chapter will be dedicated to defining the research methodology employed to establish the causes for service delivery protests through an empirical survey. The survey covered focus groups from the ten service delivery

protest 'hotspots', responses from political office-bearers, senior public officials and Ward Councillors within the 60 wards of the Nelson Mandela Bay Municipality.

CHAPTER FIVE

RESEARCH METHODOLOGY

5.1 INTRODUCTION

The objective of this chapter is to describe and explain the research methodology that was applied during the empirical component of this study. Aspects of the design, together with the underpinning methodology, will be discussed in order to justify the quality and significance of the procedures that were applied. This will be achieved by addressing the following:

- (a) The term "methodology" will be explained and the steps in the process will be defined.
- (b) The research methods that were followed, will be explained.
- (c) The possible influence of bias on the data will be discussed.
- (d) The survey methods will be discussed.
- (e) The survey population, as well as the sampling methods used, will be explained.

Empirical research is characterised by the fact that any knowledge or theory that is derived from it is the result of observations or experiments (Maphazi, 2012:191). Cresswell (2005:125) identifies the following separate processes that comprise empirical research:

- Identification of a research problem.
- Review of the existing literature.
- Specification of a purpose.
- Collection of data.
- Analysis and interpretation of data; and reporting on evaluated data.

Broadly speaking, there are two major types of research paradigms, namely quantitative and qualitative models. The quantitative paradigm is also known as the traditional, positivist, experimental way of carrying out research. The qualitative paradigm is known as the

constructivist, naturalistic, interpretive, post-positivist way of carrying out a study (Maphazi, 2012:162) (<http://www.iss.co.za>).

Social research can serve three main purposes, namely exploration, description and explanation (Babbie, 2010:92). Scientific research is a form of social conduct, of which the ultimate goal is the search for truth (Mouton, 2001:238-239). It, therefore, follows that one of the key purposes of social science studies is to describe situations and events. In this regard, it may also be argued that the purpose of research is to find the truth. In this study, the truth being sought is the causes of service delivery protests in South African municipalities, and in particular, the Nelson Mandela Bay Municipality.

In the search for truth, one would need some kind of a structured plan, similar to a road map (Shaidi, 2006:15). In this regard, this study aimed to achieve its objectives and prove its hypotheses by applying the qualitative, quantitative and triangulation research methods. The study recognises that all empirical (social) research conforms to a standard logic (Mouton, 2001:46). Irrespective of the kind of study, and independent of the methodology used, all empirical projects conform to the standard logic of deriving from an idea to a research problem, then research design, followed by research proposal and process, and finally the compilation and writing up of the thesis (Mouton, 2001:47).

5.2 PROBLEM STATEMENT

Research problems are often formulated in the form of questions (Mouton, 2001:53). Because the research problem in this study was about 'what', the causes were of a certain phenomenon, and the research question could be categorised as a causal question. In this regard, the research question was framed as follows:

"What are the root causes or underlying reasons behind the ongoing violent service delivery protests in South African municipalities?"

5.3 HYPOTHESES

The hypotheses pursued in this study are proposed in Chapter One and are summarised as follows:

“South African municipalities could succeed in rendering effective public services if matters of poor public participation, corruption, inhibiting systemic factors, a cumbersome legislative environment, political infighting a poor intergovernmental fiscal regime and the low capacity of municipalities are adequately addressed.”

5.4 RESEARCH DESIGN AND METHODOLOGY

According to Leedy (Taylor, 2001:244), research is a systematic examination to discover new information and to expand or verify existing knowledge in an attempt to solve a problem. As indicated in the preceding chapters, a number of causes of service delivery protests have been suggested. It is in the above regard that this study sought to discover and/or verify the truth about the causes of service delivery protests put forward by various sources.

It was the aim of this study to develop a normative model to assist government and municipalities in particular in taking informed decisions regarding their approach to the rendering of public services. As such, research therefore ensures that decisions are taken based on objective, reliable and valid knowledge (Fox, Schwella & Wissink, 1991:296).

Although sometimes confused with each other, the research design and the research process/methodology are not synonymous. According to Mouton (2001:56), the research design focuses on the logic of the research and the end product, with the point of departure being the research problem or question, whilst research methodology focuses on the research process and procedures, the point of departure being the specific tasks (data collection or sampling) at hand. In order to provide further clarification, the research design will now be discussed.

5.4.1 Research design

According to Patton (2001:15), the research design can therefore be regarded as the glue that holds the research project together. Mouton (2001:49), writes that the research design addresses one key question: *What type of study will be undertaken in order to provide acceptable answers to the research problem or question?* Put simply, what kind of study will the researcher be undertaking? In other words, what type of study will best answer the research question?

Although sometimes confused with each other, the research design and the research process/methodology are not synonymous. According to Mouton (2001:56), research design focuses on the logic of the research and the end product, with the point of departure being the research problem or question, whilst research methodology focuses on the research process and procedures, the point of departure being the specific tasks (data collection or sampling) at hand.

5.4.2 Research methodology

Brynard and Hanekom (1997:25) are of the view that research methodology can be also referred to as a strategy for research, which indicates the methods of data collection. This implies that research methodology is an operational framework within which the facts are placed so that their meaning may be seen more clearly (Leedy, 1993:91). In essence, research methodology is the means for the collection of data needed for a study (Maphazi, 2012:160). Some of the commonly used research methods include quantitative or qualitative methods. When the two methods are combined, they form a triangulation paradigm. These will now be discussed, commencing with the quantitative paradigm.

5.4.2.1 Quantitative research

Quantitative or empirical analytical research methods relate to data being expressed as numbers (Neuman, 2007:7). One of its most common disciplines is the use of statistics to process and explain data and to summarise the findings. In general, quantitative research is concerned with systematic measurement, statistical analysis and methods of experimentation (Fox & Bayat, 2007:7).

The quantitative approach is grounded in the positivist social sciences paradigm, which primarily reflects the scientific method of the natural sciences (Jennings, 2001:223).

In order to be able to apply quantitative methods, the following requirements have to be met:

- The research problem has to be clearly defined.
- Analysis of such a problem must be meticulous and comprehensive.

- Solutions must take place consciously, rationally, logically, systematically and scientifically (Leedy, 1993:100).

Quantitative research is perceived to be objective in nature and involves examining and measuring the phenomena being studied. It involves the collection and analysis of numerical data and the application of statistical tests (Tonono, 2008:40). Quantitative research is more focused and aims to test assumptions, whilst qualitative research is more exploratory in nature. Quantitative data is of the kind that may lead to the measurement of other kinds of analysis involving applied mathematics, while qualitative data cannot always be put into a context that can be graphed or displayed as a mathematical term (Babbie & Mouton, 2001:50-56).

For the purpose of this research, the quantitative research approach was regarded as best suited for local government Councillors and senior municipal officials. The quantitative research design used in this study generated important information from the target samples. Quantitative research is perceived to be objective in nature and involves examining and concentrating on measuring the phenomena being studied. It involves the collection and analysis of numerical data and the application of statistical tests (Tonono, 2008:40). Quantitative research is more focused and aims to test assumptions, whilst qualitative research is more exploratory in nature.

Quantitative research concerns aspects that can be counted. One of its most common disciplines is the use of statistics to process and explain data and summarise the findings. In general, quantitative research is concerned with systematic measurement, statistical analysis and methods of experimentation (Babbie & Mouton, 2001:52-54).

According to Babbie and Mouton (2001:49), the quantitative paradigm in social science has a number of related themes, such as the following:

- An emphasis on the quantification of constructs. The quantitative researcher believes that the best or only way of measuring the properties of phenomena is through quantitative measurement; that is, assigning numbers to the perceived qualities of things.
- A related topic concerns the central role of variables in describing and analysing human behaviour. In some cases, this has become known as variable analysis.

- The central role afforded to control of sources of error in the research process. The nature of the control is either through experimental control or through statistical controls. Critics of the quantitative approach would argue that this "obsession" with control is another sign of the positivist assumption that the social sciences should be modelled according to the natural sciences.

For the purpose of this study, members of the Mayoral Committee (10) and Ward Councillors (60) fell into the category of local government councillors, forming **Group A** for the empirical survey. Members of the Mayoral Committee are full-time Councillors. Ten Councillors are prescribed in terms of the Local Government: Municipal Systems Act, 32 of 2000. The 60 Ward Councillors represent the 60 wards in the area of jurisdiction of the Nelson Mandela Bay Municipality. They are part-time Councillors directly elected by their respective communities (wards) in the geographical area of jurisdiction of the Municipality. Data was collected from these groups using the quantitative research method, and use was made of a questionnaire.

The questionnaire comprised three sections, viz: Section A, which required biographical information; Section B, which consisted of brief statements using the Likert Rating Scale; and a number of open-ended questions. Section C comprised a SWOT analysis.

Officials forming part of senior management in the Nelson Mandela Bay Municipality and whose positions were directly related to the provision of basic services formed **Group C** of the empirical survey. This group comprised appointed career officials. It was estimated that there were 50 such positions in the NMBM. The officials responsible for constituency services and public participation in the NMBM also formed part of this group. The two above-mentioned groups of officials were required to implement resolutions of the Council, comprising Group A.

5.4.2.2 Qualitative research

Strauss and Corbin (1998:17) define qualitative research as any kind of research that produces findings not arrived at by means of statistical procedures or another means of quantification. In this regard, qualitative research is grounded in the interpretive social science paradigm (Maphazi, 2012:165). It can therefore be argued that qualitative research aims to explore, discover and understand or describe phenomena that have already been identified, but are not well understood.

According to Babbie and Mouton (2001:270), qualitative research distinguishes itself from quantitative research in terms of the following key features:

- (a) Research is conducted in the natural setting of the social actors.
- (b) A focus on process rather than on outcome.
- (c) The actor's perspective (the 'insider' or 'emic' view) is emphasised.
- (d) The primary aim is in-depth ('thick') descriptions and understanding actions and events.
- (e) The main concern is to understand social action in terms of its specific context (idiographic motive), rather than attempting to generalise to some theoretical population.
- (f) The research process is often inductive in its approach, resulting in the generation of new hypotheses and theories.
- (g) The qualitative researcher is seen as the 'main instrument' in the research process.

Based on the above, the qualitative approach was identified as the most appropriate method to extract data from the 100 community respondents in the ten service delivery 'hotspot' townships in Nelson Mandela Bay. The researcher elected to use focus group interviews to gather data from the above-stated respondents.

The characteristics of qualitative research include samples, extensive information from each respondent, and a search for meanings, ideas and relevant issues that will be identified and analysed in the latter phases of the research (Petersen, 1997:486). Qualitative research is best used to discover depth rather than breadth of information. It is therefore evident from the above that qualitative research methodology deals with subjective data, generated by the minds of respondents or interviewees and captured by researchers in the form of themes and patterns. In this study, qualitative methods were applied to the ten identified service delivery 'hotspot' areas. This enabled the researcher to gain a deep understanding from the very subjects who in one way or another were involved or aware of the reasons that triggered service delivery protests in their areas. Due to the fact that the Municipality has not had a Ward Committee system in place since 2009, no Ward Committee members were interviewed.

In addition, it is evident from the above that the qualitative research methodology deals with subjective data, generated by the minds of respondents or interviewees and captured by

researchers in the form of themes and patterns. According to Henning and Mangun (1989:8), qualitative research is research utilises open-ended, semi-structured group discussions to explore and understand the attitudes, opinion, and feelings of individuals or groups.

The primary goal of qualitative research is describing and understanding human behaviour (Babbie & Mouton, 2001:270). The basic individual interview is one of the most frequently used methods of data gathering within the qualitative approach (Babbie & Mouton, 2001:289). A qualitative interview comprises interaction between an interviewer and a respondent, in which the interviewer has a general plan of inquiry, but not a specific set of questions that must be asked in particular words and in a particular order (Babbie & Mouton, 2001:289). It, therefore, follows that a qualitative interview is essentially a conversation in which the interviewer establishes a general direction for the conversation and pursues specific topics raised by the respondent. Ideally, the respondent does most of the talking.

The 100 respondents from the ten service delivery protest 'hotspots' in Nelson Mandela Bay were randomly selected for the purpose of the focus group interviews, which formed part of the qualitative study. For the purpose of this study, the 100 'hotspot' respondents formed **Group B** of the empirical survey. With this group, the researcher held focus group interviews. The 100 'hotspot' respondents were regarded as being able to provide valuable information relating to service delivery expectations, partly because they were either directly involved in the protests or would be aware of the issues raised in the protests that took place in the areas in which they lived. The qualitative research methodology was considered the most appropriate for the purpose of this group. Semi-structured interviews are guided conversations in which broad questions are asked, that do not restrict the conversation. New questions are allowed to arise as a result of the discussion. It was proposed to put five questions to each of the focus groups in this category.

5.4.2.3 Difference between quantitative research and qualitative research paradigms

Quantitative research differs significantly from qualitative paradigm. The According to Neuman (2007:7), the quantitative or empirical analytical research method relates to data being expressed as numbers, whereas the qualitative research method considers data in terms of words, pictures or objectives. In this regard, the quantitative paradigm can be considered as seeking to qualify human behaviour through numbers and observations. It is clear from the

above that qualitative research seeks to produce findings not arrived at by means of statistical procedures or other means of qualification. In both cases, the affected communities in service delivery protests would be afforded an opportunity to participate in municipal governance through their inputs and opinions, which they would express in especially qualitative research.

5.4.2.4 Triangulation

Triangulation implies that techniques are used in a parallel sense; providing overlapping information makes it possible to check results from more than one viewpoint (Maphazi, 2012:169).

Easterby-Smith, Thorpe and Lowe (1991:33) distinguish between four distinct types of triangulation:

- *Data triangulation*: where data is collected at different times, or from different sources, in the study of a phenomenon.
- *Investigator triangulation*: where several different researchers collect data relating to the same phenomenon independently and compare findings.
- *Methodological triangulation*: where different methods of data collection, commonly both quantitative and qualitative, are combined in the study.
- *Triangulation of theories*: where a theory derived from a new discipline is used to explain a phenomenon in another discipline.

For the purpose of this study, the methodological triangulation type was applied. The quantitative and qualitative research findings were combined to generate final findings and conclusions.

Blaikie (1991:115-136), Easter-Smith *et al.* (1991:27-33), Creswell (1994:174) and Massey (2003:58-59) have all emphasised that combining quantitative and qualitative methods gives rise to a number of benefits. While quantitative design strives to control bias so that facts can be understood in an objective way, the qualitative approach strives to understand the perspective of the programme stakeholders, looking to first-hand experience to provide meaningful data (Easterby-Smith, Thorpe & Lowe, 1991:33). In this study, first-hand

experience was captured through interviewing selected participants from identified 'hotspot' areas of Nelson Mandela Bay experiencing violent service delivery protests.

A triangulation research design was used in this study to generate information from the target samples. The study combined both quantitative and qualitative methods. Methodological triangulation provides richer data by exposing information that may have remained undiscovered.

It is, however, important to note that both quantitative and qualitative paradigms seek to achieve reliable and valid results. Furthermore, although each method has its advantages and limitations, when these methods are combined, by triangulation, the advantages of each methodology complement those of the other, producing a stronger research design that will yield more valid and reliable findings (Decrop, 1999:157-161).

5.5 RESEARCH PROCESS

In an attempt to address the research objectives, the following broad procedures were adopted in this study:

- A literature study was undertaken, comprising books, legislation, articles, news bulletins, the internet, interviews, election manifestos, policy frameworks, official reports and strategy/planning documents.
- An empirical study of a quantitative, qualitative and triangulation nature, as indicated hereunder, was undertaken.

The research process will now be discussed, starting with population sampling and then proceeding to the quantitative and qualitative methods of research.

5.5.1 Population sampling

Babbie (1989:169) defines the term 'population' as the theoretically specified aggregation of study elements. According to Cooper and Schindler (2001:163), the unit of analysis is a population element from which it is actually drawn. In the above regard, the units of study in this empirical research were the ten Mayoral Committee members, 60 Ward Councillors, 50

senior municipal officials, ten public participation officials, and focus group participants from the ten service delivery 'hotspot' areas.

Patton (1990:15) indicates that a sample is a finite part of a statistical population whose properties are studied to gain information about the whole. Baker (1988:144) defines a sample as a selected set of elements or units drawn from a larger whole of all the elements, the population. In this study, the random sampling method was applied for participants from the ten service delivery 'hotspot' areas who were interviewed by the researcher. An approved interview schedule was utilised for these focus group interviews. This entailed a qualitative research paradigm in order to gain a 'deep' understanding of the causes of service delivery protests first-hand from community members who were involved in the protests themselves.

According to Cooper and Schindler (2001:179) and Babbie and Mouton (2001:100), a population constitutes the entire collection of elements or groups in respect of which inferences must be drawn. The sample of respondents used in this study, consisted of the following:

- (a) 100 respondents from the ten service delivery protest 'hotspots' in Nelson Mandela Bay. These respondents were selected randomly for the focus group interviews.
- (b) Members of the Mayoral Committee (10) of the Nelson Mandela Bay Municipality.
- (c) Ward Councillors (60) of the Nelson Mandela Bay Municipality.
- (d) Senior management (50) in the administration of the Nelson Mandela Bay Municipality.
- (e) Officials responsible for constituency services and public participation in the Nelson Mandela Bay Municipality (10).

5.5.1.1 Mayoral Committee members as respondents in the study

In terms of Section 54 of the Municipal Structures Act No 117 of 1998, only municipalities of the types mentioned in Sections 8(e), (f), (g), and (h), 9(c) and (d) and 10(d) may have an Executive Mayor and a Mayoral Committee system. In terms of Section 8 of the Act, the Nelson Mandela Bay Municipality is a Category A Municipality and as such qualifies to have an Executive Mayor and a Mayoral Committee system. Section 56 of the Act deals with the

functions and powers of executive mayors. In terms of Section 56(2), the Executive Mayor must-

- (a) identify the needs of the municipality;
- (b) review and evaluate those needs in order of priority;
- (c) recommend to the municipal council strategies, programmes and services to address priority needs through the Integrated Development Plan and the estimates of revenue and expenditure, taking into account any applicable national and provincial development plans; and
- (d) recommend or determine the best way, including partnership and approaches, to deliver those strategies, programmes and services to the maximum benefit of the community.

It is clear from the above-mentioned Act that the Executive Mayor must be intensely involved, as a political office-bearer, in the rendering of public goods and services in a municipality. As such, the Executive Mayor at Nelson Mandela Bay was considered to be able to make valuable inputs as a respondent in this empirical study, investigating as it did the causes of service delivery protests in South African municipalities and the Nelson Mandela Bay Municipality in particular.

The composition and functions of Mayoral Committees are dealt with in Section 60 of the Municipal Structures Act 117 of 1998. In terms of Section 60(1), if a municipal council has more than nine members, its Executive Mayor –

- (a) must appoint a Mayoral Committee from among the Councillors to assist the Executive Mayor;
- (b) may delegate specific responsibilities to each member of the Committee;
- (c) may delegate any of the Executive Mayor's powers to the respective members; and
- (d) may dismiss a member of the Mayoral Committee.

The Nelson Mandela Bay Municipality constitutes of 60 wards, which are represented by 60 elected representatives called Ward Councillors. In addition, the Municipality has 60 Proportional Representation (PR) Councillors, making a total of 120 Councillors.

Having considered Sections 54, 56 and 60 of the Municipal Structures Act, it is evident that the service delivery functions bestowed upon the Executive Mayor by the Act are further delegated to the Mayoral Committee. In this regard, the Mayoral Committee, composed of political office-bearers, is equally responsible for the rendering of public goods and services. Hence the importance of involving members of the Mayoral Committee of the Nelson Mandela Bay Municipality as respondents in this empirical study. It is also important to note that the Executive Mayor or delegated Mayoral Committee members are the recipients of community memorandums during service delivery protests. They must, therefore, have a good understanding of the service delivery concerns that emerge from the protesting communities.

5.5.1.2 Ward Councillors as respondents in study

Ward Councillors are the first point of contact between the community and local government.

They receive community complaints and are expected to process them through municipal structures and systems. Ward Councillors are also front-line politicians who are being deployed to deal with service delivery protests in the first instance. As such, they should have a deep understanding of the service delivery issues raised by communities in service delivery protests.

5.5.1.3 Senior municipal officials as respondents in study

While the political office-bearers carry out governing functions, it is the appointed public officials who carry out the administrative functions necessary for the rendering of public goods and services. This places senior municipal officials in a position of knowledge and experience in connection with community response to the type, scope and quality of services being rendered.

As a result, these officials were considered to be best placed as respondents to participate in this empirical survey. Furthermore, such officials are also involved in resolving service delivery protests and, as a result, they have a practical experience of the community concerns being raised during service delivery protests and negotiations.

5.5.1.4 Public participation officials as respondents in study

These officials are charged with the responsibility of ensuring that public participation is planned and implemented in the 60 wards of the Nelson Mandela Bay Municipality. As a result, they are in close contact with the various constituencies and carry first-hand knowledge of community perceptions and opinions of the public services rendered to them. These officials are also involved in resolving service delivery protests and, as a result, they have practical experience of community concerns being raised during service delivery protests and negotiations.

5.5.2 Type of questionnaires

In order to answer research questions, information is required (Mouton, 2001:53). This is why research always involves some form of information gathering process through various means, such as questionnaires, interviews, speeches, data and reports.

For the purpose of this study, questionnaires were chosen and designed to investigate and attempt to seek answers to the following key issues from groups A and C:

- (1) Were the service delivery protests an honest act of community dissatisfaction with the level or pace of public services rendered by government, or were they the outcome of possible manipulation?*
- (2) Were the service delivery protests a result of a "third force"?*
- (3) Were the service delivery protests an indication by communities of their fading confidence in the ANC-led government?*
- (4) Could the service delivery protests be a result of communities' frustrations at the unfulfilled promises by politicians during election time?*
- (5) How could a community protesting against the manner in which service delivery is rendered by the ANC government, sing ANC songs in their protests?*
- (6) Were the service delivery protests orchestrated by disgruntled politicians, either from the ANC or other political parties?*
- (7) Were the service delivery protests a result of deliberate misinformation to communities by certain individuals harbouring a political agenda?*

- (8) *Has there been a lack of adequate public consultation and participation, which in turn resulted in violent protests by communities?*
- (9) *Are the allegations of nepotism, corruption and poor governance in municipalities part of the grievances that prompted communities into protest action?*
- (10) *Do South African municipalities lack the capacity to render public services, hence causing community unrest?*
- (11) *Does the current Turnaround Strategy of the national, provincial and local governments address the root causes of service delivery protests?*
- (12) *Are the IDPs of the NMBM informed by the pertinent needs of its communities?*
- (13) *Did the service delivery protests result from a combination of all the factors mentioned above?*

5.5.3 Data collection instruments

This study employed focus group interviews and structured questionnaires. Before the fully-fledged questionnaire was implemented, a pilot study was undertaken, using a convenient sample in order to enable the researcher to eliminate any ambiguous areas or questions, to refine the questionnaire, and to gauge the standard of the questions.

5.5.3.1 Questionnaires (structured data collection)

This particular data collection method makes use of a formalised list of questions in the form of a questionnaire to obtain the information required. Salkind (2001:138) emphasises that questionnaires should be structured in a simple format to satisfy the following criterion:

- Each question should refer to one issue and require one answer.
- Social and cultural issues should be taken into account, such as family issues, community values and political beliefs.
- Respondents should be encouraged to complete the entire questionnaire by adding interesting questions that will encourage respondents to answer all the questions.
- The questionnaire should be designed to serve the research and not to collect information on a related but implicit topic.

Two questionnaires were used for this study for Groups A and C, with a structured interview schedule for Group B. They were formulated to refer to one issue, requiring one answer. They were also social and cultural sensitive, as they took into recognition issues of culture and political beliefs.

5.5.3.2 Focus group interviews

Frey and Oishi (1995:1) define an interview as a purposeful conversation in which one person (interviewer) asks prepared questions and another (respondent) answers them. The objective of the focus group interview is to gain information on a particular topic or a particular area to be researched. In this study, the researcher (interviewer) interviewed ten focus groups from the ten service delivery protest '*hotspots*' in order to gain information on the root causes of the service delivery protests that had occurred in those areas in the previous three years (2009 – 2012).

The ten '*hotspot*' areas from which community members were elected for ten focus group interviews were held, were:

1. KwaNobuhle (Area 10 and Area 9) (Phase 2)
2. Walmer Township
3. Missionvale
4. Rosedale
5. Joe Slovo, Uitenhage
6. Red Location – Silvertown
7. NU 29, Motherwell
8. Kuyga/Greenbushes
9. Zosa and Roos Street Development
10. Tiryville Settlement

5.5.4 Data analysis and interpretation

Patton (1990:95) holds the view that processed data permits informed judgements to be made about the extent to which the programme, organisation or nation functions and the way it is supposed to, which may reveal areas in which relationships should be improved, as well as

strengths that should be preserved. Qualitative data analysis is primarily an inductive process of organising the data into categories and identifying patterns or relationships between the categories (Lindlof & Taylor, 2002:195). For the purpose of this study, the researcher attempted to identify patterns that emerged out of qualitative research in order to understand the causes that triggered the recent violent service delivery protests across South African municipalities, and the Nelson Mandela Bay Municipality in particular. A qualified statistician from the Nelson Mandela Metropolitan University was engaged to process, analyse and interpret the data in order to give credibility and reliability to the empirical survey findings.

Ultimately, scientific enquiry comprises making observations and interpreting what one has observed (Babbie & Mouton, 2001:72).

The data interpretation and analysis undertaken, consisted of the following:

- (a) Determining relative values pertaining to the established criteria that emerged from the literature study and empirical survey and transforming such data into codified form and capturing it in a computer database.
- (b) Statistical procedures were utilised to interpret and analyse the quantitative data to determine the results, using the Statistica package for data analysis, including percentage and frequency of occurrence. The Chi square test was employed to test for relationships between categorical variables and the T test for comparisons between the mean scores between different groups.
- (c) The qualitative data analysis involved thematic content analysis.

As previously stated, in order to ensure accuracy, credibility and reliability, the researcher employed the services of a qualified statistician in the Statistics Department of the Nelson Mandela Metropolitan University.

5.6 DELIMITATION OF EMPIRICAL STUDY

This study was limited to an investigation of the causes of service delivery protests experienced in South African municipalities, using the Nelson Mandela Bay Municipality as a case study. As such, the study focused on the following respondents:

- NMBM Mayoral Committee members, led by the Executive Mayor.
- 60 Ward Councillors (one from each of the 60 wards in the Municipality).
- 100 respondents (combined into ten focus groups) from ten service delivery protests areas, herein referred to as service delivery protest “hotspots”.
- 50 senior municipal officials responsible for service delivery.
- Ten municipal officials responsible for public participation in the Municipality.

Although the investigation looked at the 283 South African municipalities and beyond, the survey focuses on the Nelson Mandela Bay Municipality as a case in point.

5.7 RELIABILITY AND VALIDITY

Social research is normally supported by yardsticks against which we judge relative success or failure in measuring things (Babbie & Mouton, 2001:118). In social inquiry, the criteria for measuring quality is based on two yardsticks, namely reliability and validity. Denzin and Lincoln (2000:426) are of the view that, without rigour, research is worthless, becomes fiction and loses its utility. Hence, a great deal of attention is applied to reliability and validity in all research projects. Guba and Lincoln (1994:243) state that reliability and validity were substituted with the parallel concept of ‘trustworthiness’, containing four aspects, namely credibility, transferability, dependability, and confirmability. Within these specific methodological strategies were applied in this study to demonstrate qualitative rigor, such as the audit trail, member checks when coding, categorising or confirming results with participants, and peer debriefing.

For more insight, the criteria of reliability and validity will now be discussed, starting with the reliability criterion.

5.7.1 Reliability

In the abstract, reliability concerns the matter whether a particular technique, applied repeatedly to the same object, would yield the same result each time (Babbie & Mouton, 2001:119). In essence, reliability refers to the extent to which different researchers will discover the same phenomenon (Meriam, 1998:206). Leedy (1993:42) sees reliability as the evenness with which the measuring instrument performs. In this regard, it may be deduced that reliability

refers to the consistency of the researcher's interactive style; data recording; data analysis; and the interpretation of participants' meaning from the data.

In order to ensure reliability in this study, the following measures were put in place prior, during and after the survey:

- Training of research assistants and field workers.
- Research assistants and workers only asked respondents only about things to which the respondents were likely to know the answer.
- Research assistants and workers only asked respondents about things that were relevant to the respondents;
- The researcher conducted 'spot checks' on the research assistants and workers to establish consistency and evenness with regard to how the survey was conducted.
- The researcher conducted sample testing to verify from participants whether their responses were as captured by the research assistants and workers.

It is important to note that reliability is a necessary contributor to validity, but is not a sufficient condition for validity (Cooper & Schindler, 2001:215). Hence, validity as a criterion will now be discussed.

5.7.2 Validity

In conventional usage, the term validity refers to the extent to which an empirical measure adequately reflects the real meaning of the concept under consideration (Babbie & Mouton, 2001:122). Salkind (2001:113) defines validity as the quality of the measuring instrument doing what it is supposed to do. It is clear that validity is normally referred to as the outcome of a test or survey.

Salkind (2001:113) and Parasuraman, Grewal and Krishnan (2004:294) all describe various forms of validity that should be considered by researchers to ensure the authenticity and validity of their research instruments, namely:

- *Content validity*, which is also referred to by Babbie and Mouton (2001:122-123) as face validity; this refers to how representative the scale or instrument is of the universe of the content of the property or characteristic that is being measured. Green, Tull and Allbaum. (1993:250) assert that content validation involves using experts in the field to judge whether sufficient content regarding the topic is being covered.
- *Criterion validity*, which is established when the measure differentiates between individuals on a criterion it is expected to predict.
- *Construct validity*, which refers to how well the results obtained from the use of the instrument fit the theories around which it was designed.
- *Nomological validity*, which involves relating measurements to a theoretical model that leads to further deductions, interpretations and tests that allow constructs to be systematically interrelated.
- *Internal validity*, which refers to the freedom of researcher bias in forming conclusions in the review of collected data.
- *External validity*, which refers to the extent that conclusions made by the research can be generalised to the broader population and not merely applied to the sample studied.

Green *et al.* (1993:253) hold the view that, ultimately, researchers should strive to achieve construct validity. In this study, construct validity criteria were applied. Furthermore, the researcher applied the following considerations in order to ensure the validity of the findings or responses from respondents:

- How the variable in question ought, theoretically, to relate to other variables.
- The measures arising from the study should relate in some logical fashion to other measures.
- By regarding other similar research outcomes as sources of agreement, as well as the responses received from the subjects of the research.

5.8 ETHICAL CONSIDERATIONS

Ethical issues arise out of our interaction with other people, especially where there is potential for, or is, a conflict of interests (Babbie & Mouton, 2001:520).

Ethics is the foundation of the committed service of humankind and should not be considered a deterrent (Pera & Van Tonder, 2005:32). Ethics, therefore, could be considered an, 'ethical' means principles of conduct that are considered correct, especially those of a given profession or group. (Kumar (1999:192))

In most dictionaries and in common usage, ethics is typically associated with morality, as both deal with matters of right and wrong (Babbie & Mouton, 2001:520).

As a social researcher, one had to deal with a number of ethical obligations during the course of the study. All participants who formed part of the sample for the empirical component of the research were informed of their rights. Each participant was required to sign the informed consent form. Participants were also informed of their right to anonymity, the right to withdraw from the study at any time, without any adverse consequences, and were assured that their participation would be on a voluntary basis. Data would be presented in such a way that the identity of the respondents would not be apparent. The findings and the results of the research would be made available, at the request of the respondents.

Prior to embarking on social scientific research, the researcher needs to be aware of the general agreements among researchers about what is proper and improper in the conduct of a scientific inquiry. Babbie and Mouton (2001:520-527) summarise some of the most important ethical agreements that prevail in social research as being voluntary participation; no harm to the participants; anonymity and confidentiality; and not deceiving subjects. These agreements will now be discussed briefly.

5.8.1 Voluntary participation

By its nature, social inquiry often, though not always, represents an intrusion into people's lives. In the process, social research, moreover, often requires people to reveal personal information about themselves – information that may even be unknown to their closest friends and

associates (Babbie & Mouton, 2001:521). According to Leedy and Ormrod (2005:101), participants should be informed of the nature of the study to be conducted and given the choice of either participating or not participating.

It is clear from the above that no participant should be forced to participate in a social inquiry.

This notion, in turn, introduces the aspect of participants giving their '*informed consent*' with regard to their participation in the social inquiry. Furthermore, it may be argued that '*informed consent*' is the procedure through which participants choose whether or not to participate in an investigation, after being informed of the facts that would be likely to influence their decisions.

In complying with the voluntary participation agreement, consent for voluntary participation was sought from potential participants prior to their involvement. In addition, participants were afforded the opportunity to sign an '*informed consent*' form indicating their voluntary willingness to participate in the empirical study regarding the causes of service delivery protests in South Africa and Nelson Mandela Bay in particular.

5.8.2 No harm to participants

Social research should never injure the people being studied (Babbie & Mouton, 2001:522).

This refers to the fact that participants in a social research can be harmed psychologically in the course of the study. Social research may also force participants to face aspects of themselves that they would not normally consider. For example, the participant may be reminded of a past injustice or injury that occurred and caused harm to his/her person. In this regard, the researcher needs to apply sensitivity to issues being dealt with and ensure that harm to participants is avoided.

5.8.3 Anonymity and confidentiality

The clearest concern in the protection of the subjects' interests and wellbeing is the protection of their identity, especially in survey research (Babbie & Mouton, 2001:523). Due to this, research participants' anonymity needs to be protected and guarded. According to Burns and

Grové (1999:162), it is the freedom of the participant to determine the time, extent and general circumstance under which private information will be shared with or withheld from others.

In this study, participants were informed of this right and assured of their anonymity. As a direct attempt to comply with this agreement, no questionnaire in this study required the participants to reveal or indicate their identity.

5.8.4 Deceiving subjects

Sometimes, researchers admit that they are doing research, but are vague about why they are doing it, or for whom (Babbie & Mouton, 2001:525). Such behaviour borders on deceiving the subjects of the research. For this research, a letter was prepared and distributed to all participating participants, indicating the research topic, the researcher's particulars, the reasons for the research, and for whom it would be conducted.

5.8.5 Analysis and reporting

According to Tuckman (Taylor, 2001:247), in scientific research, personal beliefs and conditions should not be used to favour certain desired outcomes, as this constitutes bias. This means that personal perceptions should not influence research outcomes. To ensure compliance with this aspect of ethical agreement, the questions in the questionnaires were constructed in a manner that would not intentionally or unintentionally lead to bias. As a result, participants were given enough room to exercise their own judgement.

CONCLUSION

In this chapter, the research design and methodology for the study were discussed; the strategy applied was explained; and the research process was discussed. The objective of this chapter was to describe and explain the research methodology that was applied during the empirical component of this study. Aspects of the design, together with the underpinning methodology, were discussed in order to justify the quality and significance of the procedures that were applied.

The difference between research design and research methodology was highlighted and applied to this empirical study. Although sometimes confused with each other, research design and the research process/methodology are not synonymous. Research design focuses on the logic of the research and the end product, with the point of departure being the research problem or question, whilst research methodology focuses on the research process and procedures, the point of departure being the specific tasks (data collection or sampling) at hand.

The quantitative, qualitative and triangulation methods used, were also described and explained. The benefits of triangulation were highlighted and discussed. Triangulation implies that techniques are used in a parallel sense, providing overlapping information, making it possible to check results from more than one viewpoint. The methodological triangulation provides richer data by exposing information that may have remained undiscovered if a single approach had been employed.

The population sampling was also discussed, giving valid reasons why the chosen subjects were identified as respondents. Matters of ethics in research were explained as well as how they would be applied in the areas of voluntary participation, no harm or discomfort to participants, privacy, anonymity, confidentiality and informed consent.

The chapter that follows, will analyse and interpret the collected data to present the research findings in order to provide recommendations and develop a normative model that could be used in a municipal environment to address the causes of service delivery protests.

CHAPTER SIX

EMPIRICAL SURVEY AND ANALYSIS OF RESULTS

This chapter has been structured to provide a brief introduction, followed by a biographical analysis/profiling, of the research respondents (NMBM politicians and officials). After the profiling of respondents, an analysis of responses from politicians and officials in terms of the statements contained in the questionnaire will follow. Then a thematic analysis of responses from respondents will be provided. Finally, the chapter will propose a service delivery normative model, a summary and a conclusion.

6.1 INTRODUCTION

The ultimate goal of all science is the search for truth (Mouton, 2001:239); this is also the purpose of the survey undertaken in terms of this study. In this study, data was obtained from four samples, namely Mayoral Committee members and Ward Councillors; randomly selected (focus groups) informants from service delivery 'hotspots'; senior municipal officials in management positions; and public participation officials from the Nelson Mandela Bay Municipality (NMBM).

Ward Committees did not form part of this study, due to the fact that their term of office expired in 2009 and they have not been re-established in the institution ever since. As a matter of fact, although on 19 September 2013, the NMBM Council voted in favor of a process plan to establish new ward committees, the resolution has now been challenged by the main opposition party in Council (the Democratic Alliance), as well as the Congress of the People (COPE), and a court interdict is under way to block the process, citing certain irregularities, flaws and manipulation by the ANC as the main reasons behind the interdict.

The triangulation methodology was employed for the purpose of this study, with the emphasis on both quantitative and qualitative approaches. Additional data was obtained through open-ended questions posed to all four aforementioned categories of respondents.

Ultimately, all fieldwork culminates in the analysis and interpretation of some set of data, be it quantitative survey data, experimental recordings, historical and literary texts, qualitative

transcripts or discursive data (Mouton, 2001:108). In order to interpret and measure the responses from various informants, this study had to choose a scale appropriate to the objective of the study. Various scales are employed for the purposes of social research, such as the Likert Scale, the Guttman Scale, stochastic models, unfolding models, the Thurstone Scale, the Rasch Model, the Analog Scale, the Bogardus Social Distance Scale, Consensus-based Assessment, the Diamond of Opposites, the Discan scale, the F-Scale, Ipsative, the Moken scale, the Phrase Completion Scale, the ProScan Survey, the Rating Scale, rating sites, reverse coding, the Rosenberg Self-esteem Scale, satisficing, semantic differential, and the voting system (<http://www.mrc.ac.za>).

For the purpose of this survey, the Likert Scale was adopted. A Likert Scale is a psychometric scale commonly used in research that employs questionnaires (Babbie & Mouton, 2003:195). It is a bipolar scaling method, measuring either positive or negative responses to statements. The reasons for adopting the Likert Scale for this study include the fact that it is the most widely used approach to scaling responses in survey research (<http://www.surveygizmo.com/survey>); (<http://www.sociology.about.com>). Its popularity also arises from its ability to measure latent variables (<http://www.cdc.gov>). The particular value of the Likert Scale format is the unambiguous ordinality of response categories. If respondents were permitted to volunteer or select such answers as '*sort of agree*', '*pretty much agree*', and '*really agree*', the researcher would find it impossible to judge the relative strength of agreement intended by the various respondents (Babbie & Mouton, 2001:153). The Likert format resolves this problem.

A Likert item is simply a statement that the respondents are asked to evaluate according to any kind of subjective or objective criteria through which they indicate their level of agreement or disagreement (<http://www.uni-mysore.ac.in/courseworklisc/ppt/likert>).

The format of a typical five-level Likert scale item is:

1. *Strongly Disagree* (SD);
2. *Disagree* (D);
3. *Neither Disagree nor Agree*, i.e. Neutral (N);
4. *Agree* (A); and
5. *Strongly Agree* (SA) (<http://statisticscafe.blogspot.com/2011>).

The Likert Scale is a preferred scale based on its ability to measure *inter alia* latent variables. It is relatively simple to use, compared with other, more complicated, scales (<http://sociology.about.com>).

6.2 PERCENTAGE RETURN OF QUESTIONNAIRES AND FOCUS GROUP INTERVIEWS

This study was based on a total of 130 questionnaires that were issued to politicians, comprising 10 Mayoral Committee members and 60 Ward Councillors, followed by 60 municipal officials (50 senior managers and 10 public participation officials). Of the 130 administered questionnaires, a total of 56 were returned and analysed, which indicates a return rate of 43.1%. On the ten focus interviews scheduled to take place in the ten 'hotspot' areas involved in violent service delivery protests, all were successfully convened, which represents a return rate of 100%. With this kind of percentage return rate, the survey results should be considered adequate and reliable. The following histogram graphically illustrates the percentage returns per category of respondents.

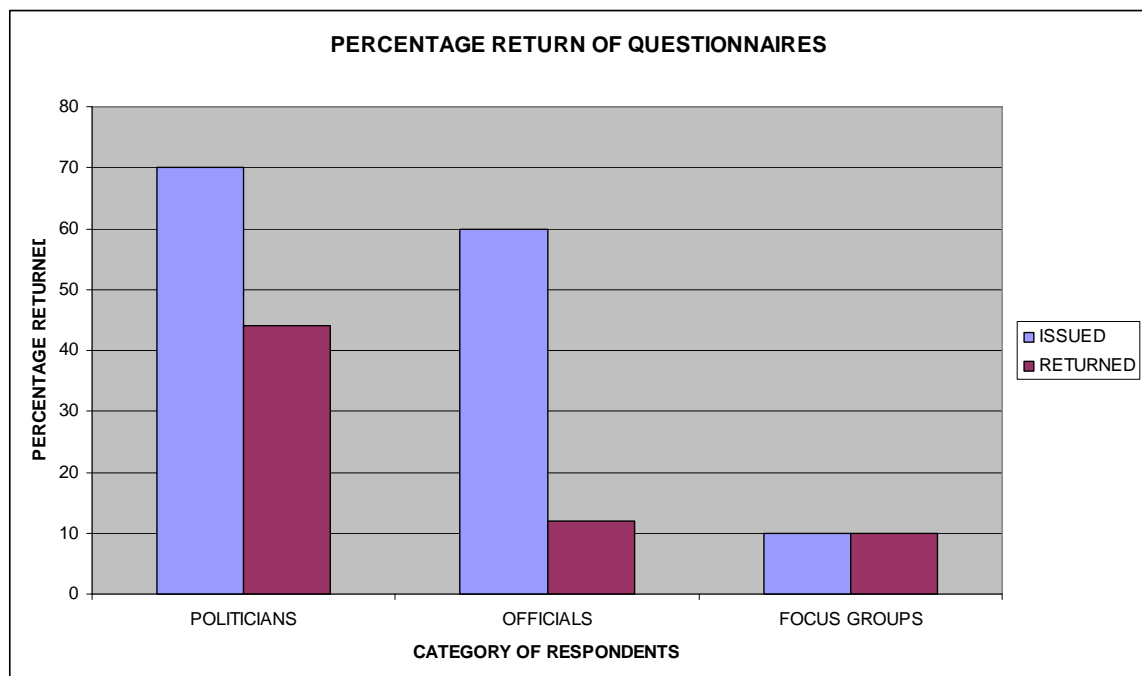


FIGURE 6.1: Percentage return on questionnaires distributed

6.3 ANALYSIS OF SURVEY DATA

The survey data has been analysed and reported in terms of the following:

- Biographical data analysis (profile of respondents);
- Responses from politicians and municipal officials; and
- Thematic analysis of responses per mother tongue, age, employment status, level of education, gender, and party-political affiliation.

The findings resulting from the above set of data analysis will be revealed hereunder.

6.3.1 Biographical data analysis (profile of respondents)

In order to get the context of the responses from all the informants who took part in this survey, it is important to conduct a biographical data analysis. The respondents' biographical information in terms of their age group, mother tongue, gender, education status, employment status and political party affiliation will be analysed in the following sections. This will assist in understanding the profile of the respondents being dealt with, as well as in linking their responses to their socio-economic background and political standpoints.

6.3.1.1 Age group analysis

Four modes of age groups were considered in this survey, namely:

Mode [1] – 18 to 35 years

Mode [2] – 36 to 45 years

Mode [3] – 46 to 55 years

Mode [4] – 56 years and above

Figure 6.2 below illustrates the statistical analysis of the age groups involved in this survey.

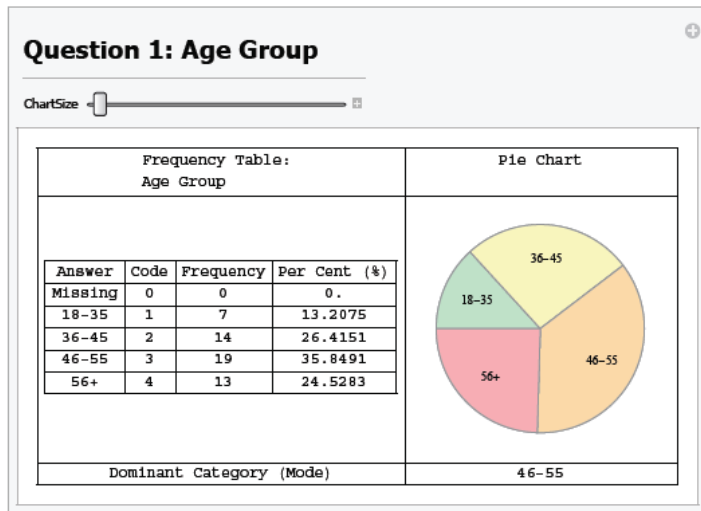


FIGURE 6.2: Age group analysis

As reflected in Figure 6.2 above, the dominant age group of the respondents was 46 – 55 years. If this group is combined with the 56+ years age group and the 36 – 45 years age group, the percentage is 86.8% of all respondents. The percentage of respondents in the 18 – 35 years age group, which is the official youth group, was only 13.2%. As discussed earlier, the youth have been the most dominant group in recent service delivery protests, also reflecting the highest unemployment rate. It is recommended that, in future, a higher percentage of this group be represented in such surveys.

6.3.1.2 Mother tongue analysis

This category considered the following four (4) mother tongue languages commonly spoken in Nelson Mandela Bay:

- Mode [1] – IsiXhosa
- Mode [2] – English
- Mode [3] – Afrikaans
- Mode [4] – Other languages

Figure 6.3 below illustrates the statistical analysis of the mother tongue groups involved in this survey.

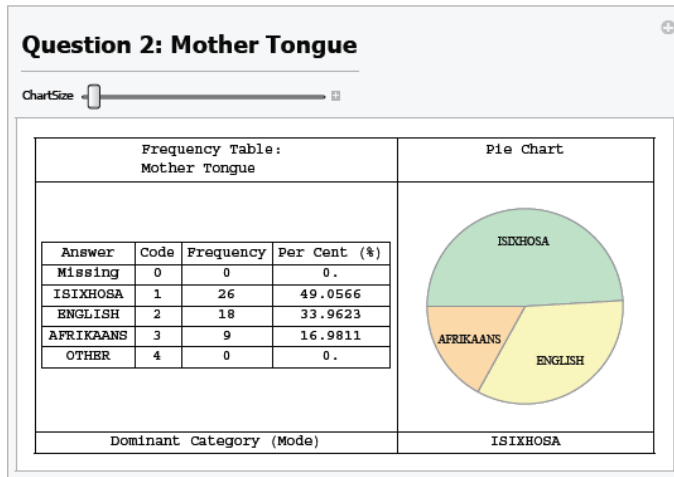


FIGURE 6.3: Mother tongue analysis

From Figure 6.3 above, it is clear that the IsiXhosa-speaking population constituted 49% of the respondents, followed by an English-speaking sample of 33.9% and a minority of Afrikaans-speaking respondents, constituting only 16% of the total informants.

6.3.1.3 Gender Analysis

The gender category comprised the following two genders:

Mode [1] – Male

Mode [2] – Female

Figure 6.4 below illustrates the statistical analysis of the gender groups involved in this survey.

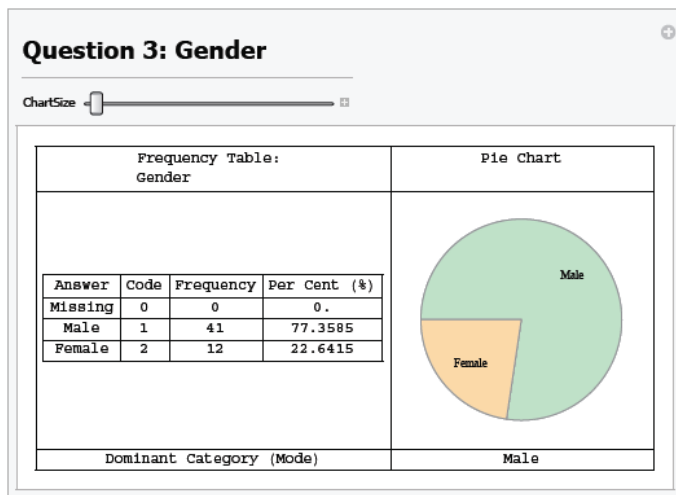


FIGURE 6.4: Gender analysis

In terms of Figure 6.4, the male percentage in the survey stood at 77.3% (females: 22.7%). This sample was somewhat skewed in terms of gender and indicates that the Municipality lags behind in gender representation in the work-place and in social democratic formations.

6.3.1.4 Educational Analysis

Figures 6.5 and 6.6 below keep the statistical analysis of the education levels of respondents involved in this survey.

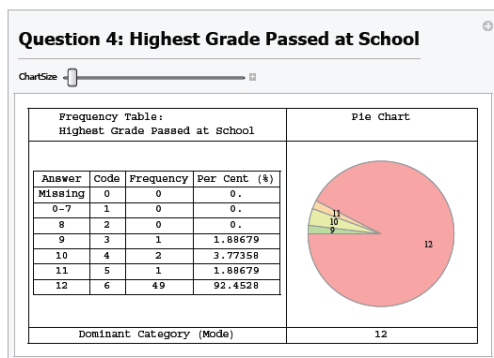


FIGURE 6.5: Highest grade passed at school

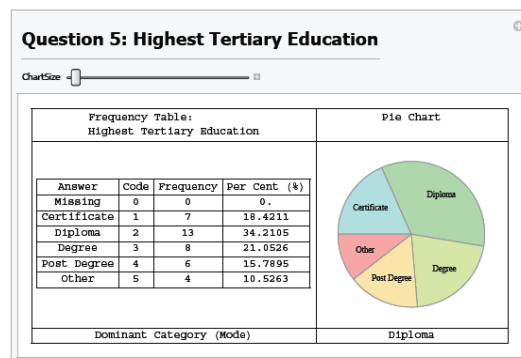


FIGURE 6.6: Highest tertiary education attained

In terms of Figures 6.5 and 6.6 above, the members of the dominant group in terms of education possessed a Grade 12 (Matric) qualification and above, with 81.6% possessing a diploma, degree or post-graduate qualification. This means that the respondents had the capacity to comprehend and contribute meaningfully to the survey, given their level of education.

6.3.1.5 Employment status

Figures 6.7 and 6.8 below illustrate the statistical analysis of the employment status of the respondents involved in this survey.

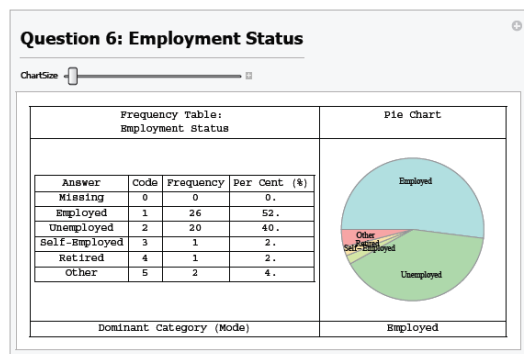


FIGURE 6.7: Employment status of respondents

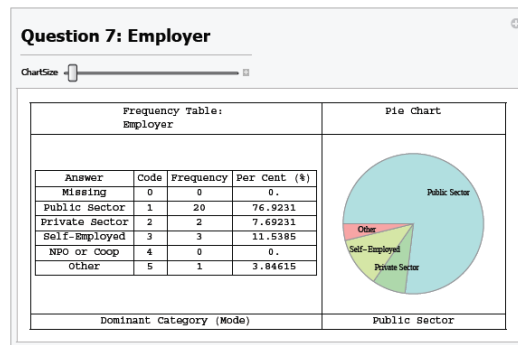


FIGURE 6.8: Employer of respondents

As illustrated in Figures 6.7 and 6.8 above, the split between the employed (52%) and unemployed (40%) offered a rare opportunity of obtaining a balanced response to matters affecting the employed and the unemployed equitably. However, it must be pointed out that amongst the employed, 76% were from the public sector, which is the sector charged with the function of service delivery to communities. The balance of 8% of informants were either self-employed or retired or an undisclosed status was indicated.

6.3.1.6 Length of service as Ward Councillor

The length of service of Ward Councillors is important, as public participation is, in terms of Sections 73 and 74 of the Municipal Structures Act, 1998, their responsibility, supported by

their Ward Committees. Figure 6.9 below presents an analysis of the length of service of the respondents involved in this survey.

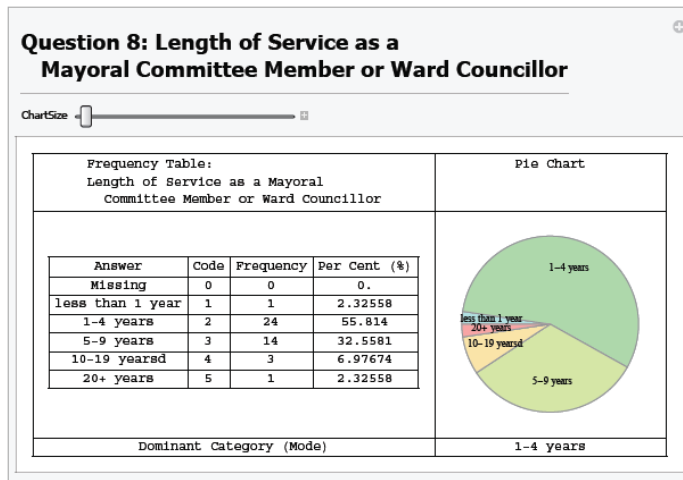


FIGURE 6.9: Length of service as Mayoral Committee member or Ward Councillor

In terms of Section 73(2)(a) of the Municipal Structures Act, 117 of 1998, Ward Councillors, as Chairpersons of Ward Committees, are responsible for ensuring public participation in matters of local government. In this regard, Councillors constitute an important link between citizens and their local authority. It can be noted from Figure 6.9 above, that 32.5% and 55.8% of the participating Councillors had served as Mayoral Committee members or Ward Councillors for periods ranging from one to nine years. As discussed in Chapter One of this study, violent service delivery protests in South African municipalities began in earnest in 2004/05, which is nine years ago. This means that those Councillors with a minimum length of service of nine years would have had first-hand experience of the complaints and issues raised during the service delivery protests and as such were expected to be in a position to respond factually to the survey questionnaires served before them.

6.3.1.7 Political party affiliation

The Council of the Nelson Mandela Bay Municipality is dominated by two political parties, namely the African National Congress (ANC) and the Democratic Alliance (DA). The rest are minority parties, as depicted in Figure 6.10 below.

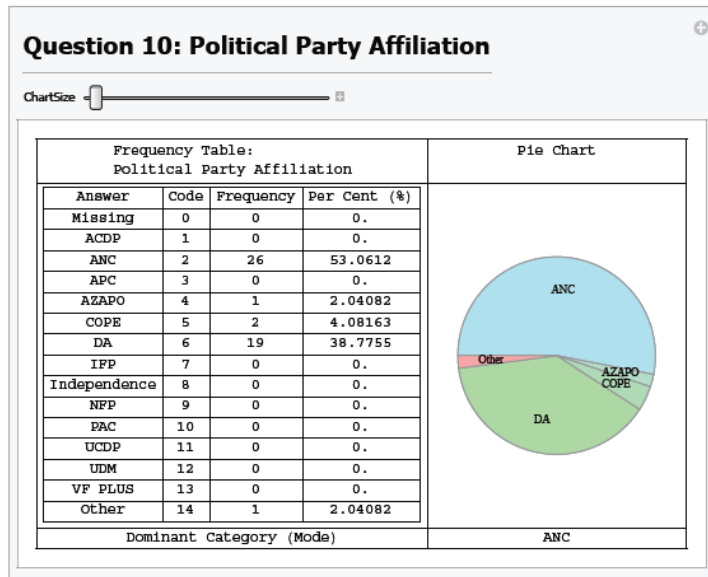


FIGURE 6.10: Party Political affiliation of respondents

According to Council meeting minutes (22 March and 28 March 2013), a party-political breakdown of the 120 Councillors in the Nelson Mandela Bay Municipality's Council is as follows:

- 63 ANC Councillors (52.5% of full Council);
- 48 DA Councillors (40% of full Council);
- 6 COPE Councillors (5% of full Council);
- 1 ACDP Councillor, 1 PAC Councillor, and 1 UDM Councillor (2.5% of full Council).

The combined percentage of opposition parties (DA, ACDP, PAC and UDM) is therefore 47.5% of full Council.

In terms of this survey sample, the respondents affiliated to the ANC constituted 53%, against the 47% of the opposition parties. This compares, correlates and mirrors well with the party-political split in Council. It may be argued that the opinions expressed in this research were not skewed to favour the perceptions of any specific political party.

6.3.2 Responses from politicians and municipal officials

Respondents were asked to indicate to what extent they agreed with the following statements, by circling the appropriate number in the Likert Scale as follows:

1. = *Strongly Disagree* (SD)
2. = *Disagree* (D)
3. = *Neutral* (N)
4. = *Agree* (A)
5. = *Strongly Agree* (SA)

6.3.2.1 Responses from politicians and officials to structured statements in questionnaire

The following structured twenty (20) statements in the questionnaire were responded to by politicians and officials:

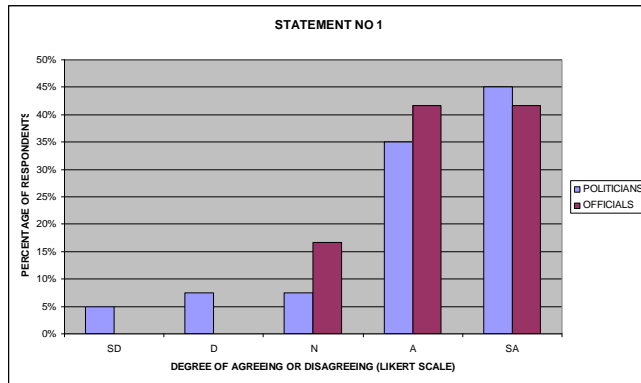
STATEMENT NO. 1

As a result of infighting and dissatisfaction within the ANC, some of its disgruntled politicians are involved in instigating service delivery protests.

TABLE 6.1

STATEMENT NO. 1

	POLITICIANS	OFFICIALS
SD	5%	0%
D	7.50%	0%
N	7.50%	16.60%
A	35%	41.70%
SA	45%	41.70%



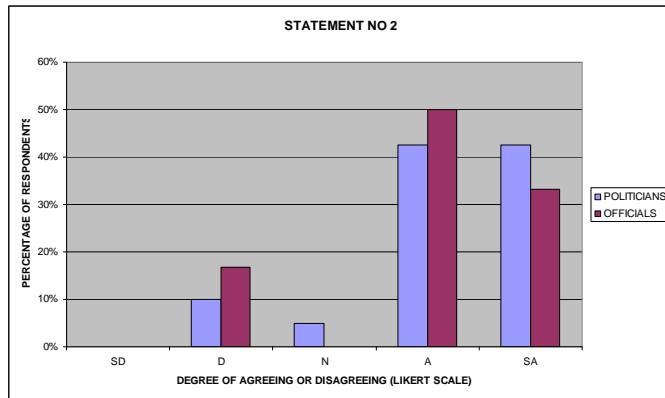
Altogether 45% of the politicians and 41.7% of the officials indicated *'Strongly Agree'* with the statement that as a result of infighting and dissatisfaction within ANC, some of its disgruntled politicians have become involved in instigating service delivery protests. Altogether 35% of the politicians and 41.7% of the officials agreed with the above statement. Combining those who indicated *'Strongly Agree'* and *'Agree'*, 80% of the politicians and 83.4% of the officials were in agreement with the above statement. Only 5% of the politicians strongly disagreed, while 0% of the officials disagreed.

STATEMENT NO. 2

The recent and ongoing service delivery protests are genuine community protests resulting from poor, slow and unsatisfactory service delivery by government.

STATEMENT NO. 2

	POLITICIANS	OFFICIALS
SD	0%	0%
D	10.00%	17%
N	5.00%	0.00%
A	43%	50.00%
SA	43%	33.30%



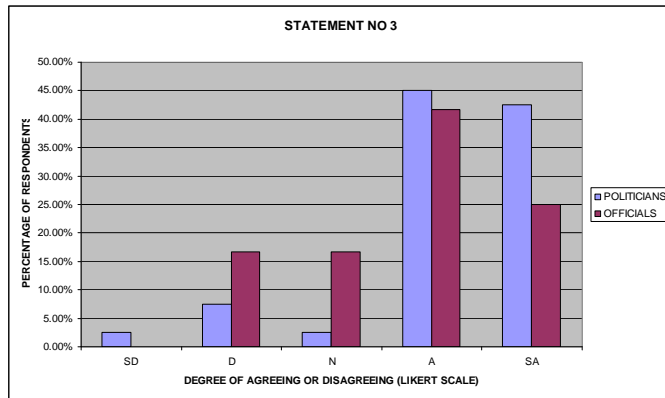
In terms of the statistical analysis, 43% of the politicians strongly agreed and a further 43% agreed with the statement that the recent and ongoing service delivery protests were genuine community protests resulting from poor, slow and unsatisfactory services delivery by government. This percentage was even higher for officials, of whom 33.3% and 50% respectively strongly agreed and agreed with the statement. Altogether, 86% of the politicians and 83.3% of the officials were in agreement with the statement. Only an insignificant minority of 10% of the politicians and 17% of the officials either disagreed or strongly disagreed with the statement.

STATEMENT NO. 3

Intergovernmental relations are not working well, that's why government cannot deliver services to the communities in an effective and efficient manner.

STATEMENT NO. 3

	POLITICIANS	OFFICIALS
SD	2.50%	0%
D	7.50%	16.70%
N	2.50%	16.60%
A	45%	41.70%
SA	42.50%	25.00%



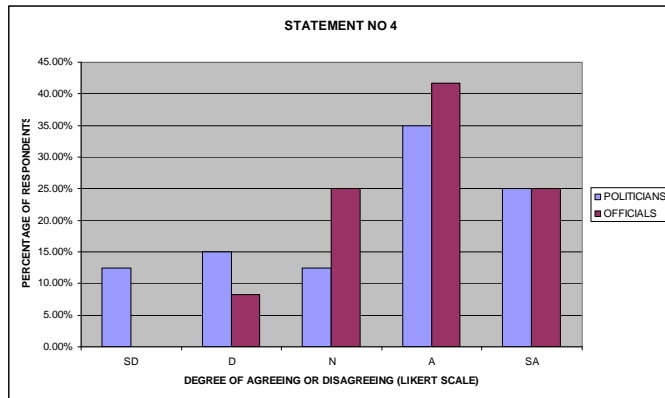
Altogether 45% and 42.5% of the politicians either agreed or strongly agreed with the statement that intergovernmental relations were not working well; that was why government could not deliver services to the communities in an effective and efficient manner. A combined 66.70% of the officials were in agreement with the statement, with 41.7% strongly agreeing. This implies a similarity in responses between politicians and officials. Only 10% of the politicians and 16.7% of the officials disagreed or strongly disagreed with the statement.

STATEMENT NO. 4

Certain political parties are involved in instigating service delivery protests in order to fulfill their own hidden agenda.

STATEMENT NO. 4

	POLITICIANS	OFFICIALS
SD	12.50%	0%
D	15.00%	8.30%
N	12.50%	25.00%
A	35%	41.70%
SA	25.00%	25.00%



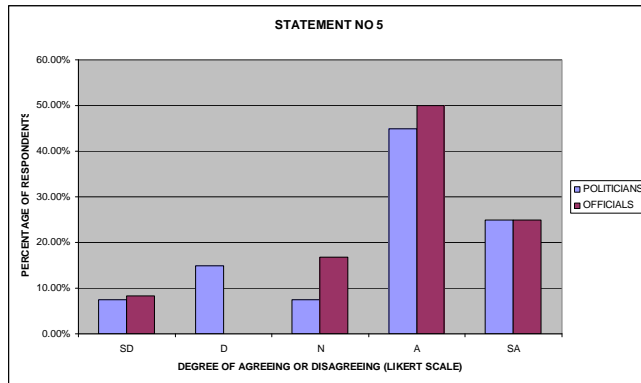
35% of the politicians agreed (A), whilst 25% strongly agreed (SA) with the statement that certain political parties were involved in instigating service delivery protests in order to fulfill their own hidden agenda. On the other hand, the same percentage of officials (25%) also strongly agreed (SA) with the statement, whilst 41.7% agreed with the statement. Therefore, a total of 60% of the politicians and 66.7% of the officials were in agreement with the statement. It is clear that the perceptions of politicians and officials on this issue were quite similar. Once again, a combined minority of 8.3% of the officials and 27.5% of the politicians were in disagreement with the statement, whilst 25% of the officials and 12.5% of the politicians remained neutral.

STATEMENT NO. 5

The legislative environment governing South African municipalities is so complex and burdensome that it stifles timeous service delivery to the communities.

STATEMENT NO. 5

	POLITICIANS	OFFICIALS
SD	7.50%	8.30%
D	15.00%	0.00%
N	7.50%	16.70%
A	45%	50.00%
SA	25.00%	25.00%



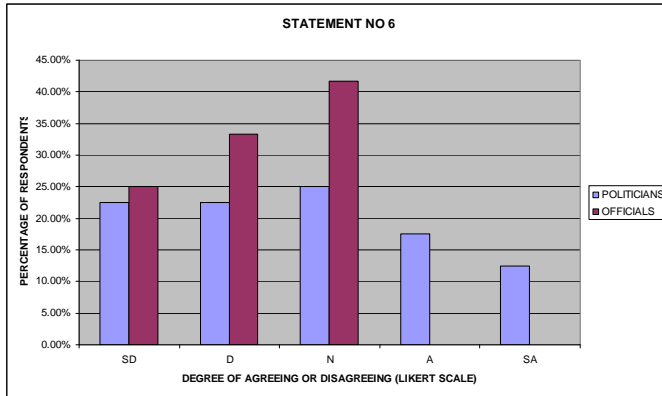
Altogether 70% of the politicians either agreed (45%) or strongly agreed (25%) with the statement that the legislative environment governing South African municipalities was so complex and burdensome that it stifled timeous service delivery to the communities, whilst 50% of the officials agreed and 25% strongly agreed. This implies a total of 75% of the officials in agreement with the statement. Once more, only a minority of 8.3% of the officials and 22.5% of the politicians either disagreed or strongly disagreed with the statement.

STATEMENT NO. 6

The recent service delivery protests that have rocked South African municipalities are the work of a "Third Force" seeking to destabilise the government.

STATEMENT NO. 6

	POLITICIANS	OFFICIALS
SD	22.50%	25.00%
D	22.50%	33.30%
N	25.00%	41.70%
A	17.50%	0.00%
SA	12.50%	0.00%



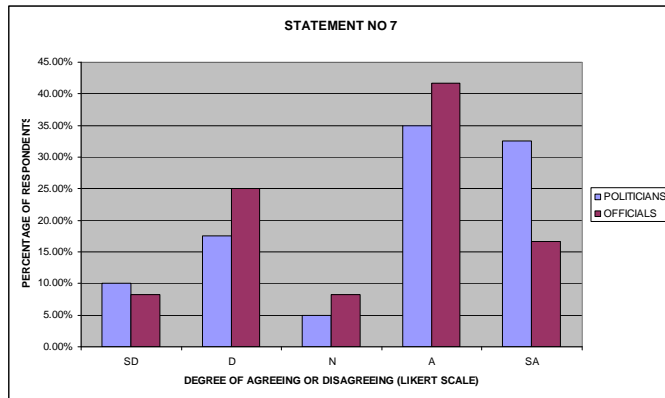
One of the suspicions surrounding the motive behind service delivery protest has been the possibility of a 'Third Force' element. In this regard, 22.5% of the politicians strongly disagreed while 22.5% disagreed with the statement that the recent service delivery protests that rocked South African municipalities were the work of a 'Third Force' seeking to destabilise the government. On the same score, a higher percentage of officials, i.e. 25%, strongly disagreed, while 33.3% disagreed with the statement. Therefore, a combined 45% of the politicians and 58% of the officials were in disagreement with the statement. A large number of officials (41.7%) remained neutral, whilst 25% of the politicians also remained neutral. None of the officials (0%) were in agreement with the statement, whereas 30% of the politicians were in agreement with the statement.

STATEMENT NO. 7

South African municipalities do not have the necessary technical and other skills or capacity to render public services to its communities.

STATEMENT NO. 7

	POLITICIANS	OFFICIALS
SD	10.00%	8.30%
D	17.50%	25.00%
N	5.00%	8.30%
A	35.00%	41.70%
SA	32.50%	16.70%



The National Development Plan (Vision 2013) has identified the lack of capacity in municipalities and the rest of the public sector as a cause for failure in service delivery to the citizens (Manuel, 2011:380).

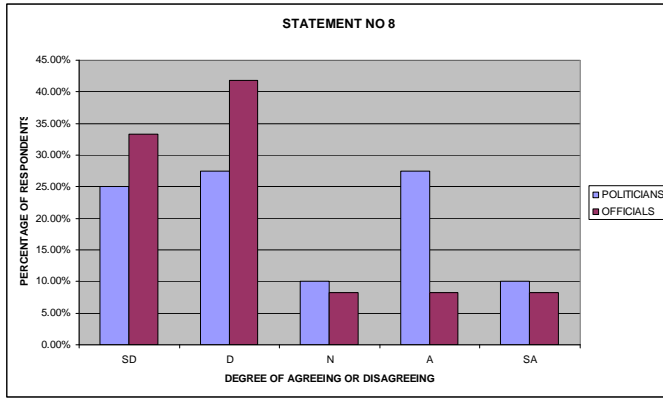
In this regard, a combined total of 67.5% of the politicians either agreed or strongly agreed with the statement that South African municipalities did not have the necessary technical and other skills or the capacity to render public services to its communities, whilst a combined 58.4% of the officials either agreed or strongly agreed with the statement. It is interesting to note that 41.7% of the officials agreed with the notion that municipalities lacked the necessary skills and capacity to deliver services, whilst only 30% of the politicians agreed with the statement.

STATEMENT NO. 8

The Nelson Mandela Bay Municipality is well governed and is rightly poised to deliver services to its communities.

STATEMENT NO. 8

	POLITICIANS	OFFICIALS
SD	25.00%	33.30%
D	27.50%	41.80%
N	10.00%	8.30%
A	27.50%	8.30%
SA	10.00%	8.30%



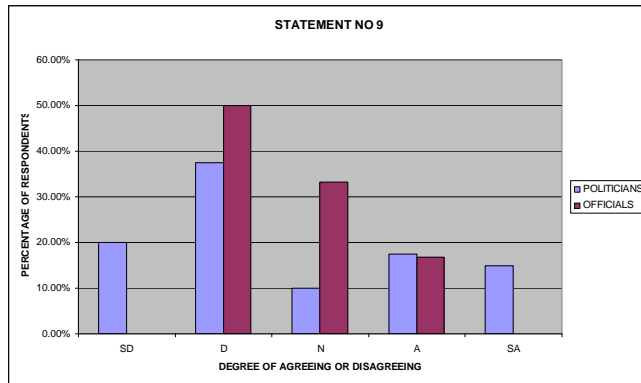
More than half of the politicians (52.5%) either strongly disagreed or disagreed with the statement that the Nelson Mandela Bay Municipality was well governed and rightly poised to deliver services to its communities, whilst more than three quarters (75.1%) of the officials either disagreed (41.8%) or strongly disagreed (33.3%) with the statement. It is, therefore, clear that the participating municipal officials did not think that the Municipality was well governed as a service delivery institution.

STATEMENT NO. 9

Communities in Nelson Mandela Bay are well informed and participate fully in the matters of the Municipality.

STATEMENT NO. 9

	POLITICIANS	OFFICIALS
SD	20.00%	0.00%
D	37.50%	50.00%
N	10.00%	33.30%
A	17.50%	16.70%
SA	15.00%	0.00%



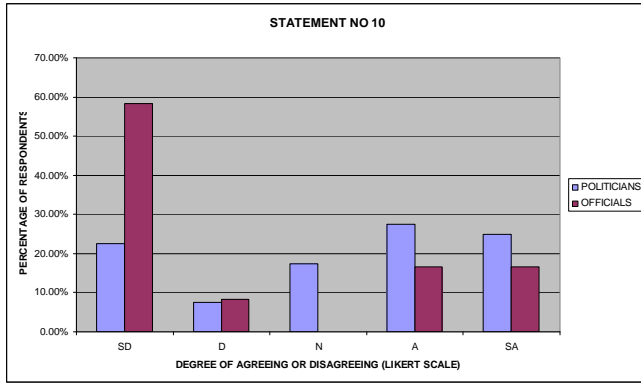
A combined 57.5% of the politicians and 50% of the municipal officials either strongly disagreed or disagreed with the statement that communities in Nelson Mandela Bay were well informed and participated fully in the matters of their Municipality. Conversely, a combined 32.5% of the politicians and only 16.7% of the officials either strongly agreed or agreed with the statement. Altogether 10% of politicians and 33% of officials remained neutral. It can therefore be deduced that the majority of NMBM politicians and officials believed that the communities in the Nelson Mandela Bay Municipality were not well informed and that these communities did not fully participate in the matters of their Municipality.

STATEMENT NO. 10

Ward Committees in the Nelson Mandela Bay Municipality are effective vehicles for public participation and involvement in matters of their local government.

STATEMENT NO. 10

	POLITICIANS	OFFICIALS
SD	22.50%	58.30%
D	7.50%	8.30%
N	17.50%	0.00%
A	27.50%	16.70%
SA	25.00%	16.70%



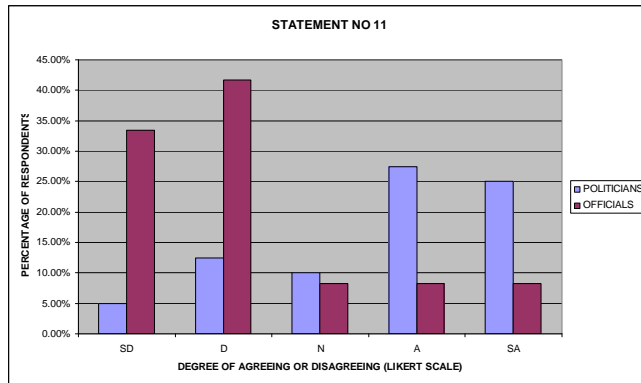
Whilst politicians were in agreement (25% strongly agreed and 27.5% agreed) with the statement that Ward Committees in the Nelson Mandela Bay Municipality were effective vehicles for public participation and involvement in matters of their local government, a contrary view was expressed by the officials: 58.3% of the officials strongly disagreed and 8.3% disagreed with the statement. Municipal officials and politicians therefore held opposite views on the effectiveness of Ward Committees as vehicles for public participation. Ward Committees in the NMBM ceased to exist from 2009 to date (2013), and this state of affairs could have influenced the perceptions of officials and politicians either way.

STATEMENT NO. 11

Ward Councillors in the Nelson Mandela Bay Municipality are doing a good job in involving and informing their communities regarding development issues around them.

STATEMENT NO. 11

	POLITICIANS	OFFICIALS
SD	5.00%	33.40%
D	12.50%	41.70%
N	10.00%	8.30%
A	27.50%	8.30%
SA	25.00%	8.30%



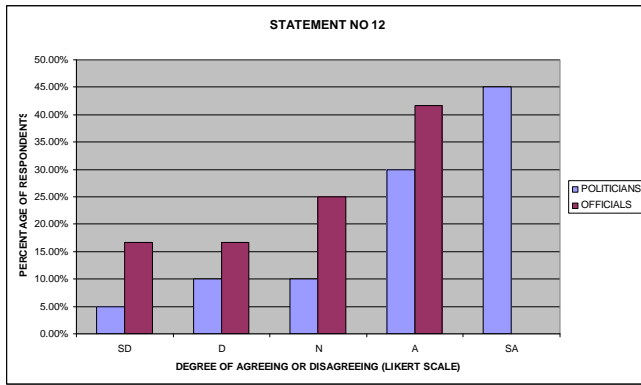
Once again, the responses of municipal officials and politicians were contrary regarding the statement that Ward Councillors in the Nelson Mandela Bay Municipality were doing a good job in involving and informing their communities regarding developmental issues around them. Altogether 52.5% of the politicians either strongly agreed (25%) or agreed (27.5%) with the statement, whilst a total of 75.1% of the officials disagreed with the statement (41.7% strongly disagreed and 33.4% disagreed). The high percentage of agreement with the statement by Ward Councillors could have been influenced by the fact that they could have been reluctant to express a negative view on themselves. They could have expressed a subjective view, instead of an objective view.

STATEMENT NO. 12

One of the root causes of service delivery protests is corruption in housing delivery in the Nelson Mandela Bay Municipality.

STATEMENT NO. 12

	POLITICIANS	OFFICIALS
SD	5.00%	16.70%
D	10.00%	16.60%
N	10.00%	25.00%
A	30.00%	41.70%
SA	45.00%	0.00%



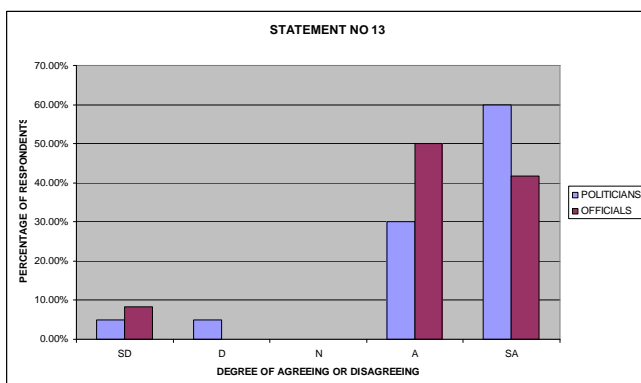
Altogether 45% of the politicians strongly agreed and 30% agreed (total of 75%) with the statement that one of the root causes of service delivery protests was corruption in housing delivery in the Nelson Mandela Bay Municipality. In this regard, 41.7% of the officials agreed with the statement, while 25% remained neutral and 33.3% disagreed with the statement.

STATEMENT NO. 13

The root causes of service delivery protests include lack of housing and other public amenities like water, electricity, sanitation, refuse removal and roads.

STATEMENT NO. 13

	POLITICIANS	OFFICIALS
SD	5.00%	8.30%
D	5.00%	0.00%
N	0.00%	0.00%
A	30.00%	50.00%
SA	60.00%	41.70%



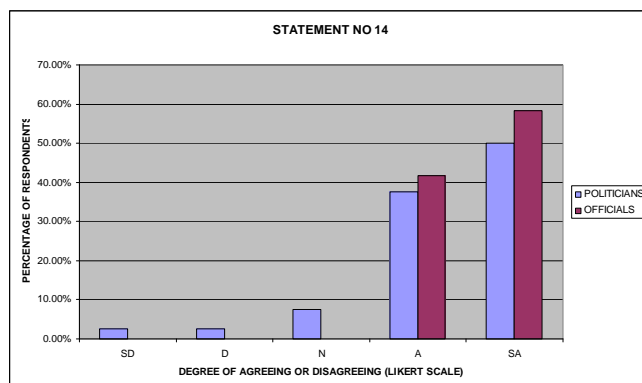
90% of the politicians were in agreement (60% strongly agreed, while 30% agreed), with the statement that the root causes of service delivery protests included a lack of housing and other public amenities like water, electricity, sanitation, refuse removal and roads. Altogether 91.7% of the officials agreed with the statement (50% agreed and 41.7% strongly agreed). This was the highest frequency/percentage expressed in the survey thus far, indicating the ranking of the causes of service delivery protests. With politicians recording a percentage of 90% and officials a percentage of 91.7% in agreement, it is clear that the politicians and officials agreed that the lack of housing and other public amenities and services, such as water, electricity, sanitation and refuse removal, was the main cause of service delivery protests.

STATEMENT NO. 14

Unless the problem of poverty and hunger are addressed, service delivery protests will continue unabated, especially in poor communities.

STATEMENT NO. 14

	POLITICIANS	OFFICIALS
SD	2.50%	0.00%
D	2.50%	0.00%
N	7.50%	0.00%
A	37.50%	41.70%
SA	50.00%	58.30%

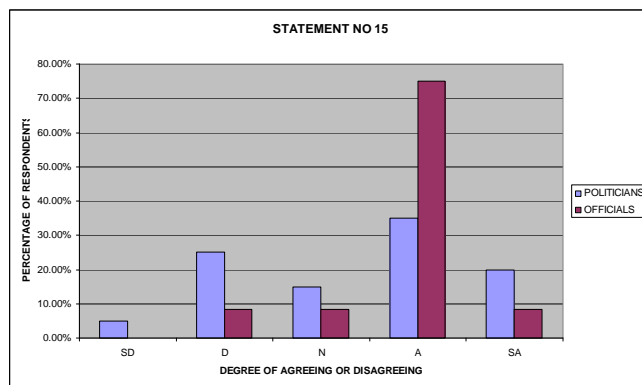


STATEMENT NO. 15

Communities in the Nelson Mandela Bay Municipality are not well-informed about the development plans of government or the Municipality.

STATEMENT NO. 15

	POLITICIANS	OFFICIALS
SD	5.00%	0.00%
D	25.00%	8.30%
N	15.00%	8.30%
A	35.00%	75.00%
SA	20.00%	8.40%

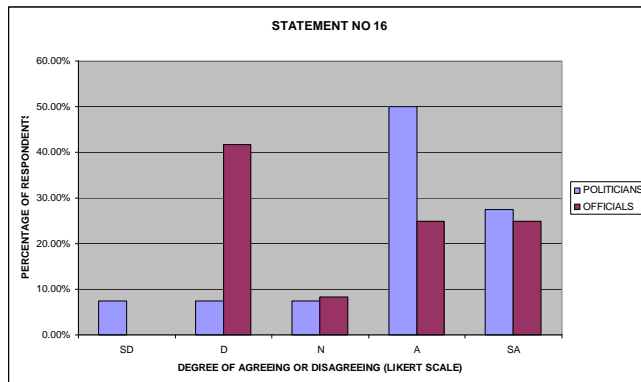


STATEMENT NO. 16

The Integrated Development Plan (IDP) and Budget of the Municipality is informed by the needs of the communities.

STATEMENT NO. 16

	POLITICIANS	OFFICIALS
SD	7.50%	0.00%
D	7.50%	41.70%
N	7.50%	8.30%
A	50.00%	25.00%
SA	27.50%	25.00%



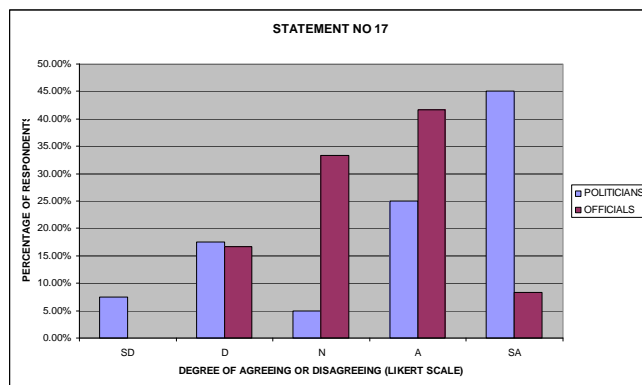
In order to meet community needs, you need to know from them what their needs are (<http://www.sairr.org.za/services/publications>). In this regard, the Integrated Development Plan (IDP) of a municipality ought to be an expression of the needs of the communities in that municipality. In this research, 50% of the politicians agreed with the statement that the Integrated Development Plan (IDP) and budget of the Municipality were informed by the needs of the communities. Altogether 77.5% of the politicians strongly agreed, with a total percentage of 77.5% of politicians in agreement with the statement. The combined percentage of the officials that either strongly agreed (25%) or agreed (25%) was 50%. Almost the same percentage (41.7%) of the officials disagreed, whilst 8.3% remained neutral. In this case it is apparent that the officials were divided on whether or not the NMBM's IDP and Budget were informed by community needs. This is an interesting finding, due to the fact that officials are administratively responsible for organising IDP sessions and Budget compilation. It follows, therefore, that due to the divergent views expressed by politicians and officials on the statement, there is a need for a combined session between politicians and officials to discuss matters related to IDP and Budget compilation and implementation.

STATEMENT NO. 17

The recent protests are a sign of the communities, declining confidence in the capacity of the ANC-led government to deliver services to the people.

STATEMENT NO. 17

	POLITICIANS	OFFICIALS
SD	7.50%	0.00%
D	17.50%	16.70%
N	5.00%	33.30%
A	25.00%	41.70%
SA	45.00%	8.30%



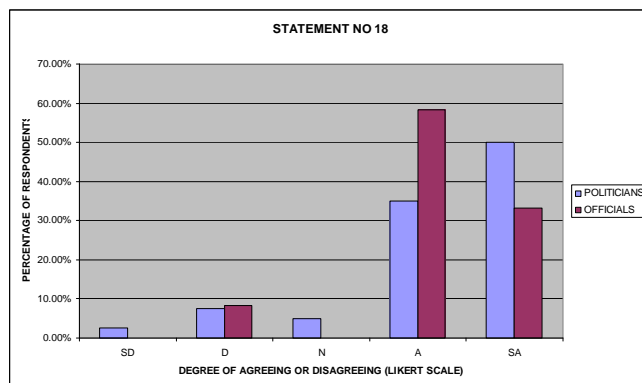
Altogether 70% of the politicians (45% strongly agreed and 25% agreed) were in agreement with the statement that the recent protests were a sign of the communities' declining confidence in the capacity of the ANC-led government to deliver services to the people. A combined 50% of the officials were in agreement with the statement, whilst 33.3% remained neutral. Bearing in mind that the ANC was the majority party in the NMBM Council and the fact that the majority of Ward Councillor respondents in this study were ANC supporters, this finding indicates a genuine admission by the ANC that community confidence in its capacity to deliver services in government was on the decline.

STATEMENT NO. 18

The recent service delivery protests are due to the unfulfilled promises made by politicians during recent national and local government elections.

STATEMENT NO. 18

	POLITICIANS	OFFICIALS
SD	2.50%	0.00%
D	7.50%	8.40%
N	5.00%	0.00%
A	35.00%	58.30%
SA	50.00%	33.30%



In this category, politicians and officials seemed to express a similar opinion. Altogether 85% of the politicians (50% strongly agreed and 35% agreed) that the recent service delivery protests were due to the unfulfilled promises made by politicians during recent national and local government elections. At the same time, an overwhelming 91.6% of the officials were in agreement with the statement (33.3% strongly agreed and 58.3% agreed).

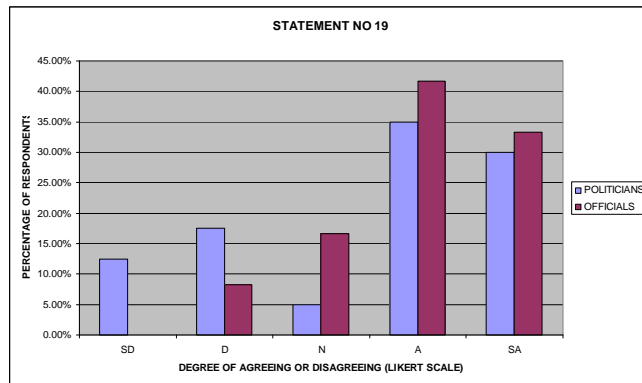
It is clear that the unfulfilled promises made by politicians during election periods have played a role in triggering service delivery protests.

STATEMENT NO. 19

The recent service delivery protests took place mainly in informal settlements.

STATEMENT NO. 19

	POLITICIANS	OFFICIALS
SD	12.50%	0.00%
D	17.50%	8.30%
N	5.00%	16.70%
A	35.00%	41.70%
SA	30.00%	33.30%



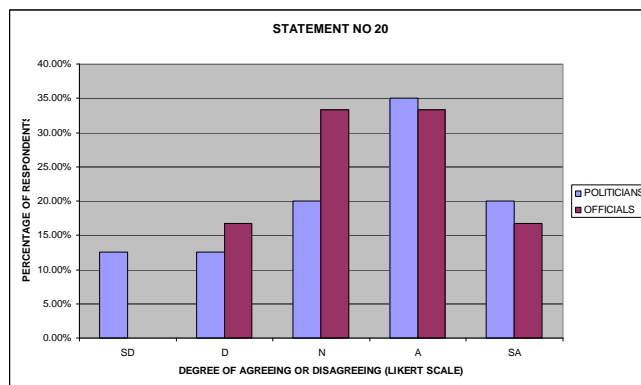
Altogether 85% of the politicians were in agreement with the statement that the recent service delivery protests took place mainly in informal settlements. Similarly, a combined 75% of the officials were in agreement with the statement.

STATEMENT NO. 20

The recent wave of service delivery protests were orchestrated by certain disgruntled ANC politicians who had their own hidden agendas.

STATEMENT NO. 20

	POLITICIANS	OFFICIALS
SD	12.50%	0.00%
D	12.50%	16.70%
N	20.00%	33.30%
A	35.00%	33.30%
SA	20.00%	16.70%



A combined total of 55% of the politicians agreed (20% strongly agreed and 35% agreed) with the statement that the recent wave of service delivery protests was orchestrated by certain disgruntled ANC politicians who had their own hidden agendas. The officials were more pessimistic in responding to the statement, with only 16% in strong agreement and 33.3% agreeing, making a total of 49.3%. A combined 25% of the politicians and 16.7% of the officials were in disagreement with the statement. Altogether 20% of the politicians and 33.3% of the officials remained neutral. It could be deduced that a higher percentage of politicians and officials were in agreement with the statement, although not with a decisive margin.

SUMMARY

In summary, the findings of this study revealed some strong views, weak views and indecisive views on the statements posed to respondents as follows:

- a) Politicians and municipal officials expressed strong views in agreeing with the following statements:
- That as a result of infighting and dissatisfaction within the ANC, some of its disgruntled politicians are involved in instigating service delivery protests;
 - That the recent and ongoing service delivery protests are genuine community protests resulting from poor, slow and unsatisfactory service delivery by government;
 - That the recent wave of service delivery protests was orchestrated by certain disgruntled ANC politicians who had their own hidden agendas;
 - That the legislative environment governing South African municipalities is so complex and burdensome that it stifles timeous service delivery to the communities;
 - That one of the root causes of service delivery protests is corruption in housing delivery in the Nelson Mandela Bay Municipality;
 - That the root causes of service delivery protests include lack of housing and other public amenities like water, electricity, sanitation, refuse removal and roads;
 - That unless the problem of poverty and hunger are addressed, service delivery protests will continue unabated, especially in poor communities;
 - That communities in the Nelson Mandela Bay Municipality are not well informed about the development plans of government or the municipality;
 - That the recent protests are a sign of the communities' declining confidence in the capacity of the ANC-led government to deliver services to the people;
 - That the recent service delivery protests are due to the unfulfilled promises made by politicians during recent national and local government elections;
- and

- That the recent service delivery protests took place mainly in informal settlements.

Both politicians and officials disagreed with the following statements:

- That the Nelson Mandela Bay Municipality is well governed and is rightly poised to deliver services to its communities; and
- That the Integrated Development Plan (IDP) and budget of the Municipality are informed by the needs of the communities.

b) There were weak views from politicians and officials in agreeing:

- That intergovernmental relations are not working well; and that is why government cannot deliver services to the communities in an effective and efficient manner;
- That certain political parties are involved in instigating service delivery protests in order to fulfil their own hidden agenda; and
- That South African municipalities do not have the necessary technical and other skills or capacity to render public services to their communities.

c) Politicians and officials had divergent if not opposite views regarding the following statement:

- That Ward Councillors in the Nelson Mandela Bay Municipality are doing a good job in involving and informing their communities regarding development issues around them.

The politicians' responses indicated agreement, while the officials' responses indicated mainly disagreement:

d) Furthermore, regarding the following statement, the responses from both politicians and officials remained close to neutral, but slightly on the disagreeing side:

- That the recent service delivery protests that rocked South African Municipalities were the work of a 'Third Force' seeking to destabilise the government;
- That Ward Committees in the Nelson Mandela Bay Municipality are effective vehicles for public participation and involvement in matters of their local government.

It must be noted that the responses regarding the effectiveness of Ward Committees in the NMBM could have been influenced by the non-existence of such committees in the institution since 2009 to date (2013).

6.3.2.2 Responses from Politicians and Officials to open-ended questions

The set of questionnaires administered to politicians and officials did not comprise quantitative questions only; they also contained open-ended questions of a qualitative nature. Therefore, in the section that follows, the responses of officials and politicians to the open-ended questions will be analysed to further determine their opinions on the causes of service delivery protests, as well as what they perceived government should do to address service delivery challenges.

The category of politicians comprised Mayoral Committee members and Ward Councillors from the NMBM. In terms of Section 8(g) of the Municipal Structures Act, 117 of 1998, the Nelson Mandela Bay Municipality is a Category A Municipality with an Executive system, combined with a ward participatory system. In this regard, the Executive Mayor, with his Portfolio Chairpersons of municipal service delivery directorates, has powers delegated to them by Council to take certain decisions, on which the Mayor must report to Council, and in certain matters, make recommendations to Council for final resolutions. The Ward Councillors and Ward Committees, on the other hand, have the responsibility to ensure community participation in the matters of service delivery by their local government, as prescribed in Sections 72-74 of the Municipal Structures Act, 117 of 1998. In terms of Council agenda of 19 September 2013, NMBM Ward Committees ceased to exist in 2009, and it is only now that efforts are underway to re-establish them.

Furthermore, in the public sector, it is the task of the elected political representatives, in close collaboration with the appointed officials, to effect active arrangements to promote the general

welfare of the citizens by rendering effective and efficient public services (Meiring, 2001:36). It is therefore clear that politicians have governing functions, while public officials have administrative functions.

In the above regard, the opinions of Ward Councillors, Mayoral Committee members and senior municipal officials are important in determining the causes of service delivery protests and the possible solutions thereto, as well as the strengths, weaknesses, opportunities and threats facing the Municipality.

OPEN-ENDED QUESTIONS

- 1) *In your opinion, what do you think are the reasons behind the service delivery protests in the Nelson Mandela Bay Municipality? Can you please rank them in a descending order of importance?*

The responses from politicians and officials unanimously identified the following reasons:

- Lack of or slow delivery of houses and associated public amenities to residents.
- High rate of unemployment.
- Empty promises made by politicians during elections.
- Poor communication and poor public participation and consultation.
- Poor management of human and financial resources of the Municipality.

There was also a minority view, citing the following reasons:

- Instigation by political forces, to make the Metro (NMBM) ungovernable through infighting.
- Lack of projects to create employment.
- Community dependence on government for its livelihood.

- 2) *Why do you think the government is failing in delivering adequate services to its citizens in the Nelson Mandela Bay Municipality?*

The responses from politicians and officials unanimously identified the following reasons:

- Lack of political will.
- Budget constraints at municipal sphere of government.
- Non-alignment of the IDP and Budget.
- Lack of capacity in the municipal administration.
- Complex legislative environment inhibiting/stifling service delivery.
- Political instability.

There was also a minority view citing the following as causes of government failure to deliver services:

- Political cadre deployment; and
- Inability to address fraud and corruption, fruitless and wasteful expenditure.

3) *In your opinion, what should the Municipality and government do to address community's concerns raised in service delivery protests in the Nelson Mandela Bay Municipality?*

The responses from politicians and officials unanimously identified the following actions:

- Appoint a permanent Municipal Manager and heads of departments (Executive Directors).
- Upscale meaningful public participation and consultation.
- Establish ward committees as vehicles for public participation in the NMBM.
- Increase the financial base of the Municipality.

There was also a minority view that government should employ skilled project managers if it were to deliver effective and efficient services to its communities.

4) *Allegations of corruption, nepotism and poor governance could be some of the causes for service delivery protests. Do you agree with this statement?*

The responses from politicians and officials to this statement were unanimous:

- Altogether 93% agreed and strongly agreed with the above statement that corruption, nepotism and poor governance could be some of the causes of service delivery protests.
- Altogether 7% either disagreed or partly agreed with the above statement that corruption, nepotism and poor governance could be some of the causes of service delivery protests.

The following are some of the 'partly agreeing' responses given by certain Ward Councillors:

"I agree to the extent that there is allegations to that effect."

Another respondent reported the following:

"Not directly; however, indirectly these factors play a role when it comes to the allocation of funds and therefore manifests itself in a lack of adequate services, which leads to service delivery protests."

5) *Are there any other comments you might wish to make?*

The comments of the vast majority included the following:

- Service delivery protests were in the main a genuine effort by communities to express their dissatisfaction with the slow pace or lack of service delivery, although the perception of some participants was that some of the protests had been staged by a political faction.
- There is a need to root out corruption in housing delivery.

The above comments are supported by the following verbatim quotations from respondents:

"I believe that some of the service delivery protests that we have experienced are true protests aimed at notifying government of issues, and others were instigated by political factions within the ruling party"

.The following minority view was also expressed by one respondent:

"Council consists of nearly half non-ANC Councillors, but our skills and ideas are not seriously utilised, because of party-political lines."

STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS (SWOT) ANALYSIS OF THE NELSON MANDELA BAY MUNICIPALITY BY POLITICIANS

From the questionnaires completed by Mayoral Committee members and Ward Councillors, the following strengths, weaknesses, threats and opportunities of the NMBM were highlighted:

Strengths: The following are the strengths of the Municipality, as revealed by politicians in their responses:

- The Municipality still has loyal and competent officials, especially in the technical directorates.
- In the midst of political instability, a resilient group of officials has managed to provide infrastructure and electrical services, as well as housing

Some minority views on the strengths of the Municipality highlighted the following aspects:

- The Municipality has competent politicians and officials
- The NMBM is spending money in poor wards

Weaknesses: The following are the weaknesses of the Municipality, as revealed by politicians in their responses:

- Inadequate public participation.
- Poor management of human and financial resources.
- Municipality as a Category A Municipality has not established ward committees since 2009, which limits public participation and consultation.
- Poor debt collection, especially rates, taxes and services charges owed to it by provincial and other government departments.

- The Municipality has a plethora of leases that have expired; some Lessees pay as little as R2 per month.
- Lack of permanent competent Municipal Manager and qualified Executive Directors.
- Political infighting, causing institutional instability.

Opportunities: The following are the opportunities within the Municipality, as revealed by the politicians in their responses:

- The Municipality can be efficient by redirecting its resources from its non-core mandate to core service delivery functions.
- The Municipality has vast parcels of land, which it can either sell to improve its financial position or use for low-cost housing development.
- The Municipality can update its land and facilities leases to market rates, and thereby raising funds for service delivery.

There was also a minority view expressed in terms of the opportunities available to the NMBM:

- Get rid of political appointees in the NMBM organogram.
- The NMBM can still be the best municipal Council in South Africa.

Threats: The following are the threats facing the Municipality, as revealed by the politicians in their responses:

- Infighting within the ruling party (ANC), which gives rise to political instability.
- Weak financial position, with no clear plan to rebuild its financial base for service delivery purposes.
- High rates and taxes and tariffs.
- Plethora of court cases and litigations in which the municipality is a defendant.
- Qualified audit in the 2011/12 financial year and possible qualification in the 2012/13 financial year.
- The ongoing violent service delivery protests, in which properties have been damaged and in some instances, innocent lives have been lost.
- Lack of will to recruit and fill the positions of heads of departments (Executive Directors) and Municipal Manager.

In the above regard, it is evident from the profile of respondents that most who indicated that they agreed that the causes of service delivery protests were lack of service delivery, especially human settlements, ineffective public participation, political instability, high levels of poverty and unemployment and lack of good governance in the NMBM, including weak intergovernmental relations, were the unemployed and the youth (especially females) living in informal settlements. Matters of corruption and poor intergovernmental relations featured in the context of their negative impact on the speedy delivery of services, especially the provision of human settlements.

The next paragraph will indicate thematic responses from politicians and officials in respect of the themes drawn from the questionnaire, as explained below.

6.3.3 Thematic responses from politicians and officials in terms of their mother tongue, gender, employment status and education

It became clear from the participants' responses that their narratives revealed common patterns about the causes of service delivery protests in South African municipalities, as illustrated hereunder. The program used in the analysis and modeling of findings is a new one, and as such a description of how it works precedes the actual thematic findings.

6.3.3.1 Description of the "Box and Whisker" Computer Programme used in analysis

A new software programme at the Statistics Department of the Nelson Mandela Metropolitan University was employed in the analysis of field data and the interpretation of findings. The software makes provision for statistics such as box whiskers, p-value, histograms and graphs:

HISTOGRAMS AND GRAPHS

The histograms applied in the software are similar to those in conventional programs; the only difference is that they are linked directly to the Likert Scale, as in the following example:

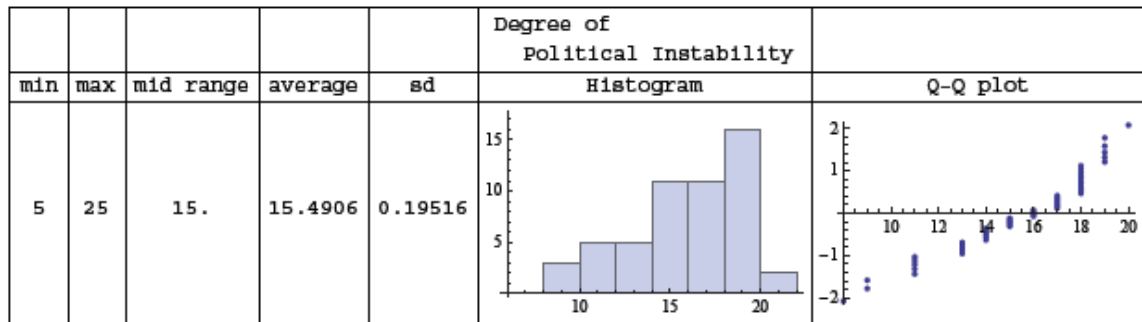


FIGURE A: Histograms and graphs employed in computer program in this study

The minimum score indicated as 5 in the above graph refers to *Strongly Disagree* (SD) in the Likert Scale, whilst the maximum score of 25 indicates *Strongly Agree* (SA). The mid-range score of 15 indicates *Neutral* (N) in the Likert Scale. The average score indicated, is the average score of a group (e.g. politicians or officials, males or females). It is then the role of the one interpreting the results to judge the extent to which the average score leans towards *Neutral* (N) or *Strongly Disagree* (SD) or *Strongly Agree* (SA) and make a determination/interpretation in terms of the Likert Scale.

For example, in the above figure, from the average score of 15.4906 versus a *neutral* (N) of 15 and *Strongly Disagree* (SD) of 5 and *Strongly Agree* (SA) of 25, it is evident that the score is leaning slightly towards the *Agreeing* side (A), but still too close to *Neutral*. It could then be ruled out that the score was more *Neutral* (N) than *Agree* (A).

BOX WHISKERS GRAPHS

The following "Box Whisker" graph is associated with Figure A above

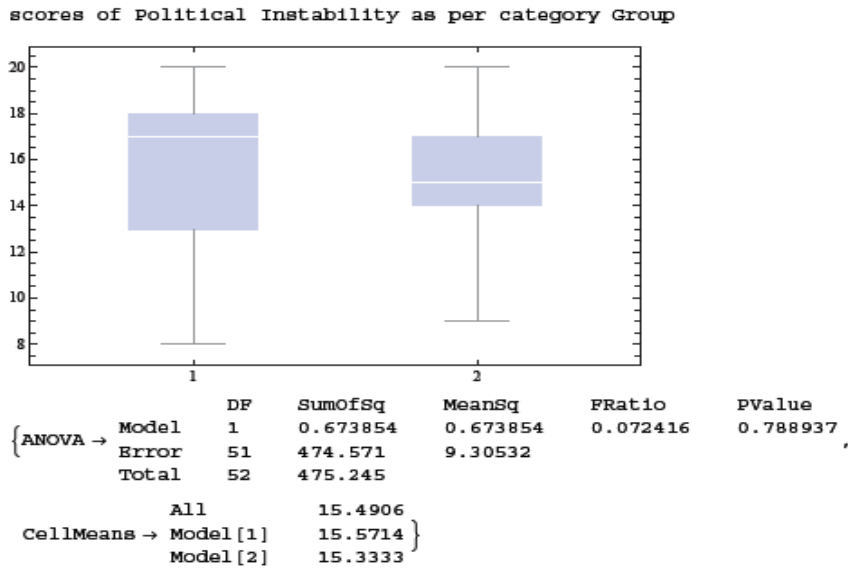


FIGURE B: *Box Whiskers* graphs employed in computer programme in this study

Box Whiskers are named after their appearance: a *box* in the middle, and *whiskers* at both ends. In interpreting the *Box Whiskers*, one should look at the middle white line, as it denotes the average score of a particular group. For example, in the above “Box Whiskers” diagram, Model [1] refers to Mayoral Committee members and Ward Councillors. Model [2] refers to senior municipal officials (including public participation officials). In interpreting the Box Whiskers, one would then note that the average score of Mayoral Committee and Ward Councillors is higher than that of officials, meaning that the politicians agreed more than the officials that political instability played a role in fuelling service delivery protests.

P-VALUE

The programme makes use of a statistic named p-value. This p-value indicates the chance to commit an error in rejecting the hypothesis that all categories are of the same opinion with respect to a certain score. The hypothesis in this regard could be as follows:

Ho: Politicians and officials have equal perceptions with regard to the causes of service delivery protests.

If the p-value is less than 5%, it means that there is a difference of opinion between politicians and officials. Similarly, if the p-value is higher than 5%, there is no difference in the opinions or perceptions of politicians and officials regarding the causes of service delivery protests.

In interpreting the results of a Box Whiskers chart, it is important to note that when the p-value is higher than 5% or, in other words, higher than 0.05, there is no significant difference between the responding groups. In other words, the responses from the various groups being measured are similar. If the p-value is lower than 5%, that is, lower than 0.05, it means that there is a difference of opinion between the groups that responded to the questionnaires.

Using Figure B above as an example, it can be noted that the p-value is 0.788937, which is higher than 5%, i.e. higher than 0.05. This means that although the politicians have recorded a higher score than the officials in agreeing that political instability played a role in service delivery protests, there is really no significant difference of opinion between the two groups.

Having offered a descriptive and explanatory background to the statistical analysis programs used in this empirical study, the findings from the survey field data can now be examined.

6.3.3.2 Thematic analysis of responses to set questionnaires from politicians and senior municipal officials

The participants' responses revealed a common pattern about their perceptions of the possible causes of service delivery protests in South African municipalities. As such, the following section will deal with the statistical analysis and interpretation of all responses received from the set questionnaires circulated to Mayoral Committee members, Ward Councillors and senior municipal officials. In order to give meaning (themes) to the responses received from informants, the following characteristics/themes were measured:

THEME/CHARACTERISTIC BEING MEASURED	QUESTION NUMBER BEING MEASURED (FROM THE QUESTIONNAIRE)
Level of political instability	1, 4, 6, 18, 20
Level of public participation	9, 10, 11, 15, 16
Level of good governance	3, 5, 8, 12
Level of poverty and unemployment	14 (no further analysis done, as measuring this single statistic could skew the findings).
Level of service delivery	2, 7, 13, 17, 19

FIGURE 6.11: Analysis of responses from politicians and officials by themes

The scoring was performed on the basis of the above characteristics and questionnaire groupings, using one of the latest programs called the Box Whiskers chart programme, which plots results in the form of boxes and whiskers. In interpreting the results of a Box Whiskers chart, it is important to note that when the p-value is higher than 5% or, in other words, higher than 0.05, there is no significant difference between the responding groups. In other words, the responses from the various groups being measured are similar. If the p-value is lower than 5%, that is, lower than 0.05, it means that there is a difference of opinion between the groups that responded to the questionnaires.

The following section will therefore score the responses from informants regarding their perceptions of the different levels of political instability, public participation, good governance, poverty and unemployment, and the level of service delivery that they perceived as being at play in either triggering or causing service delivery protests.

A) RESPONSES REGARDING POLITICAL INSTABILITY AS A POSSIBLE CAUSE OF SERVICE DELIVERY PROTESTS

The ANC is of the opinion that the widespread service delivery protests in South Africa are politically motivated (<http://www.iss.co.za>). However, the poor complain that they have been betrayed by politicians and that their demonstrations are motivated by the slow pace of service delivery in the country (<http://www.news24.com/citypress/home>). In order to correlate the above statement, an analysis of scores from the various categories of respondents will now be undertaken, starting with Mayoral Committee members, Ward Councillors [model 1] and senior municipal officials [model 2].

i) **POLITICAL INSTABILITY AS VIEWED BY POLITICIANS AND SENIOR OFFICIALS
AS A CAUSE OF SERVICE DELIVERY PROTESTS**

As Figure 1 below indicates, the respondents in this survey agreed with the statement that political instability played a role in service delivery protests. However, the neutral (N) position is at 15.0, whilst the average of all respondents is at 15.4906, meaning that they were on the *Agreeing* (A) side, but quite close to being *Neutral* (N).

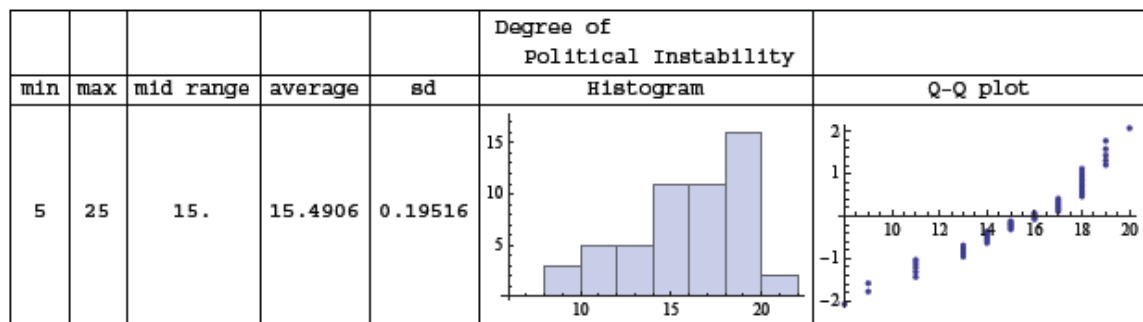


FIGURE 6.11: Degree of political instability score for Mayoral Committee members and Ward Councillors as well as senior municipal officials (including public participation officials)

The minimum score on this category is 5, while the maximum score is 25. The median score is 15, which corresponds to *Neutral* on the Likert Scale. This means that scores below 15 lean towards disagreeing and scores above 15 lean towards agreeing with the questionnaires and the characteristic being measured, namely political instability being the cause of service delivery protests. In this regard, the respondents' scoring of 15.4906 is slightly to the right-hand side of *Neutral* on the Likert Scale, which is *Agreeing* that political instability plays a role as one of the causes of service delivery protests. However, due to the fact that the score is closer to *Neutral* than to *Disagree*, it may be concluded that the respondents did agree, but not decisively, or not with a significant margin.

Looking at the "Box and Whiskers" chart, the situation below emerges in graphic format.

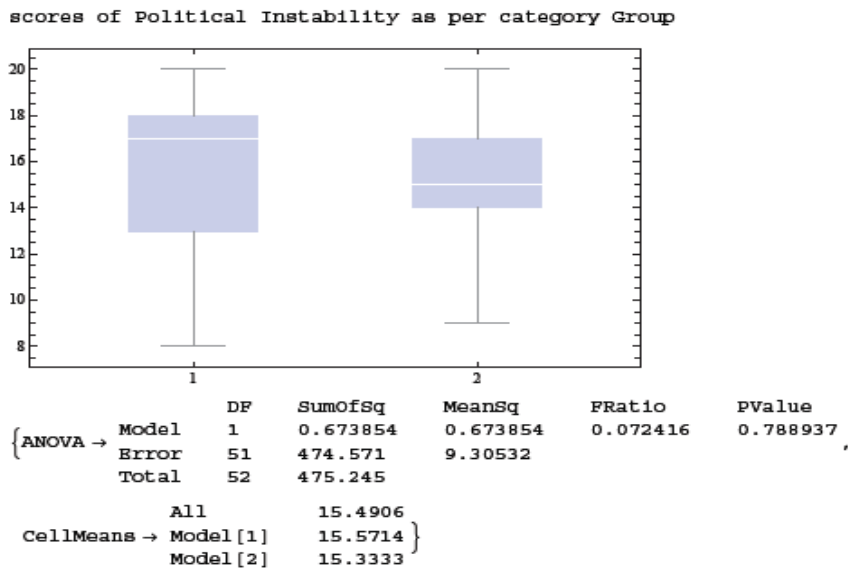


FIGURE 6.12: Scores of political instability per category group (Mayoral Committee and Ward Councillors [Model 1] versus municipal senior officials [Model 2])

In order to understand Figure 6.12, the following should be noted:

Model [1] represents Mayoral Committee Councillors and Ward Councillors

Model [2] represents senior municipal officials, as well as public participation officials, in the NMBM

Based on the above model representation, it may be interpreted that the participating Mayoral Committee members and Ward Councillors agreed marginally more than senior municipal officials with the statement that political instability fuelled service delivery protests.

When this characteristic is measured in terms of age group, the following scenario emerges (Figure 6.13).

ii) POLITICAL INSTABILITY AS VIEWED BY VARIOUS AGE GROUPS AS A CAUSE OF SERVICE DELIVERY PROTESTS

The following age groups will be analysed in terms of their opinion as to whether or not political instability has played a role in causing service delivery protests:

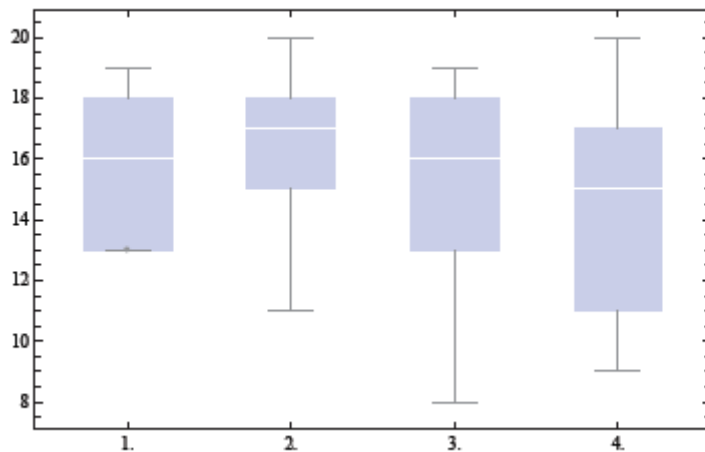
Model [1] represents the 18-35 years age group

Model [2] represents the 36-45 years age group

Model [3] represents 46-55 years age group

Model [4] represents the 56+ years age group

scores of Political Instability as per category Age Group



		DF	SumOfSq	MeanSq	FRatio	PValue
{ ANOVA →	Model	3	23.0324	7.67748	0.831902	0.482791
	Error	49	452.213	9.22883		
	Total	52	475.245			
	All		15.4906			
CellMeans →	Model [1.]		15.8571			
	Model [2.]		16.4286			
	Model [3.]		15.2105			
	Model [4.]		14.6923			

FIGURE 6.13: Scores of political instability as per age group

As indicated in Figure 6.13 above, the 36-45 years age group, with a score of 16.4286, agreed more than the other age groups (scores of 15.8571 and 15.2105) with the statement that political instability played a role in causing or fuelling service delivery protests.

Interestingly enough, the 56+ age group disagreed with the statement that political instability had anything to do with service delivery protests.

iii) POLITICAL INSTABILITY AS VIEWED BY VARIOUS CATEGORIES OF MOTHER TONGUE SPEAKERS AS A CAUSE OF SERVICE DELIVERY PROTESTS

Another interesting finding emerged from the scores of political instability in terms of mother tongue usage, namely Isixhosa (Model [1]), English (Model [2]), Afrikaans (Model [3]), and Other languages (Model [4]). It can be noted that the Model [4] category (Other), does not feature in Figure 6.14 below, as all the respondents were either IsiXhosa, English- or Afrikaans-speaking.

scores of Political Instability as per category Mother Tongue

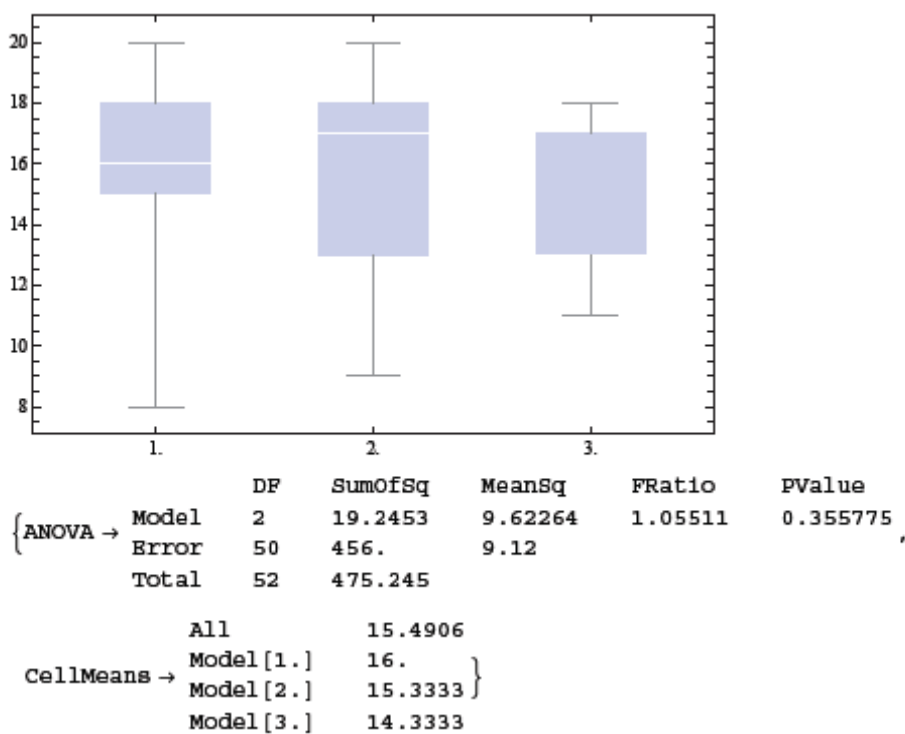


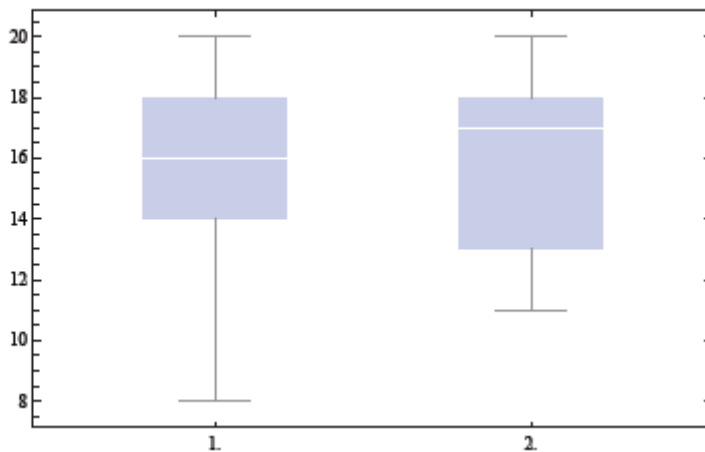
FIGURE 6.14: Political instability as per mother tongue category (IsiXhosa [Model 1], English [Model 2], Afrikaans [Model 3]).

The average of all mother tongue category stands at 15.4906, which is slightly higher than the mid range, which is 15.0 (*Neutral*). In this regard, although the English-speaking respondents agreed slightly more that political instability played a role in fuelling or causing service delivery protests, the Afrikaans-speaking respondents slightly disagreed. The IsiXhosa-speaking respondents, which comprised 49% of respondents, agreed that political instability fuelled

service delivery protests. In the end, the average score of all respondents slightly agreed with the statement.

iv) POLITICAL INSTABILITY AS VIEWED BY GENDER

scores of Political Instability as per category Gender



		DF	SumOfSq	MeanSq	FRatio	PValue
ANOVA →	Model	1	2.81642	2.81642	0.30404	0.583768
	Error	51	472.429	9.26331		
	Total	52	475.245			
CellMeans →	All		15.4906			
	Model [1.]		15.3659			
	Model [2.]		15.9167			

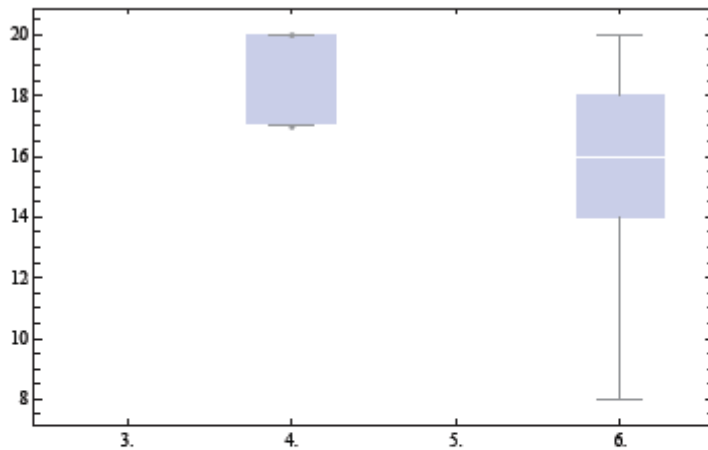
FIGURE 6.15: Scores regarding political instability as the cause of service delivery protests per gender category (Male [Model 1], and Female [Model 2])

From Figure 6.15 above, it is clear that female respondents (Model [2]), with a score of 15.9167, supported the statement that political instability could be a cause of service delivery protests more than their male respondents (Model [1]), with a score of 15.3659.

An even wider margin of agreement is observed when political instability is analysed against the highest grade passed by respondents at school (Figure 6.16).

v) POLITICAL INSTABILITY AS VIEWED BY VARIOUS GRADES PASSED AT SCHOOL

scores of Political Instability as per category Highest Grade Passed at School



		DF	SumOfSq	MeanSq	FRatio	PValue
ANOVA →	Model	3	44.9085	14.9695	1.70449	0.178303
	Error	49	430.337	8.78238		
	Total	52	475.245			
CellMeans →	All		15.4906			
	Model [3.]		18.			
	Model [4.]		18.5			
	Model [5.]		11.			
	Model [6.]		15.4082			

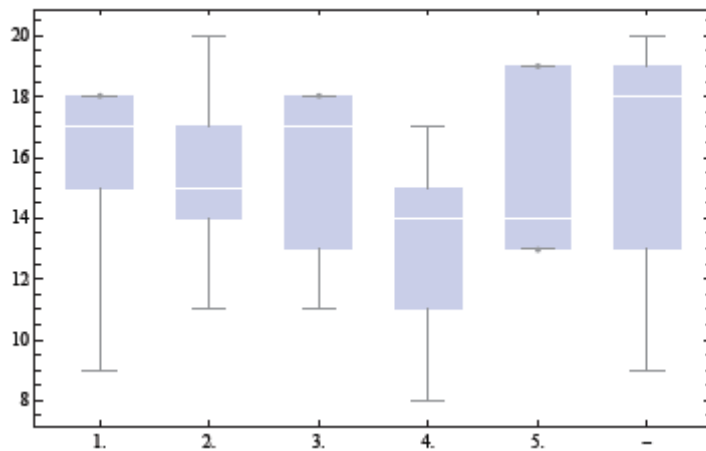
FIGURE 6.16: Political instability as per 'Highest Grade Passed at School' category

In Figure 6.16 above, it can be observed that Grades 9 and 10 respondents (Models [3] and [4] respectively) were more in agreement than the respondents from other grades that political instability played a role in causing or fuelling service delivery protests. This could be attributed to the fact that individuals who do not attain a Matric qualification run a greater risk of staying unemployed and therefore available for service delivery protests. As discussed in Chapter One of this thesis, most of the participants in service delivery protests are unemployed youth residing in informal settlements.

vi) SCORES OF POLITICAL INSTABILITY AS PER HIGHEST TERTIARY EDUCATION CATEGORY

As illustrated in Figure 6.17 below, the p-value of 0.520115, which far exceeds 5%, indicates that the different groups held similar perceptions about the statement that political instability played a role in causing or fuelling service delivery protests. The exceptions in these categories were Model [4] respondents (post degree), who disagreed with the other groups, with a score of 13.1667 against an average score of 15.4906 and a neutral score of 15.0.

scores of Political Instability as per category Highest Tertiary Education



		DF	SumOfSq	MeanSq	FRatio	PValue
{ ANOVA →	Model	5	39.5026	7.90052	0.852165	0.520115
	Error	47	435.743	9.27112		
	Total	52	475.245			
	All		15.4906			
	Model [1.]		15.7143			
	Model [2.]		15.4615			
CellMeans →	Model [3.]		15.75			
	Model [4.]		13.1667			
	Model [5.]		16.25			
	Model [-]		16.			

FIGURE 6.17: Score of political instability per highest tertiary education category

vii) SCORES OF POLITICAL INSTABILITY PER HIGHEST TERTIARY EDUCATION CATEGORY

As indicated in Figure 6.18 below, with a p-value of 0.0137992, which is less than 5% (i.e. 0.05), it could be expected that respondents in this category would give dissimilar opinions about the statement being made.

scores of Political Instability as per category Employment Status

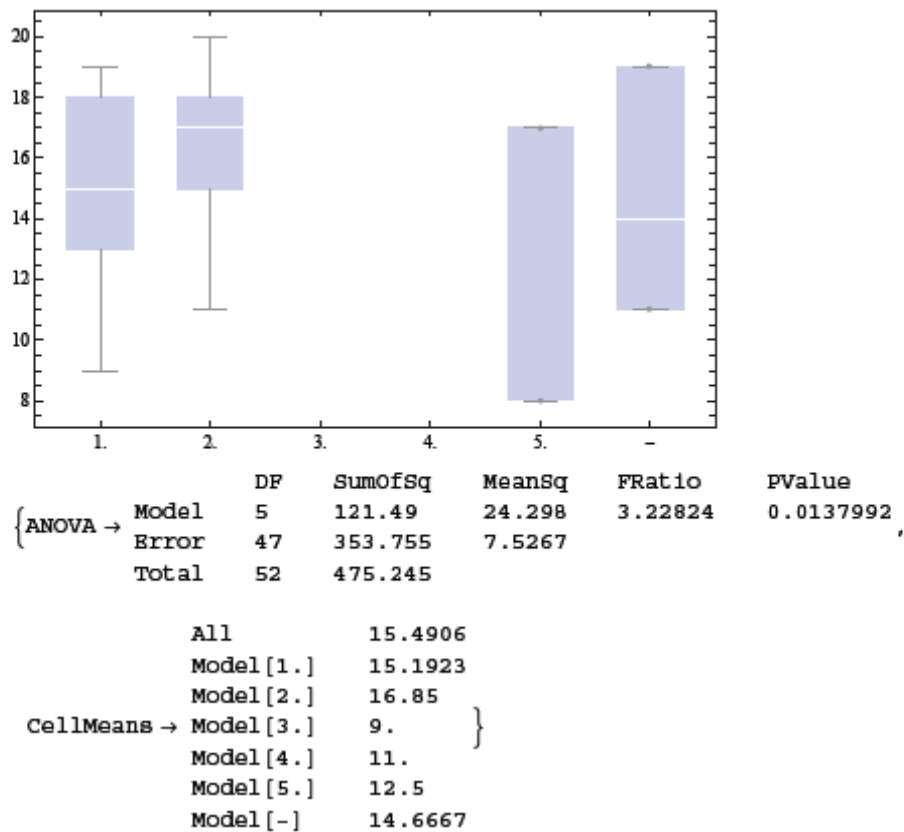


FIGURE 6.18: Scores of political instability per employment status category

In the above case, the average of all groups is 15.49, but the opinion of the self-employed (Model [3]) and the retired respondents (Model [4]) significantly differed from the rest of the group, being 9.0 and 11.0 respectively, compared to other respondents, who scored above the 15.0 score mark. This means that the self-employed and the retired disagreed that political instability played a role in service delivery protests. The rest of the respondents agreed that political instability played a role in service delivery protests.

viii) **VIEWS OF POLITICIANS AND OFFICIALS REGARDING LEVEL OF PUBLIC PARTICIPATION BEING THE CAUSE OF SERVICE DELIVERY PROTESTS**

Generally, certain accepted truisms in the Public Administration space are also applicable to South Africa. The advent of democracy, which heralded the notion of public participation, requires the active involvement of citizens in decision-making on matters affecting their lives (Maphazi, 2012:1). In terms of Section 152(e) of the Constitution, one of the objects of local government is to encourage the involvement of communities and community organisations in the matters of local government. Furthermore, in terms of Section 29(b)(i&ii) of the Municipal Systems Act, 2000, the process followed by a municipality to draft its integrated Development Plan (IDP), including its consideration and adoption of the draft plan must, through appropriate mechanisms, processes and procedures, established in terms of Chapter 4 of the Municipal Systems Act, 2000 allow for –

- (i) the local community to be consulted on its development needs and priorities;
- (ii) the local community to participate in the drafting of the Integrated Development Plan (IDP).

With the above preamble in place, the perceptions of various respondents with respect to the level of public participation in the NMBM and its contribution to the occurrence or non-occurrence of service delivery protests will now be examined.

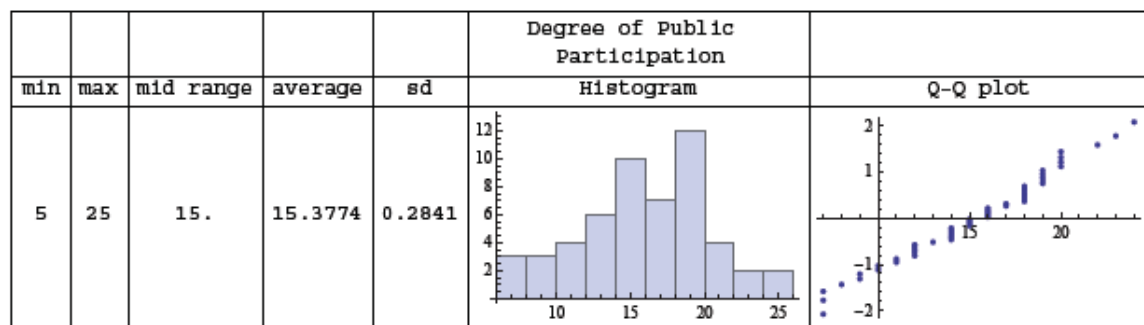


FIGURE 6.19: Level of public participation

In order to obtain a case-by-case examination, the responses from different categories will now be analysed, starting with the scores from the Mayoral Committee members and Ward Councillors, and then proceeding to the scores recorded by the senior municipal officials.

With a p-value of 0.149712 (as indicated in Figures 6.19 and 6.20), which is higher than the 0.05 threshold, it could be expected that the responses from all respondents would be similar. In this regard, the Mayoral Committee members and Ward Councillors indicated (with a score of 16.0) that they agreed with the statement that public participation in the NMBM was adequate and that the institution's IDP reflected community needs and priorities. In contrast, the senior municipal officials indicated that they disagreed, meaning that they were of the opinion that public participation was inadequate and that the IDP was not informed by community needs and priorities. This is an interesting finding, as public officials and politicians are expected to work, plan, implement and evaluate their performance in sinc.

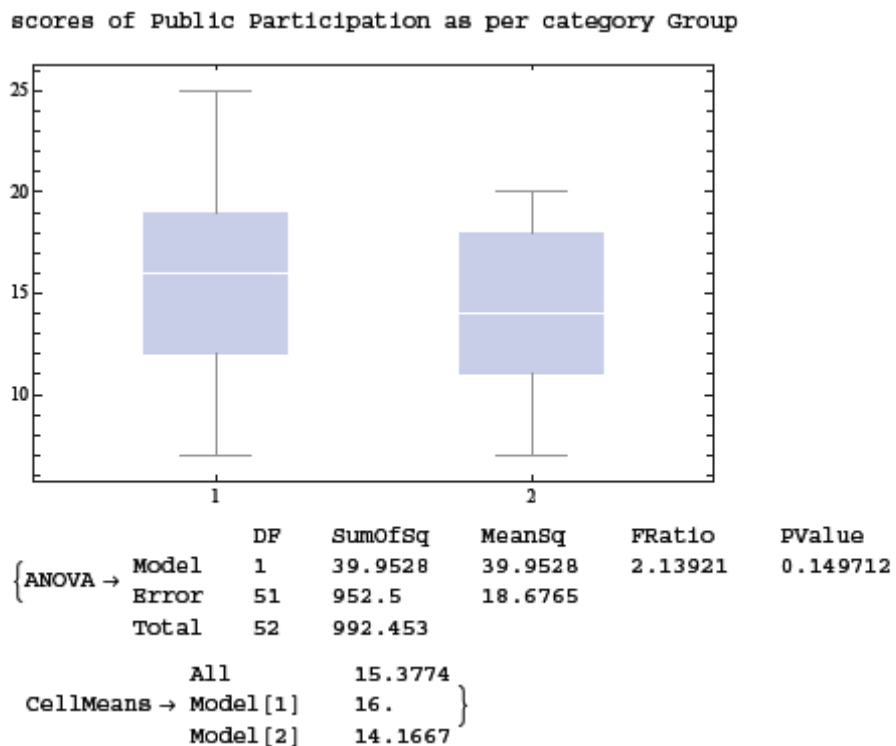


FIGURE 6.20: Scores of public participation from Mayoral Committee members and Ward Councillors [Model 1] compared to those of senior municipal officials [Model 2].

Having compared the scores of municipal officials with those of politicians in the NMBM, the scores regarding the link between the level of public participation and the various age groups will now be examined.

ix) **PERCEPTIONS OF VARIOUS AGE GROUPS REGARDING LEVEL OF PUBLIC PARTICIPATION IN NMBM AND ITS BEARING ON SERVICE DELIVERY PROTESTS**

The average score in this age category is 15.3774, which is slightly higher than the mid-range of 15.0, indicating that, on average, all age categories agreed that public participation was taking place in the NMBM and that its IDP was informed by community needs and priorities.

Notwithstanding the above finding, the fact that the score of 15.3774 is just slightly higher than the mid range (Neutral) of 15.0 means that some age groups did not agree with the statement, as will be revealed in Figure 6.21.

scores of Public Participation as per category Age Group

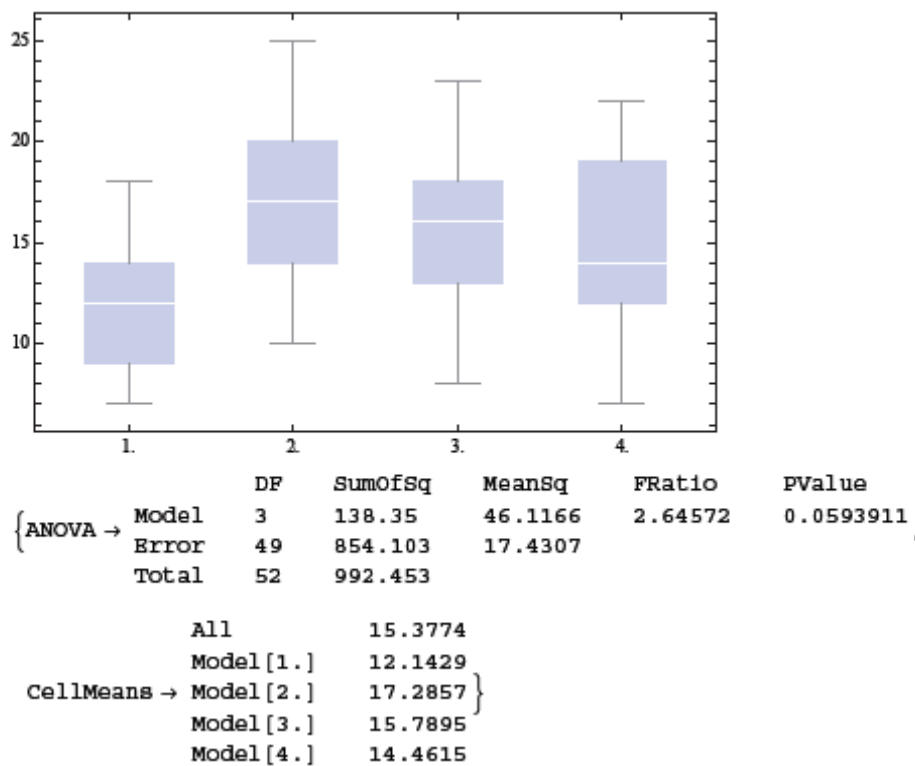


FIGURE 6.21: Scores of degree of public participation per age group as a cause of service delivery protests

Two age groups, namely the 18-35 years (Model [1]) and the 56+ years (Model [4]), disagreed with the statement that public participation in the NMBM was adequate and that its IDP was informed by community needs and priorities. In contrast, the 36-45 and 46-55 years age groups agreed with the statement. In other words, the youth were of the opinion that a lack of public participation and the misalignment of the IDP with community needs and priorities had contributed to the eruption of service delivery protests. Being a key group in service delivery protests, it is important that the NMBM engages and consults with and involve the youth in all its plans and interventions if service delivery protests are to abate in future.

x) **PERCEPTIONS OF VARIOUS MOTHER TONGUE GROUPS OF LEVEL OF PUBLIC PARTICIPATION BEING THE CAUSE OF SERVICE DELIVERY PROTESTS**

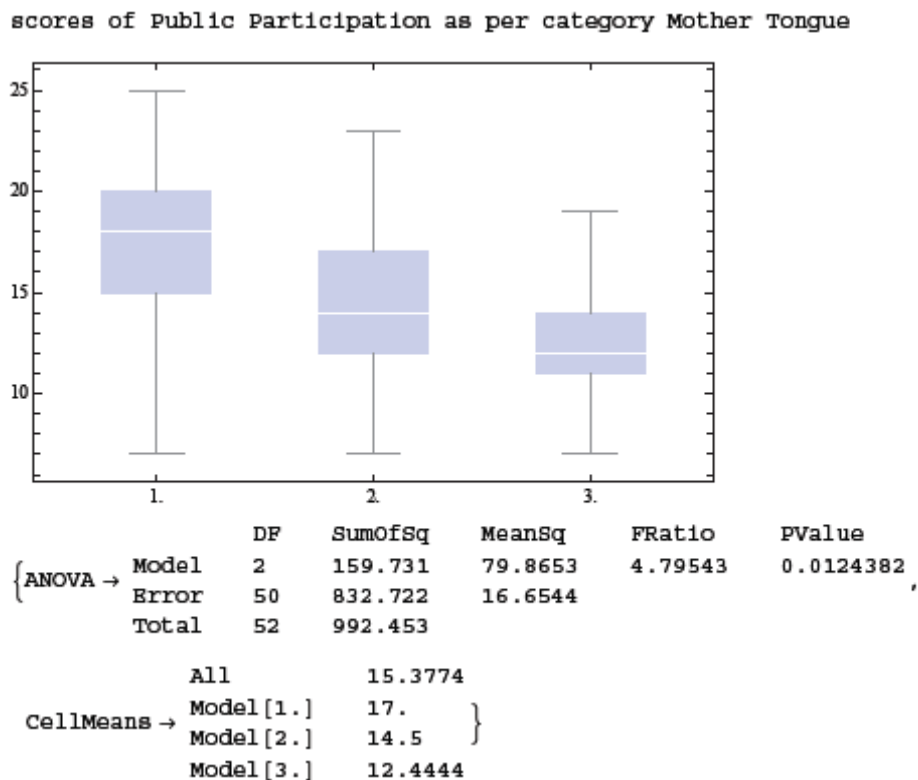


FIGURE 6.22: Scores of public participation per mother tongue as a cause of service delivery protests

As illustrated in Figure 6.22 above, the IsiXhosa-speaking respondents, comprising 49% of all respondents, agreed that public participation was taking place in Nelson Mandela Bay and that the municipal IDP was informed by community needs and priorities. In contrast, the English-

and Afrikaans- speaking respondents disagreed with the statement. On average, with a score of 15.3774 against a midpoint of 15.0, all respondents agreed slightly that public participation was adequate and that the IDP was informed by community needs and priorities. As such, they were saying that there was no strong link between lack of public participation and service delivery protests. However, the score of 15.3774, against a mid point of 15.0, is not decisive enough to confirm complete agreement of disagreement with the statement. In this regard, the group score of 15.3774 could be regarded as closer to *Neutral* (N) than *Agree* (A).

The following section will deal with scores regarding public participation, as indicated by gender category.

xi) PERCEPTIONS OF VARIOUS GENDER GROUPS OF LEVEL OF PUBLIC PARTICIPATION IN NMBM AS A CAUSE OF SERVICE DELIVERY PROTESTS

As indicated in Figure 6.23 below, males (Model [1]) agreed marginally more (score of 15.3774) with the statement than females (Model [2]), who scored 15.1667. In other words, females were scoring closer to *Neutral* (15.0) than males, although both genders were closer to the neutral score than to agreeing with the statement that the lack of public participation was a contributory cause of service delivery protests.

scores of Public Participation as per category Gender

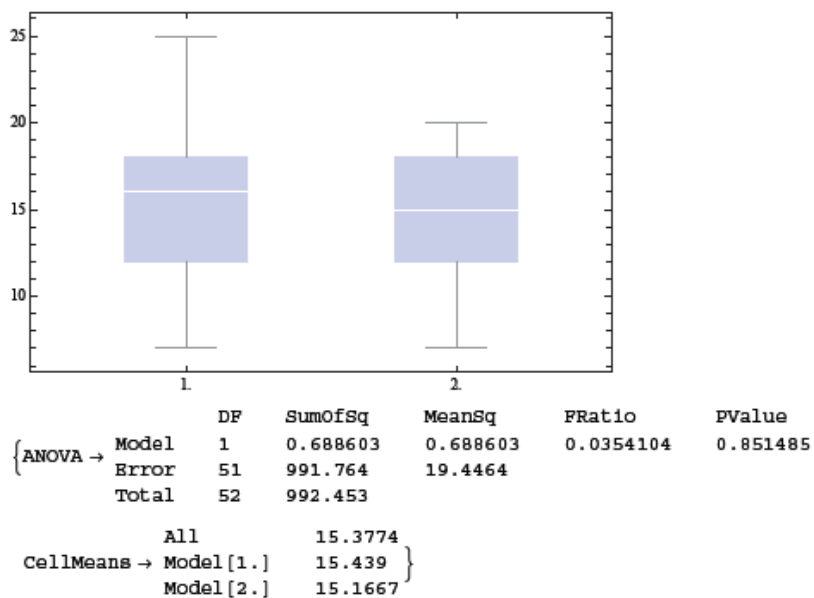


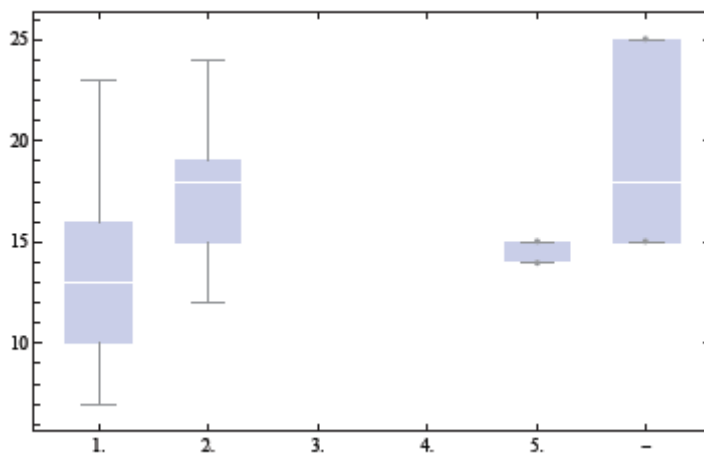
FIGURE 6.23: Scores of public participation per gender

In the following section, the degree of public participation will be analysed from the perspective of the differing employment status of the respondents.

xii) PERCEPTIONS OF VARIOUS GROUPS IN TERMS OF THEIR EMPLOYMENT STATUS OF LEVEL OF PUBLIC PARTICIPATION IN THE NMBM AND ITS BEARING ON SERVICE DELIVERY PROTESTS

In terms of Figure 6.24 below, the retired (Model [4]) and the unemployed (Model [1]) were of the opinion that public participation in the NMBM was inadequate. The employed and the self-employed remained undecided, near the *Neutral* score.

scores of Public Participation as per category Employment Status



		DF	SumOfSq	MeanSq	FRatio	PValue
{ ANOVA →	Model	5	334.39	66.878	4.77654	0.00130536
	Error	47	658.063	14.0013		
	Total	52	992.453			
CellMeans →	All		15.3774			
	Model [1.]		13.4231			
	Model [2.]		17.65			
	Model [3.]		19.			
	Model [4.]		7.			
	Model [5.]		14.5			
	Model [-]		19.3333			

FIGURE 6.24: Scores of public participation per employment status as a cause of service delivery protests

According to Statistics South Africa, South Africa's unemployment rate averaged at 25.49 percent from 2000 to 2003, reaching an all-time high of 31.20% in March 2003 and an all-time low of 21.9% in December 2008. The unemployment rate measures the number of people actively looking for a job, as a percentage of the labour force. (<http://www.tradingeconomics.com/south-africa/unemployment>).

The youth were of the opinion that public participation in the NMBM was inadequate and that its IDP was not informed by community needs and priorities. In other words, the youth were of the perception that a lack of adequate public participation and consultation was one of the causes of service delivery protests. The unemployed category agreed with the youth's opinion. It is important to note that although the unemployment rate in Nelson Mandela Bay stands at 28.2% in terms of the IDP of the Municipality, 2011-2016 (11th Edition of the 2012/13 review), the unemployment rate in the youth sector stands at the national average of 70%. It is also imperative to note that the main participants in service delivery protests are unemployed youth. It should be noted at this point that the NMBM, as a Category A Municipality, ought to have a ward committee system in place in order to facilitate public participation. In terms of the Council Agenda of 7 July 2013, the NMBM has not had ward committee system in place since 2009. This implies that public participation in the NMBM is not conducted adequately in terms of legislation.

Having analysed the scores regarding level of public participation by various respondent groups, the following section will analyse the respondents' opinion regarding the degree of good governance prevailing in the NMBM.

xiii) PERCEPTIONS OF POLITICIANS AND OFFICIALS REGARDING LEVEL OF GOOD GOVERNANCE PREVAILING IN NMBM

The perceptions of all respondents regarding the level of good governance in the NMBM are indicated in Figure 6.25 below.

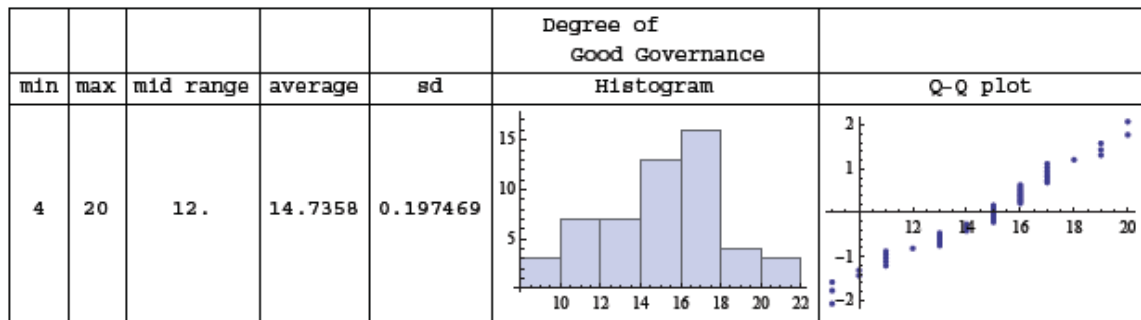


FIGURE 6.25: Level of good governance as scored by all politicians and officials as a cause of service delivery protests

The response given as input to Figure 6.25 above came from all respondents in the survey, namely Mayoral Committee members, Ward Councillors, senior municipal officials and public participation officials in the NMBM. In terms of Figure 6.25 above, these respondents indicated that they agreed with the governance statements in the questionnaire as follows:

- Intergovernmental relations are not working well, that is why government cannot deliver services to the communities in an effective and efficient manner.
- The legislative environment governing South African municipalities is so complex and burdensome that it stifles timeous service delivery to the communities.
- One of the causes of service delivery protests is corruption in housing delivery in the Nelson Mandela Bay Municipality.

In short, the respondents indicated that the service delivery environment was not well governed and the NMBM was also not well governed, which could be two of the root causes of service delivery protests in Nelson Mandela Bay.

The following section reflects the respondents' perceptions of the level of service delivery in the Municipality and its bearing on service delivery protests.

xiv) PERCEPTIONS OF POLITICIANS AND OFFICIALS REGARDING LEVEL OF SERVICE DELIVERY IN NMBM AS A CAUSE OF SERVICE DELIVERY PROTESTS

According to Tsatsire (2008:274), service delivery protests are not solely an indication of the status of service delivery at local government sphere; they also arise from the lack or slow pace

of service delivery by the provincial and national spheres of government in rendering public services, such as schools, clinics, safety and security and the like. In agreement with the above statement, according to the minutes of the Municipal and MEC's Forum Workshop at Fish River Sun, Port Alfred, Eastern Cape of 20 June 2013, Councillor Benson Fihla, the Executive Mayor of Nelson Mandela Bay, informed attendees at the political Municipal and MECs Forum (MuniMec) workshop at the Fish River Sun, Port Alfred, that the Eastern Cape provincial government was too slow in rolling out funds needed for service delivery (infrastructure development, housing, and the like) in the NMBM. Other problems hampering service delivery raised by Executive Mayor Fihla at the MuniMec were:

- Lack of integrated planning between national, provincial and local government.
- Some important projects, such as libraries and sports centres, were not funded by the provincial government.
- Inadequate funding for housing delivery.
- Lack of engagement between the provincial departments and National Treasury regarding the roll-over of service delivery funds.

Figure 6.26 below represents the perceptions of politicians and municipal officials regarding the level of service delivery and its link to service delivery protests in the Nelson Mandela Bay.

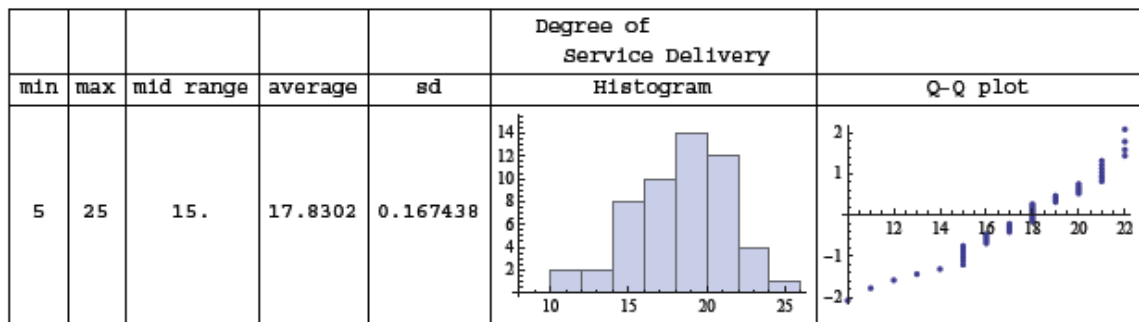


FIGURE 6.26: Level of service delivery in Nelson Mandela Bay Municipality as a cause of service delivery protests

As indicated in Figure 6.26 above, the average of all response scores stands at 17.8302, which is greater than the mid point score of 15.0. This means that the respondents agreed with the following statements:

- The recent and ongoing service delivery protests are genuine community protests resulting from poor, slow and unsatisfactory service delivery by government.
- South African municipalities do not have the necessary technical and other skills or capacity to render public services to their communities.
- The root causes of service delivery protests include lack of housing and other public amenities like water, electricity, sanitation, refuse removal and roads.
- The recent protests are a sign of communities' declining confidence in the capacity of the ANC-led government to deliver services to the people.
- The recent service delivery protests took place mainly in informal settlements.

Having observed the average of all responses, the following section will examine the scores per category of respondents, starting with politicians and senior municipal officials (Figure 6.27)

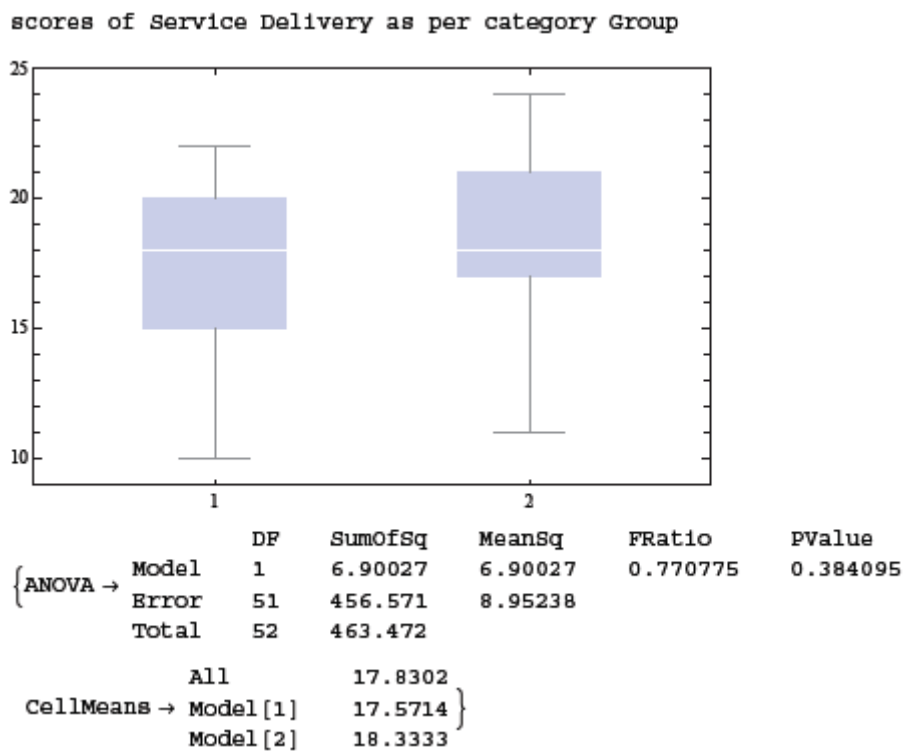


FIGURE 6.27: Score regarding service delivery and its role in causing service delivery protests

In terms of Figure 6.27 above, the municipal officials [Model 2] agreed more than the politicians [Model 1] that service delivery was not working well – hence the high number of service delivery protests.

xv) **PERCEPTIONS OF SERVICE DELIVERY AND ITS LINK TO SERVICE DELIVERY PROTESTS BY AGE GROUPS**

As depicted in Figure 6.28 below, all age groups agreed to approximately the same extent that service delivery in the NMBM was inadequate and that that was the main cause of service delivery protests. The age groups being considered were 18-35 years [Model 1], 36-45 years [Model 2], 46-55 years [Model 3], and 56+ years [Model 4].

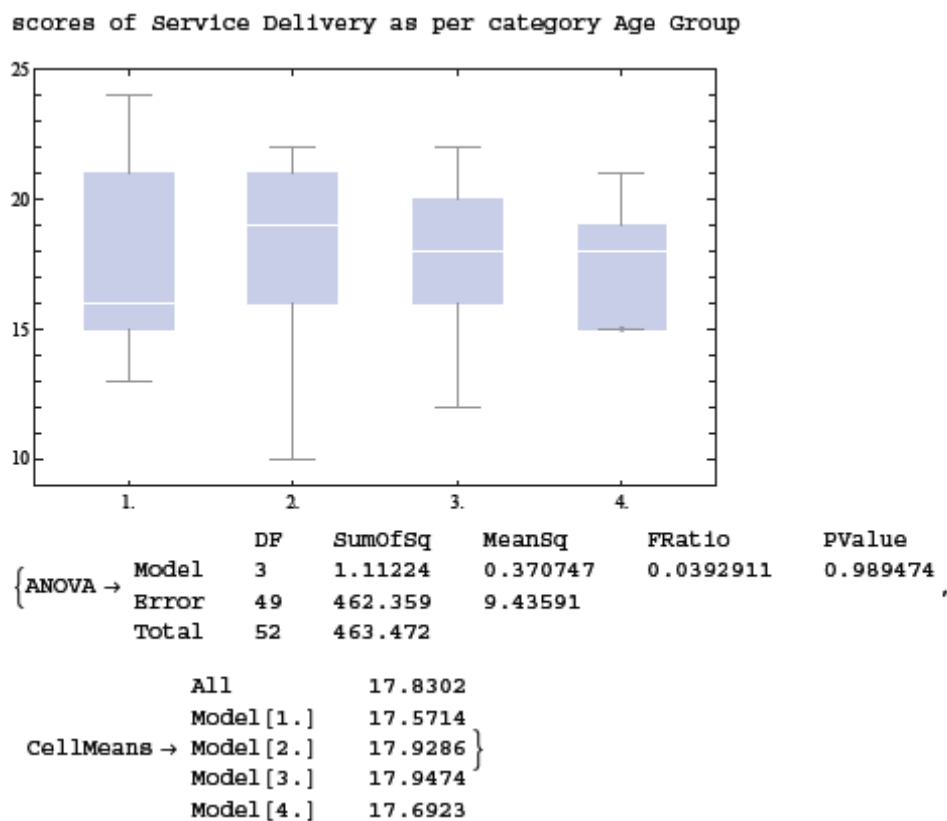


FIGURE 6.28: Perceptions of service delivery and its link to service delivery protests by various age groups

xvi) PERCEPTIONS OF SERVICE DELIVERY AND ITS LINK TO SERVICE DELIVERY PROTESTS BY MOTHER TONGUE CATEGORY

Similar to responses from all age groups, all mother tongue speakers agreed to approximately the same extent that service delivery in the Nelson Mandela Bay Municipality was inadequate and that that was the main cause of the service delivery protests. It is also interesting to observe that Afrikaans-speaking respondents [Model 3] expressed stronger agreement than other groups.

scores of Service Delivery as per category Mother Tongue

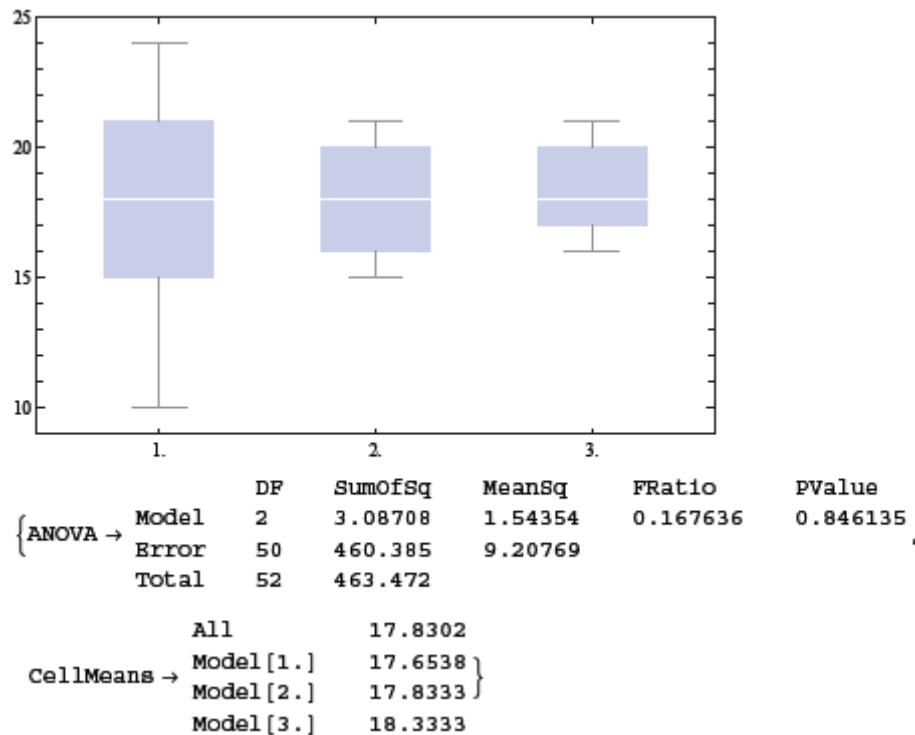


FIGURE 6.29: Perceptions of service delivery and its link to service delivery protests by mother tongue

xvii) PERCEPTIONS OF SERVICE DELIVERY AND ITS LINK TO SERVICE DELIVERY PROTESTS BY GENDER

As illustrated in Figure 6.30 below, female respondents [Model 2] seemed to feel stronger than males that service delivery in the NMBM was inadequate and that that fuelled service delivery protests.

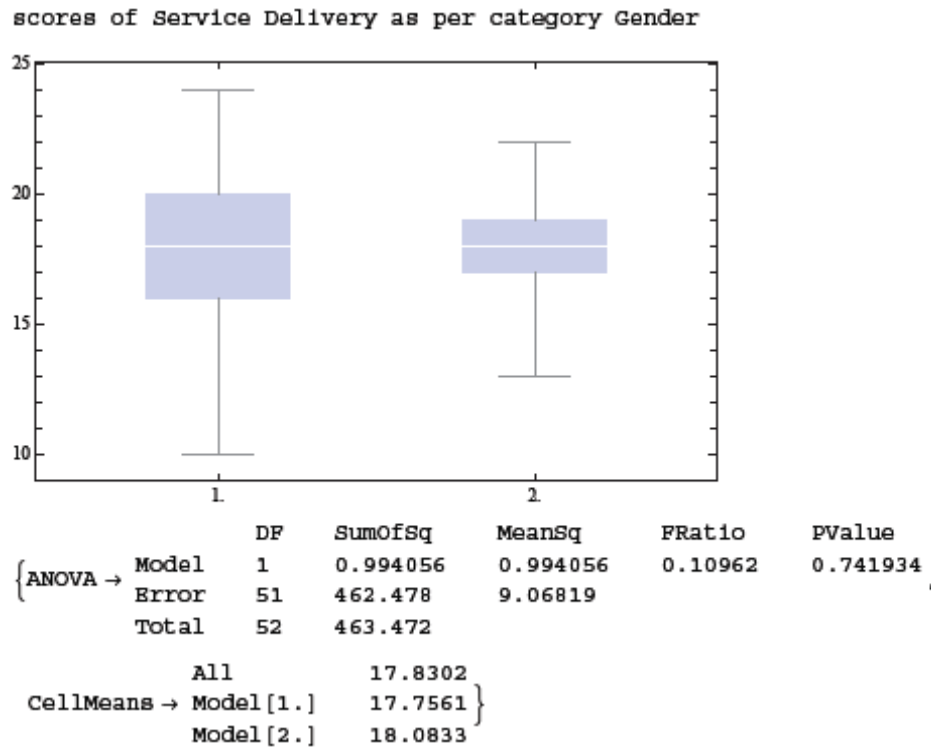


FIGURE 6.30: Scores of service delivery per gender category as a cause of service delivery protests.

xviii) PERCEPTIONS OF SERVICE DELIVERY AND ITS LINK TO SERVICE DELIVERY PROTESTS BY EMPLOYMENT STATUS

The scores of perception of service delivery and its possible link to the triggering of service delivery protests are illustrated in Figure 6.31 below. In terms of the analysis performed under this category, although all employment status categories agreed with the above statement, the degree of agreement (in descending order) is as follows:

Self-employed Model [3]: Score of 21

Unemployed Model [2]: Score of 18.35

Retired People's Model [4]: Score of 18.0

Employed Model [1]: Score of 17.2692

The average score for the overall employment status stands at 17.8302.

It is clear from the above that all categories of unemployed respondents, in particular the self-employed and the unemployed, were of the opinion that service delivery in the NMBM was unsatisfactory and that that was the cause of service delivery protests.

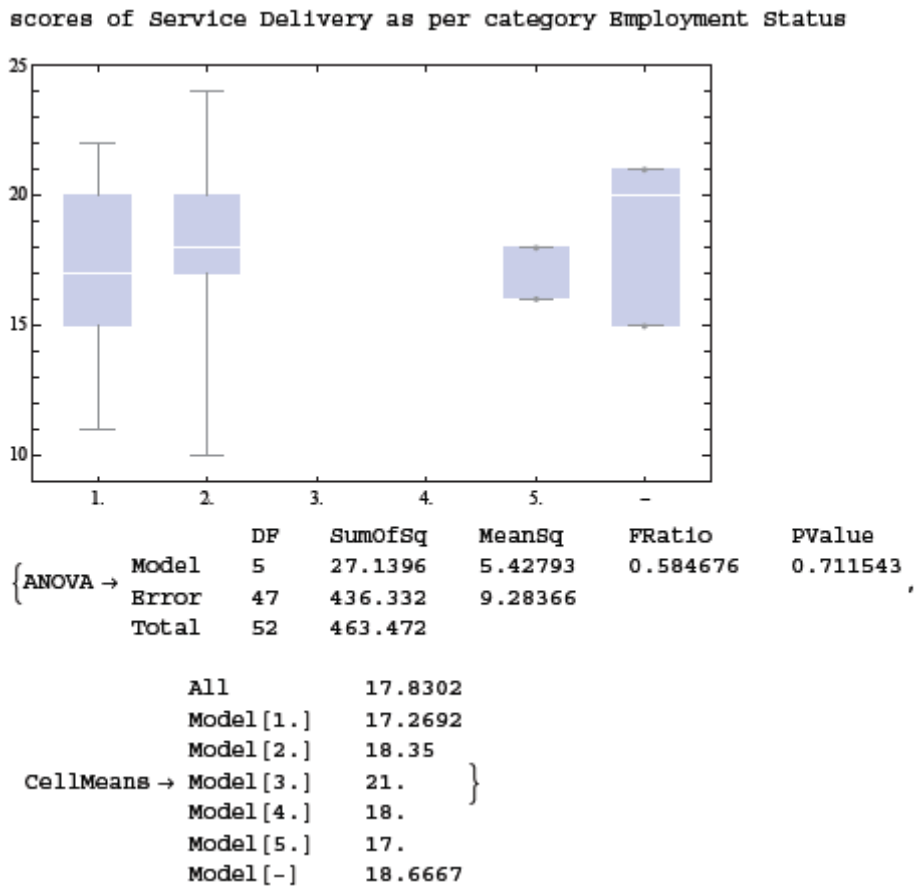


FIGURE 6.31: Scores of service delivery per employment status category

In summarising the above findings, it is clear, as indicated in Figure 6.31 above, that the 36-45 years age group, with a score of 16.4286, agreed more than the other age groups (scores of 15.8571 and 15.2105) with the statement that political instability played a role in causing or fuelling service delivery protests.

The IsiXhosa-speaking respondents, which comprised 49% of respondents, agreed more than the English- and Afrikaans-speaking respondents that political instability fuelled service delivery

protests. In the end, the average score of all respondents indicated slight agreement with the statement.

From Figure 6.31 above, it is evident that female respondents (Model [2]), with a score of 15.9167, indicated greater support for the statement that political instability could be a cause of service delivery protests than male respondents (Model [1]), with a score of 15.3659.

The two age groups, namely the 18-35 years (Model [1]) and the 56+ years (Model [4]), disagreed with the statement that public participation in the NMBM was adequate and that its IDP was informed by community needs and priorities.

As depicted, all age groups agreed to approximately the same extent that service delivery in the NMBM was inadequate and that that was the main cause of service delivery protests.

As illustrated in Figure 6.30 below, female respondents seemed to feel stronger than males that service delivery in the NMBM was inadequate and that that had fuelled service delivery protests.

6.3.4 Responses from focus group residing in the ten (10) service delivery 'hotspot' areas

This study would be incomplete if it did not interview community members residing in the ten (10) areas that staged violent service delivery protests in recent years (between 2010 and 2013). In fact, some of these ten 'hotspot' areas were those areas in which violent service delivery protests had occurred in the period shortly before this research was conducted and in which, to some extent, a level of unrest continues to simmer. It is important to examine the responses of respondents from these areas, because they possess first-hand experience of and information on the root causes of the service delivery protests. The perceptions of respondents from these 'hotspot' areas will subsequently be compared with those expressed by Mayoral Committee members, Ward Councillors and municipal officials.

Developmental local government starts with service delivery to the public; if this is failing, then local government cannot be said to be developmental (Tsatsire, 2008:274). In this regard, the responses from respondents from the ten 'hotspots' that spearheaded the violent service

delivery protests are important in informing government of the causes that need to be addressed in order to restore stability in these communities.

The following ten 'hotspot' areas in which violent service delivery protests took place were surveyed in terms of focus groups to determine the causes of service delivery protests from the affected communities at grassroots level:

- Greenbushes/Kuyga/Ericadene area (Ward 40);
- Wells Estate area (Ward 60);
- Moeggesukkel area (Ward 51);
- Rosedale area (Ward 51);
- Walmer Township area (Ward 4);
- Ikamvelihle area (Ward 56);
- NU 29 area in Motherwell (Ward 56);
- Zosa Street area (Ward 31);
- KwaNobuhle Township (Ward 50); and
- Missionvale area (Wards 31 and 32).

The responses and findings from the focus group interviews of these ten 'hotspot' areas with respect to the questions asked, are summarised below:

6.3.4.1 Responses from service delivery 'hotspot' areas per individual questions asked

Q1: *As members of this community, do you think that the recent service delivery protests were orchestrated by a "Third Force" element trying to destabilize the ANC-led government? If Yes, what do you think constitutes the "Third Force" elements?*

Responses from focus groups:

Yes	No	No response	Total
2	6	2 (Zosa Street and Moeggesukkel)	10

This means that of the eight (8) respondent focus groups, six (6), namely 75% of all respondents, indicated that they did not agree that service delivery protests were the work of a "Third Force" trying to destabilise the ANC-led government.

In support of the above, the following are some of the *verbatim* responses from Walmer township focus groups:

"No there is no "Third Force" involved. There is just a genuine cause for the community strikes regarding poor state of service delivery. But of course there are opportunists who try to benefit from instability."

The Afrikaans-speaking Kuyga community had this to say in connection with the Third Force question:

"Is nie derde force nie," (translated as: "It is not the third force").

In contrast to the views of the Kuyga community, a second focus group from Walmer township stated as follows:

"Yes, the recent service delivery protests are due to a Third Force."

Q2: *Do you feel that the Municipality's development programmes are informed by community needs and participation?*

Responses from focus groups:

Yes	No	No response	Total
2	7	1 (Moeggesukkel)	10

In the above regard, seven (7) of the nine (9) responding focus groups, namely approximately 78% of all respondents, were of the opinion that the development programmes of the Nelson Mandela Bay Municipality (NMBM) were not informed by community needs and participation. This should be a matter of concern to the NMBM, as it was the community's perception that the Municipality was not fulfilling its objects in terms of Section 152(e) of the Constitution of the

Republic of South Africa, as well as Section 29(b)(i&ii) of the Municipal Systems Act 32 of 2000.

Comments from the Wells Estate focus group were particularly interesting regarding the issue whether the Municipality's programmes were informed by community needs and participation:

"The Councillors do not come to the community with the truth, that's why the community ends up blaming the Municipality for poor state of service delivery."

The Missionvale 'hotspot' area was represented by two groups, one from Ward 31 and the other from Ward 32. The responses from both focus groups were similar. They reported that:

"Our Councillor doesn't want to hold IDP meetings; it is the residents who push forward the development agenda through service delivery protests."

In terms of Section 152(e) of the Constitution, one of the objects of local government is to encourage the involvement of communities and community organisations in the matters of local government. In terms of Section 29(b)(i&ii) of the Municipal Systems Act, 2000, the process followed by a municipality to draft its Integrated Development Plan (IDP), including its consideration and adoption of the draft plan, must, through appropriate mechanisms, processes and procedures established in terms of Chapter 4 of the Municipal Systems Act, allow for –

- (iii) the local community to be consulted on its developmental needs and priorities;
- (iv) the local community to participate in the drafting of the Integrated Development Plan (IDP).

Q3: Do you think the Ward Councillors and their Ward Committees are doing enough to facilitate public participation and consultation in the matters of the Nelson Mandela Bay Municipality?

Responses from focus groups:

Yes	No	No response	Total
1	9	-	10

The above responses indicate that 90% of the focus groups interviewed were of the opinion that Ward Councillors and their Ward Committees were not doing enough to facilitate public participation and consultation in the matters of the Nelson Mandela Bay Municipality.

In support of the above findings, some of the *verbatim* responses are reported below. One response from the Rosedale and Moeggesukkel focus groups:

"Councillors are not committed to listen and do what community says and as such we have no one to turn to in times of need."

The KwaNobuhle Area 2 focus group expressed anger and rage at their Councillor, reporting that:

"Some RDP houses are poorly built, some are even leaking, and when it rains, we become full of anger and do not know where else to go, maybe because our Councillor is young and doesn't care even to report back to us."

The Ikamvelihle (Motherwell) focus group had this to say about the role of their Ward Councillor:

"Our Councillor is not following up on community complaints and needs, and the second Councillor is not even working."

According to Tsatsire (2008:278), 60% of the respondents in the survey he conducted either strongly agreed or agreed with the statement that recent service delivery protests in the Nelson Mandela Bay Municipality were an indication of the lack of public participation and regular communication between the Council and the community. Similar findings were reported by Shaidi (2007:89), namely that the Ward Committees were not yet effective in conducting public participation in the communities of Nelson Mandela Bay. There is, therefore, strong correlation and agreement between the findings of this survey and previous surveys on the level of public participation in the NMBM.

It is evident from the focus group responses to Questions 1 and 2 that perceptions were that the Municipality's IDP did not include communities' needs and priorities and that this could be attributed in part to the fact that Ward Councillors and their Ward Committees were not doing enough to facilitate public participation in the NMBM's planning and decision-making processes and procedures. This could be attributed in part to the fact that no Ward Committees have been in place in the NMBM since 2009. According to the Council Agenda of 22 March 2013, the item regarding the process to elect new Ward Committees in the NMBM was declined, citing certain flaws in its implementation. This means that the NMBM has had no Ward Committee system in place since 2009, even though it is a Category "A" Municipality, which ought by law to have a ward committee system in place.

Q4: As community members, what do you think are the root causes of service delivery protests? Can you rank them in descending order of importance?

In this category, the percentage frequency by which each service was mentioned by the focus groups was noted and recorded in the table below.

Responses from focus groups:

Non-provision of houses	High unemployment	Lack of services (water, sanitation, electricity, roads and refuse removal)	Lack of public participation and consultation	Crime	Lack of other amenities, e.g. schools, community halls and clinics
70%	60%	50%	30%	40%	50%

The table above changes when we redefine the provision of housing to be 'the provision of sustainable human settlements' (sustainable human settlements means the provision of houses (RDP type); and engineering services (roads, water, sanitation, electricity, refuse removal services and public amenities, such as community halls, clinics and schools).

Provision of integrated	High unemployment	Lack of public	Crime
-------------------------	-------------------	----------------	-------

human settlements	rate	participation	
90%	60%	30%	40%

It is clear from the above table that the main cause of service delivery protests, as voiced by the service delivery protesters from the ten (10) "hotspot" areas, was perceived to be the lack of integrated human settlements, in terms of which community members must be provided with a house and other essential public amenities, such as water, sanitation, roads, electricity, schools, clinics, sports fields and community halls.

In support of the above findings, the following is a *verbatim* response from the Walmer township focus group to the question regarding the root causes of service delivery protests:

"The causes of service delivery protests are poor housing delivery, bad roads, poor sanitation, lack of education, high unemployment rate and joblessness."

The Greenbushes, Ericadene and Kuyga focus groups listed their causes as follows:

"We need housing. For years, we have waited, even the pit latrines we were using are now full and community members have to relieve themselves in the bushes, something which compromises human dignity."

The Wells Estate community reiterated the responses of the focus groups from Kuyga / Greenbushes / Ericadene regarding the services most complained about during service delivery protests:

"Houses, jobs, public consultation."

The concerns expressed by the Zosa Street focus group were as follows:

"Houses are not built properly (quality), street and Ward Committees not functioning, political infighting between political parties, and crime from nearby shacks, of which authorities do not want to address."

The views of NU 29 focus group were similar to those of other focus groups, as they indicated the following:

"Political infighting is the cause of instability in the area, as well as lack of housing, unemployment, electricity and the fact that community members are not informed about the developments happening around them."

The Afrikaans-speaking Kuyga community responded to the question by ranking the root causes as follows:

"Ons soek houses, ons soek werk, ons soek dat die huise geupgrade word." (We want houses, we want jobs, we want our homes to be upgraded.)

Q5: *Do you think that some of the service delivery protests were orchestrated by certain disgruntled politicians who were aggrieved by the ANC party processes?*

Responses from focus groups:

Yes	No	No response	Total
2	2	6	10

The above responses indicate that there was no consensus on the matter, as 20% of the focus groups agreed and 20% disagreed that service delivery protests were orchestrated by certain disgruntled politicians who were aggrieved by the ANC party processes. Altogether 60% of the focus groups did not want to respond to the question. This could be attributed to the political instability that existed at the time between the faction aligned to the then Executive Mayor, Councillor Zanoxolo Wayile, and the then ANC Regional Chairperson, Mr Nceba Faku.

In support of the above findings, the following is a *verbatim* response from the Ikamvelihle focus group:

"There were no political disgruntled issues involved. People have frustration for the services that they don't get."

But the Wells Estate focus group differed from the neighbouring Ikamvelihle focus group by reporting as follows:

"We think that the service delivery protests were orchestrated by certain disgruntled politicians who were aggrieved by ANC party election processes."

Q6: What do you think government and the Municipality should do to address the challenges raised by local communities during the recent service delivery protests?

The responses from focus groups indicated the following suggestions:

In responding to the question, "What do you think government and the Municipality should do to address the challenges raised by local communities during recent service delivery protests?" the Walmer focus group responded as follows:

"The government and business community, together with the community, should work together to enhance development."

This suggestion is a very important one, in that it encourages partnership in development, which is one of the pillars of the White Paper on Local Government, 1998.

The second focus group from Walmer Township made the following suggestion on what the government (Municipality) should do to improve public participation and consultation:

"Municipality must completely inform its subjects of its own constraints and programmes so that even the younger generation can be informed."

The Kuyga focus group answered this question as follows:

"Government must give us houses, or serviced sites with water and flush toilets. We also need our Councillor to be visible."

Q7: As community members are there any other comments you might wish to make that relates to service delivery or service delivery protests action?

Some of the responses from various focus groups included the following:

"We think this government and Municipality should address the challenges raised by the various communities' memorandums during the recent service delivery protests."

Another focus group responded by saying:

"The government must make a plan to employ people and build more houses."

It is clear from the above responses that issues of housing and related services and public amenities (human settlement), public participation and governance were high on the community agenda. Unless these are addressed by the Municipality, further service delivery protests may be expected in the future.

6.3.4.2 Strengths, weaknesses, opportunities and threats (SWOT) analysis of the Nelson Mandela Bay Municipality

The focus groups interviews revealed the following perceptions of the community regarding the NMBM:

Strengths: The Municipality has a lot of land that can be utilised to address housing backlogs.

In support of the above finding, the following is a *verbatim* responses from the Ikamvelihle focus group:

"Our Municipality has managed to build many RDP houses despite its many challenges which could have destroyed it."

Weaknesses: The NMBM is weak in facilitating public participation and consultation.

In support of the above finding, the following is a *verbatim* response from the Ikamvelihle focus group:

On the issues of the weaknesses of the Municipality, the Walmer focus group concluded that :
"Lack of consulting with the community and delays by the Municipality in responding to community needs is one of the things that causes service delivery protests."

Opportunities: The availability of vast areas of municipal owned land that is suitable for housing development.

In support of the above finding, the following is a *verbatim* response from the Walmer Township focus group:

“The Municipality has available resources which, if used efficiently, could go a long way in addressing service delivery needs.”

Threats: The NMBM is cash-strapped and the scarce funds available are not used to address community priorities.

In support of the above finding, the following is a *verbatim* response from the Missionvale focus group:

“The Municipality is in serious cash-flow problems, its programmes are not fully cash backed, it is cash-trapped. This is a serious threat to it fulfilling its service delivery mandate.”

The NU29 Motherwell focus group identified another threat:

“Unless the current political instability is addressed, service delivery will be under continuous threat.”

In summary, the responses from the focus groups indicate that of the eight (8) respondent focus groups, six (6), which amounts to 75% of all respondents, indicated that they did not agree that service delivery protests were the work of a “Third Force” trying to destabilise the ANC-led government. Seven (7) out of the nine (9) responding focus groups, which equals approximately 78% of all respondents, were of the opinion that the development programmes of the Nelson Mandela Bay Municipality (NMBM) were not informed by community needs and participation. This should be a matter of concern to the NMBM, as the community’s perception is that the Municipality is not fulfilling its objects in terms of Section 152(e) of the Constitution of the Republic of South Africa and Section 29(b)(i&ii) of the Municipal Systems Act 32 of 2000.

The above responses also indicate that 90% of the focus groups interviewed, were of the opinion that Ward Councillors and their ward committees were not doing enough to facilitate public participation and consultation in the matters of the Nelson Mandela Bay Municipality.

It is evident from the focus group responses to Questions 1 and 2 that the Municipality's IDP does not include community needs and priorities and that the perception of group members was that Ward Councillors and their ward committees were not doing enough to facilitate public participation in the NMBM's processes and programmes. This could be attributed in part to the fact that there has been no ward committee in place in the NMBM since 2009. According to the Nelson Mandela Bay Council Agenda of 22 March 2013, the item regarding the process to elect new ward committees in the NMBM was declined, citing certain flaws in planning and implementation.

It is also clear from the above table that the main cause of service delivery protests in the ten (10) 'hotspot' areas was perceived to be the lack of integrated human settlements (in terms of which community members are provided with houses and other essential public amenities, such as water, sanitation, roads, electricity, schools, clinics, sports fields and community halls). Other causes indicated by these focus groups include high rates of poverty and unemployment, crime, as well as inadequate public participation and consultation. It would seem that the communities of the NMBM would be willing to accept government challenges in attaining the speedy delivery of public services if they were consulted and given space to participate in the planning and implementation of municipal or government programmes.

SUMMARY

In this chapter, an empirical survey of the root causes of service delivery protests in South Africa since 2005 was conducted with the aid of quantitative, qualitative and triangulation approaches. Mayoral Committee members, Ward Councillors and municipal officials employed in managerial and public participation posts served as respondents. Community members from service delivery 'hotspots' were also interviewed, in the form of focus groups. The results of the survey were interpreted against the background of the original assumption, as explained in Chapter One, that motivated the researcher to undertake this study.

In summary form, the findings of this empirical survey from all categories of respondents (Mayoral Committee members, Ward Councillors, senior municipal officials and focus groups from service delivery protests 'hotspots' indicated that the recent service delivery protests had been caused by the lack or slow pace of delivery of sustainable human settlements, inadequate public participation, and the high rate of poverty and unemployment, especially amongst the youth (eTV News bulletin of 16 June 2013 put the rate at 70%). The lack of good governance, particularly ineffective intergovernmental relations, was also singled out as contributing to the eruption of service delivery protests. Political instability was also perceived as playing a role in fuelling service delivery protests by promoting an ungovernable environment. No respondents seemed to suggest or support the notion that the service delivery protests were the work of a mysterious '*Third Force*'. Besides identifying the causes of service delivery protests, the focus groups from the ten 'hotspot' areas suggested that the Municipality must use the vast areas of land in its ownership to fast track the delivery of sustainable human settlements.

In this regard, the findings listed above support the assumptions of this study, as mentioned in Chapter One (Section 1.6). The findings also support and prove the hypothesis mentioned in Section 1.7 of Chapter One of this thesis, which states:

"South African municipalities could succeed in rendering effective public services if matters of poor public participation, corruption, inhibiting systemic factors, a cumbersome legislative environment, political infighting, poor intergovernmental fiscal regime and the low capacity of municipalities are adequately addressed".

In the chapter that follows, a normative model for the efficient and effective rendering of public service delivery will be proposed as a solution to the scourge of violent service delivery protests that have engulfed South African municipalities in the recent past.

CONCLUSION

From the responses received through the survey and the subsequent data analysis and interpretations, there is a clear lack of public participation in the NMBM, coupled with a slow pace of service delivery in the provision of sustainable human settlements, an ineffective intergovernmental fiscal regime, low capacity to deliver services, funding constraints and a

cumbersome legislative environment, which triggered communities to embark on violent service delivery protests.

It is also evident that the majority of service delivery protests emanated from informal settlements, and were driven by unemployed youth whose main complaint was the lack or slow pace of delivery of integrated human settlements. Other complaints, such as the lack or slow pace of the delivery of public services, such as water, sanitation, roads, electricity, refuse removal, sports fields, clinics and schools can be regarded as forming part of integrated human settlements. Complaints such as corruption and nepotism in local government were also mentioned in the context of their negative impact on the fair allocation of housing to communities.

Interestingly enough all the focus groups agreed that the current service delivery protests were not the work of a 'Third Force'. They also expressed the view during the SWOT analysis that the Nelson Mandela Bay Municipality should use its vast tracts of vacant land to expedite the delivery of sustainable human settlements. It is clear from the above statements that poor public participation and consultation, the lack of or slow pace of the delivery of sustainable human settlements, poverty and unemployment top the list of possible causes of the violent service delivery protests currently being experienced in South African municipalities.

It may, therefore, be concluded that the root causes of service delivery protests since 2005 have been the lack of or slow pace of the delivery of integrated human settlements, unemployment and poverty, particularly in the youth population, coupled with poor public participation and poor civic education.

These findings compare with those of the diagnostic report and the National Development Plan (Vision 2030) developed by the Planning Commission, which group South Africa's developmental challenges into three categories, namely poverty, inequality and unemployment.

Noting that the ineffectiveness of government programmes lies not in failure to develop sound policies, but in implementing them, a normative model, as indicated in the following chapter, has been developed and is suggested as a solution in curbing the root causes of service delivery protests by providing an effective and efficient service delivery framework.

It is clear from the findings emerging from the analysis of the responses of politicians and municipal officials and focus group interviews with community members residing in the ten 'hotspot' areas where the violent service delivery protests took place, that certain causes triggered these service delivery protests. These causes were underpinned by a number of factors.

The causes identified in the findings can be ranked in the following order of descending importance:

- Slow pace of delivery of integrated human settlements (housing delivery, plus other accompanying services, such as waterborne sanitation, water, electricity, refuse removal, and public amenities such as clinics, schools, community halls and sports facilities, coupled with corruption in housing delivery.
- High levels of poverty and unemployment, especially amongst the youth population.
- Inadequate public participation and consultation.
- Social exclusion and problems of inequality emanating from informal settlements in the main.
- Other social ills that arise from conditions of poverty, inequality and unemployment, such as crime.

The above causes did not just happen. They are the result of the following underpinning problems:

- Inadequate funding allocations from provincial and national government.
- Ineffective and dysfunctional Inter-governmental Relations Framework (IGR).
- The complex and sometimes onerous legislative environment governing service delivery in South Africa.
- Ineffective and underdeveloped public private partnerships.
- Lack of skills and capacity in municipalities to render public goods and services.

Although some have suggested that the recent service delivery might have been caused by 'Third Force' elements, this study did not find any scientific evidence to support such a notion. With the above findings in mind, a service delivery normative model will be proposed in the following chapter.

CHAPTER SEVEN

DEVELOPMENT OF AN EFFECTIVE AND EFFICIENT SERVICE DELIVERY NORMATIVE MODEL FOR SOUTH AFRICAN MUNICIPALITIES

7.1 INTRODUCTION

The escalating number of violent service delivery protests in South African municipalities since 2005 are red flags that encompassive and far-reaching turn-around strategies are required in the municipal service delivery environment.

Service delivery could carry a wider meaning; in South Africa, the definition certainly is more encompassing, including not only the ability to provide users with the services needed or demanded, but also a sense of redress; that the services should raise the standard of living of the majority and confirm their citizenship in the new democratic South Africa (Mc Lennan & Munslow, 2009:21).

It is therefore clear that South Africa as a country needs to develop strategies and approaches that are able to address the imbalances of the past, whilst developing a service delivery model that is sustainable, effective and efficient.

7.2 USE OF MODELS IN PUBLIC SECTOR

Models play an important role in service delivery by simplifying and explaining key phenomena. The model developed in this study was based on the logic of the Systems Model. A model is a representation containing the essential structure of some object or event in the real world, which may be in the form of a physical object/prototype or a symbolic representation (<http://www.psychstat.missouristate.edu/>). According to Dye (1998:20), a model is a simplified representation of some aspect of the real world. According to Hanekom (1998:46), models are simplified representations of a real world and are used in order to interpret situations and to assist in explaining and predicting the outcome of a specific choice. In this regard, the term 'normative model' has specialised meanings in several academic disciplines, but generally means relating to an ideal standard or model (<http://normative.askdefine.com>).

Based on the above definitions, it may be concluded that a model is a simplification of a more complex phenomenon, and not the phenomenon itself. In the same argument, a normative model can be defined as an ideal model depicting a system that ought to be if certain outcomes or solutions were to be realised. In this study, therefore, the normative model referred to a system depicted as a framework for the rendering of public services in a manner that will resolve the current scourge of service delivery protests in South African municipalities.

Although significant political transformation and administrative reforms have taken place in South Africa since 1994, impacting very strongly on local government management, Ismail *et al.* (1997:1) are of the view that the current scourge of violent service delivery protests by communities highlights the need for a new service delivery model that is relevant, effective and efficient.

7.3 MATTERS RAISED BY PROTESTING COMMUNITIES THE NORMATIVE MODEL SHOULD ADDRESS

The normative model needs to address, *inter alia*, the causes that triggered service delivery protests in the first instance.

7.3.1 Basic needs and demands expressed by protesting communities

No political democracy can survive and flourish if the broad masses of its people remain in poverty, without land and without tangible prospects for a better life (Manuel, 2011:1). This means that attacking poverty and deprivation must be the first priority of a democratic government. An aggravating factor is that a chaotic political landscape surrounds the South African service delivery environment (Pillay, 2002:73). This must also be addressed. In the absence of corrective measures, service delivery protests are set to continue as a type of social movement attempting to circumvent the official channels of communication which, in the view of the frustrated communities, do not work.

In the South African context, citizens' needs and demands are well articulated in the National Development Plan (Vision 2030), released by the Planning Commission and recently adopted

by the South African Parliament. The document cites poverty, unemployment and inequality as the triple challenges facing South Africa.

People's needs are normally arranged in order of importance. Maslow divides human needs into five main categories/levels according to their importance for human survival, with the lowest level containing the most basic human needs, which must be satisfied before higher order needs emerge and become motivators of behaviour:

- *Physiological needs.* The satisfaction of these needs is essential for human biological functioning and survival (for example, the need for food, water and warmth). If these needs are not satisfied, human behaviour will be mainly directed at satisfying them. If you are really hungry, you will risk your safety in order to find food.
- *Safety needs.* As soon as physiological needs are reasonably satisfied, needs on the next level emerge and the importance of the previous needs diminishes. Humans now use energy to satisfy the need for safety, which has also a direct bearing on their survival.
- *Social needs.* Once a person feels safe and in control of possible threats, social needs are activated. These includes the need for love, acceptance and friendship.
- *Ego needs.* These needs may be divided into two groups: self-respect and self-esteem; and respect and approval from others. They include the need for self-confidence, independence, freedom, recognition, appreciation and achievement.
- *Self-actualisation needs.* If all the abovementioned needs are largely satisfied or can readily be satisfied, people then spend their time in search of opportunities to apply their skills to the best of their abilities. Self-actualisation needs now become uppermost. (<http://www.learning-theories.com>)

Based on Maslow's hierarchy of needs described above, it is evident that the current service delivery protests centre primarily around physiological survival needs: food, human settlements and related public amenities essential for human survival. In this regard, the service delivery model being developed in this chapter will take cognisance of, *inter alia*, Maslow's hierarchy of needs. The other issues that emanated from the empirical study include matters of poverty,

inequality and unemployment, intergovernmental relations, the slow pace of service delivery, and public participation. These will be discussed in the sections below.

7.3.1 Poverty

According to an SABC3 News bulletin of 26 June 2012 at 19:00, the South African State President, speaking at the ANC National Policy Conference, reiterated the triple challenges facing South Africa in its second transition era as being:

- Poverty
- Inequality, and
- Unemployment

It has also been mentioned in the preceding chapters that the themes underpinning service delivery protests revolve around South Africa's triple challenges of poverty, inequality and unemployment. Unless a normative model is informed by these three challenges, it runs the risk of failure. These will now be addressed, commencing with the key challenge of poverty.

The particular configuration of poverty in South Africa is a fairly straightforward outcome of colonial and apartheid engineering (Aliber, 2002:2).

The most salient elements of this engineering were large-scale land dispossession, the establishment of increasingly overcrowded and poorly resourced homelands for the majority of the Black population, and the migratory labour system, which formed the backbone of the country's mining and industrial sectors (Aliber, 2002:2).

The geographical, racial, and gender dimensions of contemporary poverty are to a large extent the legacy of the apartheid era. The focus here is on three aspects of poverty, namely income poverty, quality of life, and inequality.

7.3.3 Income poverty

According to Aliber (2002:2), there are three aspects of poverty in South Africa, namely income poverty, quality of life poverty, and inequality poverty. Based on a per adult equivalent poverty line of R352 per month, in 1995, about 61% of Africans were poor, compared to 38% of Coloureds, 5% of Indians, and 1% of Whites (<http://www.mrc.ac.za>).

In terms of income poverty, based on a per adult equivalent poverty line of R352 per month, about 61% of black Africans were poor in 1995, while 38% of Coloureds, 5% of Indians, and 1% of Whites were poor (<http://www.iss.co.za>). Although the date is old and percentages might have changed since then, the stark racial differentiation still remains. The National Planning Commission's Diagnostic Report identifies the triple challenges facing South Africa as poverty, inequality and unemployment (Manuel, 2011:57). While there has been a countervailing increase in informal sector employment since 1995, it is well known that these jobs are on average much less remunerative than the formal ones (Kingdom & Knight, 2000). The implication is that, most likely, the prevalence of income poverty in South Africa has deepened between 1995 and 2012.

The progress achieved by government since 1994 in terms of promoting poverty eradication through sustainable development will now be examined. In this regard, seven (7) government initiatives have had a direct bearing on poverty eradication and sustainable development in South Africa. These range from broad policy frameworks to specific project-based interventions, and include the following:

- National economic and development policy frameworks, specifically the Reconstruction and Development Programme (RDP), the National Growth and Development Strategy, and the Growth, Employment and Redistribution Strategy (GEAR).
- Anti-poverty strategies, namely the Poverty Alleviation Fund and the general move towards developmental welfare.
- Public Works programmes aimed at promoting environmental conservation and job creation, namely the Working for Water Programme and the Land Care Programme.

- Major infrastructure programmes, with the focus on the National Housing Programme, such as the Municipal Infrastructure Grant (MIG) and the Urban Settlement Development Grant (USDG).
- The Urban Renewal Programme (URP) and Integrated Sustainable Rural Development Programme (ISRDP).
- The expanded Public Works Programme (Phase 1: 2004-2009 & Phase 2: 2009-2014).
- The Presidential Infrastructure Coordination Commission programmes, which include 17 Strategically Integrated Projects (SIPS).

It will be noted that recent strategies, such as the National Development Plan (Vision for 2030), and the Second Transition Discussion Document (2012) are not mentioned here, due to the fact that their implementation is yet to be tested and evaluated.

7.3.4 Quality of life poverty

Quality of life poverty refers to aspects of the experience of well-being not necessarily related to personal income (Aliber, 2002:4). One major contributor to good quality of life is access to services and infrastructure, such as potable water, electricity, roads and housing. Such services impact on the quality of life of citizens. The scourge of service delivery protests by communities between 1994 and 2012 has been a clear indication that the quality of life poverty in South Africa has not improved as expected.

7.3.5 Inequality

South Africa's individual-based *Gini* coefficient was 0.73 in 2002, making it one of the most unequal societies in the world (Aliber, 2002:5). Inequality is also evident in terms of access to services. For example, 18% of the poorest households must travel more than one (1) kilometer to access water, versus 1% of households in the other categories (Budlender, 1999).

According to the ANC's June 2012 Policy Conference's discussion document, known as the *Second Transition Discussion Document* (2012), despite the positive progress and achievements of the democratic government since 1994, South Africa is still confronted with the triple challenges of poverty, inequality and unemployment. It is evident, therefore, that

government needs to review its strategies and develop new, appropriate measures to combat these challenges before it is too late.

7.3.6 Unemployment

According to Patel (2011:5), in the first quarter of 2010, the unemployment rate among young people aged 16 to 30 years was about 40%, compared to 16% for those aged 30 to 65 years. This means that unemployment and joblessness is more prevalent in the youth category than elsewhere. This, in part, explains why service delivery protests are mostly youth driven, with unemployment complaints topping most of the memorandums submitted by protesters.

Unemployment is perhaps the single biggest challenge facing South Africa. Without jobs, people slip into a vicious cycle of poverty and dependency, which is hard to break (<http://www.iss.co.za>). As a result, businesses and government are under constant political and social pressure to create jobs. In Nelson Mandela Bay, it is estimated (IDP 2011-2016) that 38% of the population is youth, of which 70% are unemployed.

In terms of the IDP (2011-2016) of the Nelson Mandela Bay Municipality, the unemployment level in terms of the first definition, which focuses on unemployed actively seeking work in the last six months, the rate of unemployment stands at 28,2%, whilst youth unemployment stands at 70%. This explains why the youth form the majority contingent of all service delivery protests.

7.3.7 Public participation

One of the striking characteristics of the modern state is the continuously increasing number of functions that government is expected to render. Government is expected not only to see to the needs of communities, but also to ensure that the services rendered are of an acceptable standard and satisfy the values and needs of the communities, which are in a process of ever-changing dynamics (Hanekom & Thornhill, 1993:215, 242).

In Ancient Greece, persuasion was the main means of achieving power and winning cases in courts of law (Larson, 1989:9). In this regard, public participation and consultation are some of the paramount tenets of democracy and freedom.

7.3.8 Intergovernmental relations

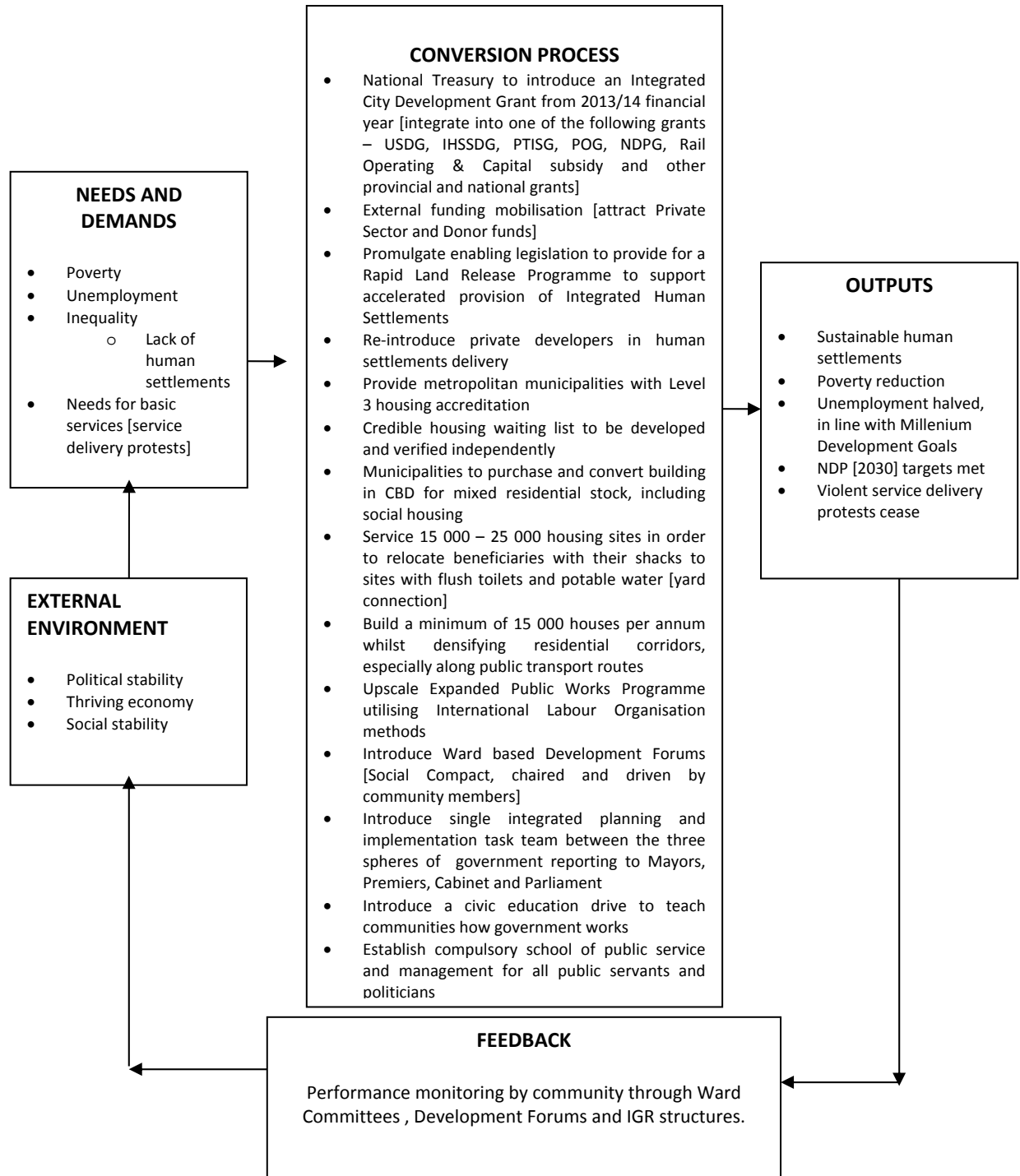
Because government is established as three distinctive, interdependent and interrelated spheres of government, an effective and efficient system of intergovernmental relations is a crucial measure of overall state performance. This means that the three spheres must closely coordinate and integrate their plans, budgets and service delivery programmes in order to achieve efficient, equitable and sustainable service delivery.

It is hereby recommended, in view of the preceding analysis, that a new strategy be formulated to address service delivery in the form of a new normative model, as indicated below in the following section.

7.4 AN EFFECTIVE AND EFFICIENT SERVICE DELIVERY MODEL FOR SOUTH AFRICAN MUNICIPALITIES

Based on the above discussions and the findings of the empirical survey, the following service delivery model for South African municipalities is proposed, based on the systems model of Easton:

NORMATIVE SERVICE DELIVERY MODEL FOR THE NELSON MANDELA BAY MUNICIPALITY



(Adopted from: Source: Dye, 1987)

COMPONENTS OF NORMATIVE MODEL

The proposed Normative Model has many facets, of which a few key components are discussed below:

ENVIRONMENT

The environment is the total setting within which government operates. This environment generates needs or problems, such as unemployment and inflation, which have to be addressed by a public institution such as a municipality (van Niekerk, van der Waldt & Jonker, 2001:98).

INPUTS

Systems require resource inputs from the environment (Tsatsire, 2008:313). The environment therefore generates both needs and the resources to satisfy the needs. These resources can be either financial resources, human resources, or information or infrastructural resources.

PROCESSING & CONVERSION PROCESS

According to Fox *et al.* (1991:32), processing is also called policy conversion; it entails the conversion of policy inputs by a political system.

OUTPUTS

The outputs of a system are a products of the system. Outputs are actions taken by public institutions in solving a policy problem to meet the needs and demands of citizens. The amount of money spent, the number of staff employed and the public policies themselves are examples of outputs (Van Niekerk *et al.*, 2001:99).

FEEDBACK

Feedback is the information that the system receives on its actions (Tsatsire, 2008:315). Feedback is there to assist the system in improving its nature and processes.

EXTERNAL ENVIRONMENT

According to Fox *et al.* (1991:2), public administration operates within a particular environment of a society. This external environment can include, but is not limited to the following:

- a) Political
- b) Economic; and
- c) Social.

As such, a stable political and socio-economic environment is a precondition for effective and efficient public service delivery.

INTEGRATED CITY SUPPORT DEVELOPMENT GRANT

No activity can be carried out or service delivered in the public sector without the provision of money (Meiring, 2001:47). In other words, every public action carries with it a financial implication. Currently, the main financial sources available for municipalities to render public goods and services come from provincial and national government, comprising the following three funds:

- The Urban Settlements Development Grant (USDG), aimed at providing engineering services for human settlements;
- The Human Settlements Development Grant (HSDG), aimed at funding the building of human settlements; and
- The Neighbourhood Development Partnership Grant (NDPG).

Over and above the funds indicated above, municipalities raise their own finances through rates, taxes and levies, through which they complement and supplement national funds in service delivery.

One of the main problems encountered in the current systems of grants to municipalities is that the grants are project specific and cannot be integrated to fund a larger scope of services, due to the stringent conditionalities attached to them.

For this reason, National Treasury is considering consolidating all grant funding into a single grant, called the Integrated City Support Development Grant (ICSDG), which can be utilised with more flexibility in addressing the ever-changing service delivery requirements at grassroots level. It is anticipated that this Grant will commence its application in the 2014/15 financial year on the basis of Built Environment Business Plans (BEPPs) submitted by municipalities to National Treasury in accessing the Grant. It is anticipated that the BEPPs will emanate from municipal IDPs, which carry the mandate and needs of communities, including those that are engaged in violent service delivery protests.

SUSTAINABLE COMMUNITY PLANNING METHODOLOGY THROUGH AN INTEGRATED DEVELOPMENT MATRIX

In addressing the challenges of inequality and un-integrated planning taking place in the Nelson Mandela Bay Municipality, McCarthy, Potgieter and Dyodo (2007:8) have developed a 'Sustainable Community Planning Guide', which is intended to ensure that the rendering of public services in development planning is sustainable, integrated and efficient. Below are some of the planning concepts proposed in the Guide, which the NMBM Council has already adopted.

WHAT IS MEANT BY 'sustainability'?



FIGURE 7.1: What is meant by "Sustainability"

FILLING THE GAP

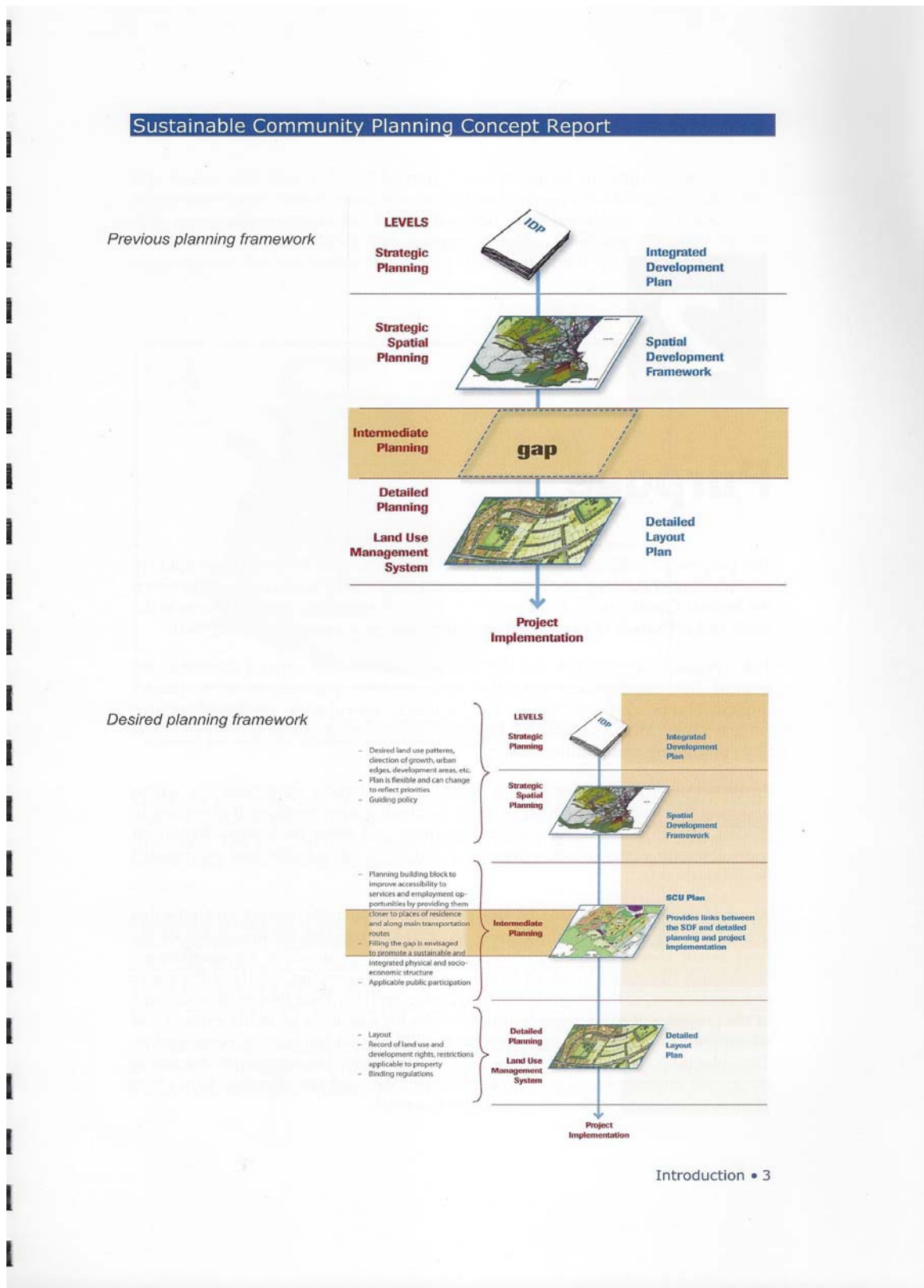


FIGURE 7.2: Sustainable Community Planning Concept Report

sustainable community units

- Planning units defined by distance within which average person can walk in half an hour -2 kilometers
- Provide requirements for minimum standard of living in planning units
- All units linked by public transport network

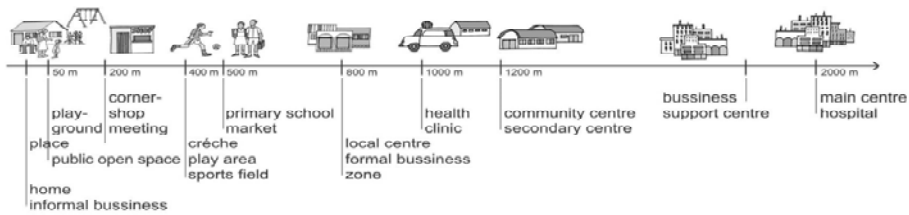


FIGURE 7.3: Sustainable Community Units

INTEGRATED DEVELOPMENT MATRIX

integrated development matrix

PLANNING LEVEL		STAKEHOLDERS		
		Local, Provincial, National Government Dept's; Private Sector, NGO's; CBO's, Banks, Private household, citizens groups etc.		
PLAN	Integrated Development Plan			
	Spatial Development Framework			
	SUSTAINABLE COMMUNITY PLANNING			
	Detailed Layout Planning			
BUILD	Decision to phase development			Responsibility of each stakeholder in respect of each level of the planning framework
	Surveying			
	Engineering Services			
	House design/ construction			
	Develop public areas/ facilities			
LIVE	Role of city dwellers- recycle, walk vs car, solar power etc.			
	Role of business and commerce.			
	Schools and institutions- daily operations.			

FIGURE 7.4: Integrated Development Matrix

In view of its principles of integration, efficiency and sustainability, it is hereby recommended in the Normative Model that the 'Sustainable Community Planning Methodology' Guide be adopted by all provincial and national departments as a tool to ensure intergovernmental planning and implementation that is integrated and sustainable.

COMMUNITY DEVELOPMENT FORUMS

The Nelson Mandela Bay Municipality is a Category A Municipality which has opted for a Ward Committee system in terms of Sections 2, 8, 72 and 78 of the Municipal Structures Act, 117 of 1998. Due to the effect of political dynamics, the NMBM has not been able to establish Ward Committees since 2009, rendering public participation ineffective and inadequate. At its Council meeting of 19 September 2013, the NMBM Council resolved to finalise the establishment of Ward Committees in the Municipality within a period of three months.

In terms of Section 73(2) of the Municipal Structures Act, 117 of 1998, a Ward Committee consists of a Ward Councillor and not more than 10 other persons. This scenario could be limiting, especially where most wards have five voting districts whose voices need to be heard in development. For this reason, this Normative Model proposes a more democratic and inclusive process, whereby each voting district will be allowed to constitute its own 'Community Development Forum' to work with the Ward Committee in addressing service delivery challenges and needs. This kind of grassroots community participation should go a long way towards addressing the lack of public participation expressed by the majority of respondents in this study.

LEVEL 3 HOUSING ACCREDITATION/FULL ASSIGNMENT

Currently, the NMBM is on Level 2 accreditation, which allows it to submit projects to provincial and national government for funding. As such, the Municipality depends very much on the decisions taken at the provincial sphere of government with respect to the level of funding it should receive and the scope of projects it can undertake.

Level 3 accreditation, on the other hand, will enable the Municipality to act as a developer in its area by developing housing programmes that will be funded directly by the national government. This has the advantage that, unlike in the provincial government, the multi-year

allocations for the Municipality will be gazetted timeously in terms of the Division of Revenue Act (DoRA), enabling the Municipality to plan and implement human settlement programmes with certainty and accuracy. Noting that the slow pace of delivery of human settlements was cited by the majority of respondents in this study as the main cause of service delivery protests, this intervention will go a long way towards addressing the causes of service delivery protests in South African municipalities.

CONCLUSION

The service delivery normative model proposed in this chapter was informed by the causes of service delivery protests that emerged from the empirical study. If the Nelson Mandela Bay Municipality implemented the proposed model, it would be pioneering a solution from which other municipalities in South Africa could learn.

Furthermore, specific recommendations related to the normative model are proposed in this study, in the next chapter.

CHAPTER EIGHT

RECOMMENDATIONS AND CONCLUSION

8.1 INTRODUCTION

Chapter Six described the findings of the study after an analysis of the data gathered. This chapter seeks to present a summary of the findings and conclusions drawn from the findings, followed by recommendations. The research undertaken in this thesis was based on the hypothesis stated in Chapter One, namely that South African municipalities could succeed in rendering effective public services if matters of poor public participation, corruption, inhibiting systemic factors, a cumbersome legislative environment, political infighting, a poor intergovernmental fiscal regime and the low capacity of municipalities and slow pace of service delivery were adequately addressed. The Nelson Mandela Bay Municipality, like other municipalities in South Africa, is confronted by numerous challenges, in particular the effective and efficient delivery of public services. The spate of recent service delivery related protests throughout the country and in Nelson Mandela Bay has confirmed that challenges do exist. It is important that these challenges are identified and analysed and that appropriate responses are developed if local government is to fulfil its developmental mandate given to it in terms of the Constitution of the Republic of South Africa, Act 108 of 1996.

The significance of the study was also outlined in Chapter One, as well as the key research questions, namely:

- 8.1.1 *Were the service delivery protests an honest act of community dissatisfaction with the level or pace of public services rendered by government, or were they the outcome of manipulation?*
- 8.1.2 *Were the service delivery protests the result of a "third force" ?*
- 8.1.3 *Are the service delivery protests an indication by communities of their fading confidence in the ANC-led government?*
- 8.1.4 *Could the service delivery protests be a result of communities' frustrations at the unfulfilled promises by politicians during election time?*

- 8.1.5 *Why could a community protesting against the manner in which service delivery is rendered by the ANC government, sing ANC songs in their protests?*
- 8.1.6 *Were the service delivery protests orchestrated by disgruntled politicians, either from the ANC or other political parties?*
- 8.1.7 *Were the service delivery protests the result of deliberate misinformation to communities by certain individuals with political agendas?*
- 8.1.8 *Is the Integrated Development Plan of the NMBM adequately informed by the pertinent needs of its communities?*

The study critically analysed the root causes of violent service delivery protests in South African municipalities since 2005, with specific reference to the Nelson Mandela Bay Municipality (NMBM). Chapter One presented the background and context of the subject matter in order to provide a deeper understanding of the study. Chapter Two provided a theoretical investigation pertaining to the new developmental mandate given to local government in South Africa. The literature review presented in Chapter Three was used to provide a theoretical perspective on the emergence of service delivery protests. This chapter also investigated the root causes of service delivery protests, as well as the underpinning reasons. Chapter Four presented an analysis of the legislative environment governing the rendering of public goods and services in South African municipalities. In Chapter Five, the research methodologies applied for the purpose of this research were discussed. Triangulation methodology was adopted, with particular reference to the quantitative and qualitative research methods. Chapter Six presented an analysis and discussion of the results that emerged from the empirical study that formed part of this research. A normative model to enhance the rendering of public goods and services in local government was presented as part of Chapter Seven. Chapter Eight presents certain recommendations, proposed in response to the challenges identified by the researcher in relation to the widespread and violent services delivery protests engulfing South African municipalities.

The research has shed light on the nature, causes and underpinning reasons behind service delivery protests, with specific reference to the Nelson Mandela Bay Municipality. Due to the fact that this investigation used both quantitative and qualitative methodologies, statistical findings have, *inter alia*, been employed to substantiate the arguments with regard to the causes underpinning service delivery protests in Nelson Mandela Bay.

Subsequent to the analysis of literature, questionnaire responses and focus group interviews, a number of findings became apparent, as summarised below.

It became evident that the slow pace of service delivery, especially in the provision of integrated human settlements, coupled with poor public participation, corruption in housing, high unemployment, especially amongst the youth population, and high poverty levels are the main causes of service delivery protests in South African municipalities.

The above causes are underpinned by factors such as poor intergovernmental relations frameworks, a complex legislative environment, which unintentionally slows down service delivery, poor capacity in municipalities to deliver services, especially in project management skills, and the inadequate funding that municipalities are allocated by national and provincial spheres of government.

Unless the abovenamed causes and underpinning factors are addressed, South Africa, as a country, runs the risk of further violent service delivery protests, which are a threat to its young democracy and social stability.

In this regard, it is suggested that the Nelson Mandela Bay Municipality could become a model for effective and efficient service delivery provision to the public through the adoption of the proposed normative service delivery model. The model encourages the up-scaling of the funding envelope that national and provincial government allocates to municipalities in the form of the 'Integrated City Support Development Grant', which will address the provision of integrated and sustainable human settlements, the integration of public and private sector services, and the attraction of private sector investment, whilst ensuring public and community participation and involvement from the development planning stage to the implementation and ownership phases. Besides community participation, the model also addresses the relevant responses to the causes of service delivery protests, as outlined in this chapter.

8.2 LIMITATIONS

The following limitations have been identified with regard to this study:

The results of this study cannot be generalised to all municipalities in South Africa in terms of a 'one size fits all' approach. Although some of the principles of the recommendations can be applied to other municipalities, it should be appreciated that each local authority has its own unique challenges and constraints. The sample groups for the purpose of quantitative and qualitative research might have been slightly larger had it not been interrupted by the formation of political factions related to the current political infighting in the NMBM area. A number of respondents, especially senior public officials, as well as certain community members became suspicious of the intentions of the research, fearing that its intention was to identify which respondents belonged to which political faction. This delayed and limited the research to a certain degree.

8.3 RECOMMENDATIONS

The new developmental mandate assigned to local government in terms of Sections 152 and 153 of the Constitution of the Republic of South Africa of 1996 and the White Paper on Local Government, 1998, appears not to have been fully grasped by all spheres of government, particularly local government institutions, implying that certain roleplayers do not fully comprehend the implications of this new mandate. This assumption is based on the results from the quantitative and qualitative studies. It is also clear that the legislative environment currently in force acts as an inhibitor and not an enabler in the delivery of public services, due to its bureaucratic nature. As indicated by a number of respondents, public participation is inadequate and results in propelling communities to protests, due to a lack of information or misinformation. Political infighting has also played a major role in enhancing instability, which in turn provides a negative environment, inhibiting service delivery.

Based on the above as well as the research findings, the following recommendations, which stem from the empirical study and literature review, are proposed:

RECOMMENDATION 1: EXPEDITE PACE OF HUMAN SETTLEMENT DELIVERY THROUGH ACQUIRING ACCREDITATION LEVEL 3

In terms of Section 26 of the Constitution of the Republic of South Africa, 1996, everyone has the right to have access to adequate housing. Low-cost housing delivery is currently a provincial competence. This function is beset with a host of problems and challenges, resulting in violent service delivery protests at community level. Although municipalities sometimes undertake housing delivery on an agency basis, there is no clear multi-year plan with regard to the funding to be received or expected by the municipalities, making it difficult for them to plan properly. The harsh reality is that if communities are unhappy with any of these services, they tend to vent their anger on local government. In the public eye, government is one, irrespective of the different spheres.

According to the results of the empirical survey, the number one cause of service delivery protests is the poor quality and slow pace of low income (RDP) housing delivery. There is therefore a need to expedite the delivery of quality housing in the Nelson Mandela Bay and the country as a whole. In terms of the NMBM 2011-2016 IDP (11th edition – 2012/13 review), the Municipality has set its RDP housing delivery target at 3000 houses per annum. The IDP's objective is to eliminate the current (2012) housing delivery backlog of 80 000 units by 2036. It also sets a target of providing 15 000 state subsidised (RDP) housing units to qualifying beneficiaries by 2016. At the rate of delivering 3000 RDP houses per annum, it should take at least 27 years (2012/13 – 2039/40) to eliminate the current backlog of 80 000 units. This duration does not take into consideration any population growth or any rural-urban migration into Nelson Mandela Bay. According to the 2011-2016 IDP of the Municipality, the current (year 2012) population of Nelson Mandela Bay stands at 1.1 million people and is expected to grow to 1.24 million people by the year 2020. This means that the Municipality's target of eliminating its housing backlog by 2036 is actually very optimistic.

One of the constraints that prevent the Municipality from fast-tracking housing delivery is its accreditation status as a developer. Currently, the NMBM has graduated from Accreditation Level 1 and is a holder of Accreditation Level 2. Accreditation levels 1 and 2 are granted in terms of Section 10(2)(a) of the Housing Act, 1997 and the criteria contained in the accreditation framework. The aim of Levels 1 and 2 accreditation is to progressively capacitate municipalities that have met certain criteria, but where additional capacity is required prior to

the municipalities assuming full responsibility for the administration of national housing programmes. Accreditation in terms of the Final Overview Report on Implications of Assignment of Municipality from the National Department of Human Settlements, dated 09 November 2012, accreditation on Levels 1 or 2 does not transfer legal and financial responsibility from the MEC responsible for human settlements to a municipality. Assignment accreditation, on the other hand, involves the formal transfer of functions related to the administration of national housing programmes from an MEC to municipalities through the existing constitutional and legal framework, such as the application of Section 126 of the Constitution of Republic of South Africa, 1996, Sections 9 and 10 of the Municipal Systems Act, 2000, and Section 56 of the Intergovernmental Framework Act, 2005. Assignment further shifts financial and legal accountability from the MEC to municipalities. Assignment includes subsidy payment disbursements, and financial reporting and reconciliation. The NMBM needs full accreditation if it is to address the urgent need of housing at scale. The time saved by not going through the provincial offices will significantly expedite housing provision. The other advantage is that municipalities can plan in terms of its needs on the ground, informed by community participation and community voice during service delivery protests and the various forms of public participation and consultation.

In order to expedite the delivery of low income housing, the NMBM will need Level 3 accreditation, normally referred to as full assignment level. In this regard, the Municipality will be able to receive housing funds directly from the National Department of Human Settlements and utilise it in the construction of houses for the poor. The second existing constraint to housing delivery is capacity. In this regard, it is proposed that provincial housing staff be redeployed to assist municipalities with capacity to manage the delivery of quality housing. This could be a feasible alternative, since the provincial officials would not have much of a role if all municipalities in each province acquired full accreditation as developers – work currently done by the provincial Human Settlements Department.

It should be noted that when communities identify lack of water and sanitation or electricity and roads as a cause of service delivery protests, they do so in the context of sustainable human settlements. In this regard, housing provision should be viewed as an integrated human settlements solution and the funding thereof should also be regarded as such.

RECOMMENDATION 2: NATIONAL TREASURY TO ESTABLISH AN INTEGRATED CITY SUPPORT DEVELOPMENT GRANT

No service delivery or rendering of public goods can be provided without the continuous provision of money. Every public action carries a financial implication. Currently, the main financial sources available for municipalities to render public goods and services come from provincial and national government, comprising the following three funds:

- The Urban Settlements Development Grant (USDG), aimed at providing engineering services for human settlements.
- The Human Settlements Development Grant (HSDG), aimed at funding the building of human settlements.
- The Neighbourhood Development Partnership Grant (NDPG).

Over and above the funds indicated above, municipalities raise their own finances through rates, taxes and levies, with which they complement and supplement national funds in service delivery. There also exist other smaller funding sources from national and provincial sector departments that municipalities receive from time to time, but these are insignificant when compared to the scale and scope of service delivery needs.

One of the main problems encountered in the current system of grants to municipalities is that the grants are project specific and cannot be integrated to fund a larger scope of services, due to the stringent conditionalities attached to them.

For this reason, the National Treasury is considering consolidating all grant funding into a single grant called the Integrated City Support Development Grant (ICSDG), which can be utilised with more flexibility in addressing the ever-changing service delivery requirements at grassroots level. It is anticipated that this Grant will commence its application in the 2014/15 financial year on the basis of Built Environment Business Plans (BEBP) submitted by municipalities to National Treasury to access the Grant. It is anticipated that the BEBPs will emanate from municipal IDPs, which carry the mandate and needs of communities, including those that are currently engaged in violent service delivery protests.

It is, therefore, recommended that the NMBM be at the forefront of advocating for the Integrated City Support Development Grant.

RECOMMENDATION 3: IMPROVE PUBLIC PARTICIPATION AND CONSULTATION

Within the history of democracy theory lies the deeply rooted conflict whether democracy should mean some kind of popular power, a form of politics in which citizens are engaged in self-government and self-regulation, or as an aid to decision-making as a means of conferring authority on those periodically voted into office (Held, 1993:15). The deepening of democracy is therefore dependent on the participation of citizens in civil society and political systems. Both views are supported by Section 152(a) and (e) of the Constitution of the Republic of South Africa, 1996 which stipulates that the objects of local governments are –

- (a) to provide democratic and accountable government to local communities;
- (e) to encourage the involvement of communities and community organizations in the matters of local government

In their responses in the empirical survey, the respondents indicated that public participation in the NMBM is inadequate. This is partly due to the fact that it is done as a legislative compliance matter and not as the right thing to do. In order to scale up public participation to acceptable, effective and efficient levels, the introduction of the following three structural measures are recommended:

a) RE-ESTABLISHMENT OF WARD COMMITTEES

Ward committees are legitimate bodies established in terms of Sections 72 to 79 of the Municipal Structures Act 117 of 1998. In terms of Section 73(2)(a-b) of the Structures Act, a Ward Committee consists of –

- (a) the Councilor representing that ward in the Council, who must also be the Chairperson of the Committee; and
- (b) not more than ten other persons.

Normally, the other ten persons are representatives of community formations and structures, such as the youth, women, sports, business and the like. Such representatives are therefore quite limiting and do not work well in a politically unstable environment. For example, according to the NMBM Council Agendas of 11 October 2012, 22 November 2012 and 6 December 2012, the Nelson Mandela Bay Municipality has not established any Ward Committees since 2009, due to the political instability in the municipal area. In order to avoid the politicising of development at grassroots level, it is hereby recommended that apolitical ward development forums be established in every ward to act as a link between the community and the Municipality in matters of service delivery and the development of the ward.

The functions and powers of Ward Committees are as stipulated in the Municipal Structures Act, 1998. In terms of Section 74 of the Act, a Ward Committee

- (a) may make recommendations on any matter affecting its ward-
 - (i) to the ward Councillor; or
 - (ii) through the ward Councillor, to the metro or local council, the executive committee, the executive mayor or the relevant metropolitan subcouncil; and
- (b) has such duties and powers as the metro or local council may delegate to it in terms of Section 59 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

In terms of Section 59 (a) of the Municipal Systems Act, 2000, a municipal council may –

- (a) delegate appropriate powers, excluding a power mentioned in Section 160(2) of the Constitution and the power to set tariffs, to decide to enter into a service delivery agreement in terms of Section 76(b) and to approve or amend the municipality's integrated development plan, to any of the municipality's other political structures, political office-bearers, Councillors, or staff members.

Because of their vital role, it is recommended that the Ward Committees in Nelson Mandela Bay whose term expired in 2009 be re-established throughout the city as a matter of urgency in

order to facilitate public participation and consultation, the lack whereof was identified by this study as among the causes of service delivery protests.

Notwithstanding the importance of Ward Committees, due to the fact that such committees can be politically aligned to the ruling party of the day, it is further proposed that an apolitical forum be created at community level (Voting District level), to be inclusive and independent of the politics of the day, to deal with the development agenda of its voting district. These ward development forums, being more broad-based and sector represented, will work closely under Ward Committees to facilitate grassroots participation.

b) ESTABLISHMENT OF WARD DEVELOPMENT FORUMS WORKING UNDER WARD COMMITTEES

It is recommended that the members of the ward development forums be representatives (not the same representatives serving in the Ward Committee) of the following community forums/sectors and structures:

- Youth Sector in the ward
- Women's Sector in the ward
- People with disabilities in the ward
- Senior citizens/Children in the ward
- Religious/Faith-based sector in the ward
- Sports and development or recreational sector in the ward
- Economic development/Business sector in the ward
- Sector crime forum/Peace and stability representatives
- Five Voting Districts in the ward (each to elect a representative)
- Non-governmental organisational (NGO) sector in the ward
- Education sector in the ward (schools and the like)

It is proposed that the development forum be given the opportunity to elect its convenor from amongst its members. The terms of reference of such a ward development forum are to:

- identify, collate and prioritise community needs in the ward/voting districts for submission to the Ward Councillor and Council;

- take part in the municipal planning and implementation process;
- monitor and evaluate annual municipal performance with regard to service delivery in the ward;
- ensure the participation of the forums/sectors they represent in matters of local government through the Office of the Ward Councillor.

In the past NMBM piloted ward-based planning sessions within its IDP consultations, which assisted well in identifying community needs and priorities in the wards. Its shortcoming, however, was that it was a once-off activity and not well structured. The communities were also not organised to get involved in the implementation phase by way of taking part in steering the process of service delivery or in the monitoring and evaluation thereof.

c) CONDUCT A CAMPAIGN OF CIVIC EDUCATION

The South African public remains inadequately informed about how government works in terms of prevailing legislative environment, policies and procedures pertaining to service delivery and development, and as a result they appear to be turning into a nation of violent, rude, intolerant people (Gumede, 2012:113). Certain websites, <http://www.youtube.com>, have categorised South Africa as the *world protest capital* due to the prevalence of violent protests about poor service delivery, labour issues and other civic matters.

Based on the fact that such ignorance or lack of information could be partly triggering the violent service delivery protests at grassroots level, it is recommended that South Africa as a nation, through its municipalities, embark on a civic education campaign, with the objective of creating a better informed citizenry with whom government can partner in its development and service delivery efforts. Potential areas of civic education that could be considered, are development policies and legislation, procedures and processes of how government functions, citizens' rights and responsibilities, such as payment for services, the protection of public assets and development planning in a resource constrained environment.

RECOMMENDATION 4: ESTABLISHMENT OF A MUNICIPAL RAPID RESPONSE TASK TEAM TO DEAL WITH SERVICE DELIVERY ISSUES

The often violent nature of the current spate of service delivery protests in South Africa is a matter of particular concern. The situation calls for urgent interventions, with complete buy-in from the community. As indicated earlier, community trust in government plans and promises has been eroded to a level where only tangible service delivery could restore that trust. For example, according to Nelson Mandela Bay Municipality Council Agenda of 20 August 2012, the Walmer community had been promised land tenure and homes by a Council resolution in 2003. To date, very little delivery has happened. That is why it is now recommended that a rapid response task team be formed to address the needs of the poorest/under-served wards (including the ten '*hotspots*') which are listed as follows in the NMBM 2012/13 IDP/Budget Review: Ward 4 (Walmer township); Ward 10 (Zosa Street/Korsten); Ward 12 (Malabar Extension 6); Ward 13 (Helenvale); Wards 14,15,16,17,18,19,20,21 and 22 (New Brighton and KwaZakhele areas); Wards 24,26,27,28 and 30 (Soweto-on-Sea and Veeplaas areas), Wards 25 (Zwide); Wards 31 and 32 (Missionvale area); Ward 33 (Bethelsdorp); Ward 37 (Joe Slovo / Kleinskool); Wards 38 (Portion of Bethelsdorp / KwaNoxolo); Ward 40 (St Albans / Van Stadens / Rocklands / Kuyga / Greenbushes / Uitenhage Farms / Seaview); Ward 41 (Chatty area); Wards 42 to 46 (KwaNobuhle); Wards 48 and 49 (Rosedale, Kamesh); Ward 50 (Langa / Kabah); Ward 52 (Daleview / Reservoir Hills / Khayamnandi); Ward 53 (Ikamvelihle / Colchester); Wards 54 and 55 (Motherwell NU 10,11,12,29,30); Wards 56 and 57 (Motherwell); and Ward 60 (Wells Estate).

The rapid response task team should comprise key political office-bearers, senior public officials and community members. In this regard, the following members from key service delivery directorates and offices are recommended:

1. Deputy Mayor – Convenor
2. Portfolio Councillor: Infrastructure & Engineering & Electricity
3. Portfolio Councillor: Budget & Treasury
4. Portfolio Councillor: Public Health
5. Chief Operating Officer
6. Executive Director: Infrastructure and Engineering
7. Executive Director: Electricity
8. Representatives from affected communities

The terms of reference of the rapid response task team should include the following key deliverables:

- Facilitating inputs from communities with respect to their service delivery needs.
- Facilitating the Involvement of community members and structures in the prioritisation of their needs, as well as their involvement in the implementation of projects and programmes affecting their areas and lives.
- Developing and attending an early warning system to detect any signs of unrest or dissatisfaction in the communities with regard to service delivery.
- Facilitating engagement with protesting communities in the event that dissatisfaction levels in the community erupt into protests or riots, including the analysis of petitions and other representations from the community to the Municipality.
- Facilitating inter-directorate planning and implementation of projects and programmes addressing community needs and concerns.
- Evaluating service delivery and community satisfaction and feedback to the Municipality.
- Convening regular meetings to keep the community leaders and the broader community members informed about progress and challenges encountered.
- Ensuring continuous and meaningful public participation and consultation.

RECOMMENDATION 5: INTRODUCING A PERFORMANCE MANAGEMENT SYSTEM WITH CLEAR TARGETS FOR WARD AND PROPORTIONAL REPRESENTATION (PR) COUNCILLORS

Based on the recent and ongoing service delivery protests, it is proposed that the Nelson Mandela Bay Municipality pay more attention to the monitoring and evaluation of its service delivery and development performance. Currently, the only politician in the NMBM who has a performance contract is the Executive Mayor, which contract is signed with the State President. Unfortunately, the Mayor's performance contract has not been cascaded down to other politicians. The constitutional objects of local government require a functional system to monitor and evaluate the performance of municipalities in meeting these objects as well as the impact of municipal actions, whether intended or unintended. This applies to all municipalities throughout the country. The Nelson Mandela Bay Municipality Council Agenda of 22 March 2013 on the poor quality of RDP housing provided by the NMBM clearly indicates the lack of

monitoring and evaluation of projects. This view is further supported by the fact that the Council Agenda of 20 August 2012 indicates that the Nelson Mandela Bay Municipality did not get any housing allocation for new housing projects; only funds for rectifying poorly constructed houses through what is called 'housing rectification projects'.

It is recommended that the performance contract signed between the Executive Mayor and the State President be cascaded down to all political office-bearers, Ward Councillors and PR Councillors in South African municipalities in order to ensure timely and quality service delivery to communities. Such a system of accountability would go a long way to address community concerns with regard to the current poor state of service delivery in municipalities.

RECOMMENDATION 6: PARTNERSHIP WITH TERTIARY AND RESEARCH INSTITUTIONS IN THE AREAS OF RESEARCH AND DEVELOPMENT

Developmental interventions and public service delivery in particular can be improved if a continuous system of evaluation and feedback is put in place. This function can best be done through research. The Nelson Mandela Bay Municipality, like many other local authorities in the country, has not yet developed the necessary research capacity. In this regard, a partnership with tertiary institutions of higher learning, such as the Nelson Mandela Metropolitan University (NMMU), as well as research institutions, such as the Council for Scientific and Industrial Research (CSIR), is recommended.

Since most South African municipalities are struggling financially and in terms of capacity, and in order to prevent the duplication of systems by the 283 municipalities in South Africa, it is further recommended that the Department of Co-operative Governance and Traditional Affairs (CoGTA), the Provincial Department of Local Government and Traditional Affairs (DLGTA), and the South African Local Government Association (SALGA) jointly develop a monitoring and evaluation national framework and system that is universally applicable in the local government sphere throughout the country.

RECOMMENDATION 7: GOVERNMENT TO LIVE UP TO THE PROMISES MADE DURING ELECTIONS

Prior to local government and national elections, political parties present their election manifestos to communities in an effort to secure votes (Maphazi, 2012:285). In this regard, communities view their Councillors and municipalities as the roleplayers who will fulfil the promises made. As indicated in Chapter One and Chapter Three of this thesis, unfulfilled promises have been identified by the communities as one of the root causes of service delivery protests in municipalities. If the current state of affairs is allowed to continue unabated, the most likely outcome will be an increase in violent service delivery protest action by more communities in the country, which should be a matter of serious concern by the three spheres of government. It is recommended that government take stock of all promises made during local and national elections since 1994, with a view to develop a communications plan to inform the communities of the timelines in which these promises will be honoured, as well as the challenges faced by the government in delivering services. The government should use the opportunity to tender an honest apology wherever its politicians overpromised communities on services it cannot deliver as previously committed.

RECOMMENDATION 8: ADDRESSING POVERTY AND UNEMPLOYMENT ESPECIALLY AMONGST THE YOUTH

According to the Nelson Mandela Bay Municipality Council Agenda of 22 March 2013, in terms of the expanded unemployment definition, the South African unemployment figure is in excess of 40%, with youth unemployment as high as 70%. These statistics are alarming by any standards. It is small wonder that most service delivery protests are youth driven. To this end, the government needs to devise with developmental programmes and interventions to reduce and curb these figures.

One of government's main interventions in addressing unemployment has been the Expanded Public Works Programme (EPWP), which has thus far created 1.7 million jobs during its first phase (April 2001 to March 2009) against a target of 1 million jobs. In this regard, the Programme exceeded its job creation target. Based on the apparent successes of the first phase, the government has commissioned a second phase of EPWP, which commenced in April 2009 and will end in March 2014. The target set in this second phase is to create 4.5

million jobs by March 2014. It must, however, be mentioned that the bulk of these jobs are of a temporary nature and are therefore not sustainable in the long term. In order to further curb unemployment and poverty in South African communities, the following additional interventions to the EPWP are hereby proposed. In view of the imminent end of EPWP Phase 2 in 2014, it is recommended that EPWP Phase 3 be integrated with a long-term goal of extending the Programme to the year 2030 to coincide and align it to the 2030 NDP vision of the Planning Commission. Other similar measures that the NMBM could also consider, include the following:

8.3.1 Review the NMBM Supply Chain Management Policy to allow for community contracting

The Supply Chain Management Policy of the Nelson Mandela Bay Municipality, adopted by the municipal Council on 26 March 2009, does not make provision for the procurement of public goods and services through community contracting arrangements. Because of this, poor communities are not poised to offer their services and hence denied employment opportunities to realise an income. Furthermore, a trend is now emerging that these communities chase away contractors or service providers awarded project work in their areas. It is therefore recommended that the NMBM Supply Chain Management Policy be reviewed to allow for certain works or services, such as refuse collection, grass cutting and drain cleaning, which do not necessarily require specialised skills, to be awarded to communities through community contracting arrangements in order to create jobs at grassroots level.

8.3.2 Review NMBM Supply Chain Management Policy to allow for procurement of goods and services from SMMEs, NGOs and Co-operatives

In terms of Section 11.8 of the Acquisition Management Directives (Annexure A) of the Supply Chain Management Policy of the NMBM, adopted by Council on 26 March 2009, in respect of projects of R5 million and above, the Nelson Mandela Bay Municipality *may* at its own discretion enforce that 30% of work be subcontracted to Black-owned companies registered on the NMBM supplier data base to expedite the objectives of its Integrated Development Plan and Black economic empowerment. This sections leaves a loophole in its implementation, due to the provision of the *may* stipulation. That is why to date the 30% subcontracting has not worked well, as established companies have not been in favour of doing so. It is recommended that this section be replaced with a *must* stipulation, to read as follows, "In a project of R5

million and above the NMBM must enforce that 30% of work be subcontracted to Black-owned companies registered on the NMBM database to expedite the objectives of IDP, SMME development, and Black economic empowerment”.

Furthermore, the NMBM Supply Chain Management Policy does not make provision for the procurement of public goods and services from NGOs, CBOs, Non-profit Organisations (NPOs) and co-operatives. This limits the scope of procurement to well established companies and affluent service providers only. It is recommended that the current Supply Chain Management Policy of the NMBM be revised to make allowance for the procurement of certain goods and services from NGOs, CBOs, NPOs and co-operatives in existence at community level in order to stimulate economic development, job creation and economic activity at community and grassroots levels. Due to the scale of unemployment being at its highest in the youth sector and women sector of the South African population, it is further recommended that these interventions be structured in such a manner that they give preference to youth-owned and women-owned business and social formations.

RECOMMENDATION 9: PROMULGATION OF A SPECIAL MEASURES ACT

In terms of the 2010 FIFA World Cup South Africa Special Measures Act 11 of 2006 and Section 3(3) of the Second 2010 FIFA World Cup South Africa Special Measures Act 12 of 2006, special measures were allowed for the accreditation of foreign medicines, security, shortened special courts and financial provision for the World Cup project. This gave rise to an enabling environment related to the planning and implementation phases of the project.

It is therefore proposed that similar measures be adopted to address the current violent and deteriorating state of service delivery in the country. In this regard, it is hereby recommended that the promulgation of a Special Measures Act to deal with the rapid reform of townships, while continuing to maintain the current state of economic infrastructure in the affluent areas, be supported as a matter of urgency. It is envisaged that such a Special Measures Act would deal with matters of appropriation of an adequate special fund, simplified policies and processes, providing for partnerships between the private and public sectors, as well as NGOs and CBOs, in expediting service delivery at grassroots level.

RECOMMENDATION 10: ADDRESSING GOVERNANCE ISSUES

Corruption, fraud and nepotism practices in municipalities were identified in Chapter One and Chapter Three, as well as in the empirical study, as among the triggering factors for violent service delivery protests by communities. Corruption in municipalities can be defined and dealt with in terms of the ethical conduct expected from public officials and politicians. Ethical issues arise out of our interaction with other people, other beings and the environment (Babbie & Mouton, 2001:520). *The Oxford School Dictionary* defines ethics as standards of right behaviour, moral principles, values, rights and wrongs, ideals and virtue (Hawkins, Delahunty & McDonald, 1998:219). Waite (2002:287) defines ethical behaviour as that which is morally correct, irreproachable, righteous, clean, lawful, just, honorable, reputable, noble, and respectable. In short, ethical behavior deals with what is morally right or wrong in terms of the agreed policies, procedures and values of a society, group or institution.

Despite the fact that the NMBM has in place anti-corruption and anti-fraud policies, community members still hold the perception that municipal officials and politicians do ascribe to corrupt practices. As indicated in Chapters One and Three of this thesis, as well as from the findings of the empirical study, a need exists for the Municipality to revise its policies, based on the numerous allegations facing it. For example, in terms of the findings recorded in the Auditor-General's Report of 2010/11, a number of public officials in the NMBM failed to declare their business interests, which contravened the anti-fraud and anti-corruption policies of the NMBM.

Every year, the Auditor-General (AG) of South Africa releases the audit outcomes of municipalities and their entities. In terms of Section 188 of the Constitution of the Republic of South Africa, 1996, and in terms of Section 4 of the Public Audit Act, 2004 (Act 25 of 2004), the responsibility of the Auditor-General is to express an opinion on the financial statements, as well as the performance of municipalities, annually. From the audit conducted by the Auditor-General in accordance with the above legislation as well as the International Standards on Auditing and General Notice, 1111 of 2010, issued in Government Gazette 33872 of 15 December 2010, the Nelson Mandela Bay Municipality received an unqualified audit opinion, with *emphasis of matters* in a number of areas, including unauthorised, irregular and fruitless and wasteful expenditure to the tune of R88.4 million. This was the result of the unauthorised procurement of services not budgeted for, various breaches with the Supply Chain Management Policy, as well as expenditure that was made in vain and could have been

avoided. Unfortunately, according to the 2011/12 report of the Auditor-General, the situation has now worsened, resulting in a qualified audit opinion against the NMBM. The receipt by the NMBM of a qualified opinion signifies a deterioration in the governance environment in the institution. This outcome has now thwarted the NMBM's target of acquiring a clean audit by 2014.

Furthermore, in terms of the Municipal Public Accounts Committee's (MPAC) recommendations to the Council of 30 August 2012, a significant number of allegations of irregular, fruitless and wasteful expenditure have remained unresolved for more than three years, with some of the public officials implicated having left the service of the Municipality. This state of affairs cannot be classified as best practice by any standard. Irregular, fruitless and wasteful expenditure is capital or operating spending that is in breach of Section 32(1-3) of the Municipal Finance Management Act 32 of 2003, which stipulates that:

- "1) Without limiting liability in terms of the common law or other legislation –
 - (a) a political office bearer of a municipality is liable for an unauthorized expenditure if that office-bearer knowingly or after having been advised by the accounting officer of the municipality that the expenditure is likely to result in unauthorized expenditure, instructed an official of the municipality to incur the expenditure;
 - (b) the accounting officer is liable for unauthorized expenditure deliberately or negligently incurred by the accounting officer, subject to subsection (3)
 - (c) any political office-bearer or official of a municipality who deliberately or negligently committed, made or authorized an irregular expenditure, is liable for that expenditure; or
 - (d) any political office-bearer or official of a municipality who deliberately or negligently made or authorized a fruitless and wasteful expenditure is liable for that expenditure.

- 2) A municipality must recover unauthorized, irregular or fruitless and wasteful expenditure from the person liable for that expenditure unless the expenditure –
 - (a) in the case of unauthorized expenditure, is –
 - i. authorized in an adjustment budget; or

- ii. certified by the municipal council, after investigation by a council committee, as irrecoverable and written off by the council; and
- (b) in the case of irregular or fruitless and wasteful expenditure, is, after investigation by a council committee, certified by the council as irrecoverable and written off by council.
- 3) If the accounting officer becomes aware that the council, the mayor or the executive committee of the municipality, as the case may be, has taken a decision which, if implemented, is likely to result in unauthorized, irregular or fruitless and wasteful expenditure, the accounting officer is not liable for any ensuing unauthorized, irregular or fruitless and wasteful expenditure provided that the accounting officer has informed the council, the mayor or the executive committee, in writing, that the expenditure is likely to be unauthorized, irregular, or fruitless and wasteful expenditure.”

It is recommended, in view of the above, that the NMBM urgently review its anti-corruption policies and strategies to include, *inter alia*, the following:

- Provision for a mechanism for peer reviews by other municipalities, such as other metros or similar category municipalities.
- Reporting of all alleged corrupt practices and action taken by the NMBM to the Director of Governance at the National Treasury for monitoring and evaluation purposes.
- Council to fix a turnaround time to deal with and conclude all allegations raised by the Municipal Public Accounts Committee.
- Council to include in the Municipal Manager's performance scorecard and contract of employment, the full implementation of the Auditor-General's matters of emphasis and other negative findings.
- The Internal Audit Division of the NMBM to be strengthened by acquiring additional competent capabilities from the private sector in terms of appointed firms specialising in forensic auditing in order to expedite and conclude cases within a short space of time.

- Opening a special bank account in which all the irregular, fruitless and wasteful expenditure could be paid back by those public officials found to be in contravention of Section 32 of the Municipal Finance Management Act 56 of 2003 and other related policies.

RECOMMENDATION 11: SECURE ADEQUATE CAPACITY IN PROJECT MANAGEMENT SKILLS AND BUILT ENVIRONMENT PROFESSIONS

According to the State of the Nation Address (South African, 2012) by South African State President, Jacob Zuma, in February 2012, South Africa is known for its good policies but poor implementation. Policies can be defined as the framework of reference for service delivery. From policies come forth programmes and projects. According to the former State President, Thabo Mbeki, in his State of the Nation Address of February 2006 (South Africa, 2006), there is a lack of project management skills in municipalities, which makes the implementation of the country's policies difficult. According to Knipe *et al.* (2002:5), the purpose of project management is to foresee or predict as many of the dangers and problems in a project as possible, and to plan, organise and control activities so that the project is completed successfully, in spite of all the difficulties and risks. The aim of project management, therefore, is to satisfy the performance and quality requirements of clients and end users, such as communities and consumers (Lock, 1994:1). It can be argued therefore that project management is the means through which projects are managed and change is achieved. In this regard, project management can be viewed as a tool to achieve policy implementation. Without project management, development policies cannot be turned into tangible goods and services to communities. In support of this view, Tsatsire (2008:330) contends that the service delivery protests around poor service delivery in the Nelson Mandela Bay Municipality indicate that for local government to be said to be developmental, service delivery should receive priority attention.

Based on the above discussions, it is hereby recommended that urgent measures be undertaken by the NMBM and other municipalities to recruit competent project managers who are either professionally registered with the Project Management South Africa (PMSA) or internationally with the Project Management Institute (PMI). Alternatively, municipalities could recruit professionals in the built environment registered as construction project managers. A career path encompassing the training and skilling of young graduates, particularly in the built

environment, should also be considered as a long-term means of ensuring a sustainable supply of experienced professionals in a service delivery environment. In this regard, municipalities should work closely and in partnership with professional bodies in the built environment in the areas of engineering, quantity surveying, town planning, architecture and the environment.

It is further recommended that public officials not be appointed on the basis of their political affiliation or connections, but on their ability and capacity to do the job at hand.

RECOMMENDATION 12: DEVOLUTION OF CERTAIN PROVINCIAL FUNCTIONS AND RESPONSIBILITIES TO MUNICIPALITIES

In terms of Section 40 of the Constitution of Republic of South Africa, 1996, in the Republic, government is constituted as national, provincial and local spheres of government, which are distinctive, inter-dependent and interrelated. Of all three spheres, local government is located closest to the people. This implies that local government is the appropriate sphere of government, supposed to be given all service delivery functions. Currently, services like education, sports, recreation, libraries, health and social welfare are rendered directly by the provincial government, which is battling to do so effectively or efficiently. According to the Eastern Cape Department of Education's website (<http://www.ecdc.gov.za>), last year (2011), the Matric results indicated that the Eastern Cape Province was the worst performing province in terms of education, realising the lowest pass rate of 58,1%, compared to provinces such as the Western Cape and Gauteng, which attained 82,9% and 81,1% respectively.

The current lack of focus by provincial governments is probably due to the absence of a clear regulatory policy framework to enhance constitutional provisions. There is actually no provincial legislation regulating provinces (Tsatsire, 2008:334). It is, therefore, further recommended that national government develop a policy document on provincial government after an in-depth analysis of the current situation.

It is recommended that, because provincial government is far removed from communities, these functions should be delegated to local government, even if only on an agency basis. This will enable provincial and national government to focus more on policy-making, support, capacity building and strengthening local government to work better. It is further proposed that the current committee of Cabinet Ministers and Provincial Legislature members of the

Executive Committees (MinMEC) be jointly tasked to ensure that no national or provincial or municipal plans are approved for implementation unless they are aligned and integrated.

RECOMMENDATION 13: DETERMINATION AND ESTABLISHMENT OF A SERVICE DELIVERY BACKLOGS FUND

There have been a number of attempts to cost the service delivery backlogs in South African municipalities over the years. The Presidential Infrastructure Coordination Commission (PICC) has estimated the immediate service delivery backlogs in water and sanitation in the NMBM to be in the region of R5 billion. In terms of the Council Agenda of 19 September 2013, the total infrastructural backlogs in the NMBM are estimated at R30 billion. This kind of funding envelope far outstrips the financial ability of the NMBM. Unless some form of external funding, outside the Municipality, is mobilised, these infrastructural backlogs will never be addressed.

The NMBM 2012/13 capital stood at R1,4 billion, of which only R302 million (21.3%) was raised by the NMBM from its own sources. The Capital Budget for 2013/14 stands at R1,135 billion, of which the NMBM will raise only R376 570 million (33.2%). It is therefore clear that the NMBM's financial position is totally dependent on grants from national and provincial spheres of government. It is quite clear from these figures that a new source of funding arrangement has to be found if South African municipalities are to deliver services at a scale and pace commensurate with communities' needs on the ground. In the meantime, the national government will need to reprioritise its allocations and release more funds from non-core service delivery spending, such as Defence and the like, to fund service delivery backlogs at grassroots level. A national dialogue in this regard is also recommended.

RECOMMENDATION 14: MANAGE POLITICAL INSTABILITY

According to the results of the empirical study in Chapter Six, political instability has been identified as one of the root causes of service delivery protests at community level. For this reason, it is recommended that service delivery systems be tightened up by, *inter alia*, a clear legislative environment to ensure that service delivery programmes, projects and operations are not affected by instability, both politically and administratively. One way of dealing with the politics of service delivery is to isolate ward development programmes from faction politics by

delegating service delivery matters to the ward development forum, as recommended above, while political matters are dealt with by the relevant political structures.

RECOMMENDATION 15: IMPROVE INTERGOVERNMENTAL RELATIONS (IGR) COORDINATION AND INTEGRATION

The importance of intergovernmental planning and implementation cannot be overemphasised. The fact that the NMBM has constructed more than 10 000 housing units in the Chatty area more than 30 kilometres away from the city centre, without a single clinic, one temporary school, no community hall and no library, is proof that different spheres of government do not plan together, reinforcing apartheid, rendering the poor poorer.

It is recommended, therefore, that a multisectoral structure be set up between the three spheres of government to manage integration in the provision of services and public amenities in all new developments in South Africa.

8.4 CONCLUSION

This study primarily investigated the reasons for or causes behind service delivery protests in South African municipalities between 2005 and 2013, some of which turned violent. The thesis focused on the Nelson Mandela Bay Municipality as a case study. Although a number of findings and recommendations may be specific to the unique circumstances of the NMBM, a number of them could be adopted to the conditions prevailing in other municipalities. In this regard, the following conclusions are drawn from the findings of this research.

It became clear during the study that communities have lost trust in the engagement process with their government and that public participation, as legislated, works below anticipated optimal levels. In this regard, the citizens have now chosen their own way of talking to the government, which they believe to be more effective. The way they chose is basically expressing their dissatisfaction and concerns through violent service delivery protests.

Although the South African Constitution of 1996 prohibits any form of violence in protests action, the majority of service delivery protests have been characterised by weapon-carrying crowds, resorting to burning tyres and blocking roads and traffic in their neighbourhood. It has

also been noticed that most of the protests have come from informal settlements and are youth driven. This immediately points to issues around human settlements, poverty and unemployment, especially amongst the youth.

To this end, the literature review, as well as the results of the empirical study, has revealed the main causes of the ongoing violent service delivery protests to be dissatisfaction at grassroots level with the pace and quality of delivery of human settlements, especially housing. The other causes mentioned, which include lack of or inadequate sanitation (pail system), electricity, poor roads and inadequate refuse removal, are peripheral issues, which should be viewed in the context of integrated, sustainable human settlements. The second major triggering factor is poverty and unemployment. With unemployment levels at 70% amongst the youth, governments needs to urgently identify and design programmes that involve the youth in skills and meaningful employment. Other reasons for the service delivery protests include inadequate public participation, corruption and opportunistic political elements who, disgruntled by the way their fortunes have turned, instigated certain factions in the community to conduct politically motivated protest action in the guise of service delivery concerns.

Furthermore, the research has not found any evidence of a third force element or instigations by other political parties against the ANC-led government to be the cause of service delivery protests to date.

Although certain causes of service delivery protests have been identified in this study, it is important to mention that there are underpinning or underlying factors that give rise to the reasons that trigger communities into protest action. They include the complex, onerous and inhibiting legislative environment that governs service delivery and a weak fiscal regime, exacerbated by the inadequate allocation of funding by national and provincial governments to municipalities, which are at the forefront of service delivery. The intergovernmental relations and framework are also not working well. In many instances, municipalities would be building low-income houses in a certain part of their area of jurisdiction, whilst provincial and national governments have prioritised schools and clinics in a different area. This results in a greater financial and socio-economical burden on the poor, making the poor poorer. Recommendations for rectifying these underpinning reasons are also included in this chapter. In this regard, a normative model has been proposed, as illustrated in Chapter Seven.

Finally, this thesis should be viewed as a starting point for studies on the topic of innovative service delivery model to be adopted by South African municipalities. By implementing the suggested normative service delivery model, the Nelson Mandela Bay Municipality will place itself at the leading edge of addressing the causes of service delivery protests in South Africa and pioneering a developmental approach that could benefit other affected municipalities, both in South Africa itself and in the world at large.

QUESTIONNAIRE A**GROUP A – MAYORAL COMMITTEE (10) & WARD COUNCILLORS (60)****SECTION A: BIOGRAPHICAL DATA**

PLEASE MARK THE APPLICABLE BLOCK WITH AN "X"

A1 – AGE GROUP (IN YEARS)

18-35	36-45	46-55	+56
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A2 – MOTHER TONGUE

ISIXHOSA	ENGLISH	AFRIKAANS
OTHER (Please specify)		

A3 – GENDER

MALE	
FEMALE	

A4 – HIGHEST GRADE PASSED AT SCHOOL

GRADE 0 – 7	
GRADE 8	
GRADE 9	
GRADE 10	
GRADE 11	
GRADE 12	

A5 – HIGHEST TERTIARY QUALIFICATION

CERTIFICATE	
DIPLOMA	
DEGREE	
POST DEGREE	
OTHER (Please specify)	

A6 – EMPLOYMENT STATUS

EMPLOYED	
UNEMPLOYED	
SELF-EMPLOYED	
RETIRED	
OTHER (Please specify)	

A7 – EMPLOYER, IF EMPLOYED

PUBLIC SECTOR	
PRIVATE SECTOR	
SELF-EMPLOYED	
NPO / CO-OP	
OTHER (Please specify)	

A8 – LENGTH OF SERVICE AS A MAYORAL COMMITTEE MEMBER OR WARD COUNCILLOR

LESS THAN 1 YEAR	
01-04 YEARS	
05-09 YEARS	

10-19 YEARS	
20+ YEARS	

A9 – WARD WHICH YOU SERVE AS A WARD COUNCILLOR (THIS SECTION TO BE FILLED BY WARD COUNCILLORS ONLY)

WARD 1		WARD 16		WARD 31		WARD 46	
WARD 2		WARD 17		WARD 32		WARD 47	
WARD 3		WARD 18		WARD 33		WARD 48	
WARD 4		WARD 19		WARD 34		WARD 49	
WARD 5		WARD 20		WARD 35		WARD 50	
WARD 6		WARD 21		WARD 36		WARD 51	
WARD 7		WARD 22		WARD 37		WARD 52	
WARD 8		WARD 23		WARD 38		WARD 53	
WARD 9		WARD 24		WARD 39		WARD 54	
WARD 10		WARD 25		WARD 40		WARD 55	
WARD 11		WARD 26		WARD 41		WARD 56	
WARD 12		WARD 27		WARD 42		WARD 57	
WARD 13		WARD 28		WARD 43		WARD 58	
WARD 14		WARD 29		WARD 44		WARD 59	
WARD 15		WARD 30		WARD 45		WARD 60	

A10 – POLITICAL PARTY AFFILIATION

ACDP		DA		UCDP	
ANC		IFP		UDM	
APC		INDEPENDENTS		VF PLUS	
AZAPO		NFP		OTHER (specify)	
COPE		PAC		NONE	

SECTION B: QUESTIONNAIRE

PLEASE INDICATE TO WHAT EXTENT YOU AGREE WITH THE FOLLOWING STATEMENTS
BY CIRCLING THE APPROPRIATE NUMBER

1. = Strongly Disagree (SD)
 2. = Disagree (D)
 3. = Neutral (N)
 4. = Agree (A)
 5. = Strongly Agree (SA)

NO		SD	D	N	A	SA
1	As a result of infighting and dissatisfaction within the ANC, some of its disgruntled politicians are involved in instigating service delivery protests.	1	2	3	4	5
2	The recent and ongoing service delivery protests are genuine community protests resulting from poor, slow and unsatisfactory services delivery by government.	1	2	3	4	5
3	Intergovernmental relations are not working well, that's why government can not deliver services to the communities in an effective and efficient manner.	1	2	3	4	5
4	Certain political parties are involved in instigating service delivery protests in order to fulfill their own hidden agenda.	1	2	3	4	5
5	The legislative environment governing South African Municipalities is so complex and burdensome that it stifles timeous service delivery to the communities.	1	2	3	4	5

6	The recent service delivery protests that have rocked South African Municipalities are the work of a "Third Force" seeking to destabilise the government.	1	2	3	4	5
7	South African Municipalities do not have the necessary technical and other skills or capacity to render public services to its communities.	1	2	3	4	5
8	The Nelson Mandela Bay Municipality is well governed and is rightly poised to deliver services to its communities.	1	2	3	4	5
9	Communities in the Nelson Mandela Bay Municipal are well informed and participate fully in matters of their municipality.	1	2	3	4	5
10	Ward committees in the Nelson Mandela Bay Municipality are effective vehicles for public participation and involvement in matters of their local government.	1	2	3	4	5
11	Ward councillors in the Nelson Mandela Bay Municipality are doing a good job in involving and informing their communities regarding development issues around them.	1	2	3	4	5
12	One of the root causes of service delivery protests is corruption in housing delivery in the Nelson Mandela Bay Municipality.	1	2	3	4	5
13	The root causes of service delivery protests include lack of housing and other public amenities like water, electricity, sanitation, refuse removal and roads.	1	2	3	4	5
14	Unless the problem of poverty and hunger are addressed,	1	2	3	4	5

	service delivery protests will continue unabated especially in poor communities.					
15	Communities in the Nelson Mandela Bay municipality are not well-informed about development plans of government or municipality.	1	2	3	4	5
16	The Integrated Development Plan (IDP) and budget of the municipality is informed by the needs of the communities.	1	2	3	4	5
17	The recent protests are a sign of the communities declining confidence in the capacity of the ANC led government to deliver services to the people.	1	2	3	4	5
18	The recent service delivery protests are due to the unfulfilled promises made by politicians during recent national and local government elections.	1	2	3	4	5
19	The recent service delivery protests took place mainly in informal settlements.	1	2	3	4	5
20	The recent wave of service delivery protests were orchestrated by certain disgruntled ANC politicians who had their own hidden agendas.	1	2	3	4	5

OPEN-ENDED QUESTIONS

1) In your opinion, what do you think are the reasons behind the service delivery protests in the Nelson Mandela Bay Municipality? Can you please rank them in a descending order of importance?

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2) Why do you think the government is failing in delivering adequate services to its citizens in the Nelson Mandela Bay Municipality?

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3) In your opinion, what should the municipality and government do to address community's concerns raised in service delivery protests in the Nelson Mandela Bay Municipality?

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4) Allegations of corruption, nepotism and poor governance could be some of the causes for service delivery protests. Do you agree with this statement?

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5) Are there any other comments you might wish to make?

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SECTION C – SWOT ANALYSIS

1) STRENGTH

What do you think are the strengths of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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2) WEAKNESS

What do you think is the weakness of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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3) OPPORTUNITIES

What do you think are the opportunities of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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4) THREATS

What do you think are the threats of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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QUESTIONNAIRE B

GROUP B (FOCUS GROUP INTERVIEWS) – WARD COMMITTEE MEMBERS (120) AND RANDOMLY SELECTED INFORMANTS FROM “HOT SPOT” AREAS (100)

FOCUS GROUP DISCUSSION GUIDE

Moderator Instructions:

- Introduce yourself as moderator and clarify to the group the reasons why you are conducting the interview. Read the “Subject Information Sheet for Focus Group Participant” to the group;
- Agree with the group that the discussion will be confidential;
- Inform them that their conversation will not be recorded on a tape recorder or any other audio / audio visual recording instrument;
- Inform participants / informants that they may withdraw from the discussion at any point should they wish to do so;
- Obtain verbal consent;
- Obtain written consent forms.

READ TO FOCUS GROUP PARTICIPANTS:

“Thank you for agreeing to participate in this discussion today. Before we begin, I would like to confirm that you have given your voluntary consent to participate. Do you agree freely?”

“Okay, then I would like to start with the instructions.”

Begin:

- Start with the instructions;
- Proceed with participant introductions; and
- Introduce an ice-breaker activity.

SECTION 1: Focus group questions for members of the 100 informants from the service delivery “Hot Spots” and the 60 Ward Committee members (Interview guide).

1. As members of this community do you think that the recent service delivery protests were orchestrated by a “third force” trying to destabilise the ANC government? If yes, what do you think constitutes the “third force” elements?
2. Do you feel that the municipality’s development programmes are informed by community needs and participation?
3. Do you think that Ward Councillors and their ward committees are doing enough to facilitate public participation and consultation in the matters of the Nelson Mandela Bay Municipality?
4. As community members, what do you think are the root causes of service delivery protests? Can you rank them in order of their descending importance?
5. Do you think that some of the service delivery protests were orchestrated by certain disgruntled politicians who were aggrieved by ANC party processes?
6. What do you think this government and the municipality should do to address the challenges raised by the communities during the recent service delivery protests?
7. As a community member in this area, are there any other comments you wish to make?

SECTION 2 – SWOT ANALYSIS

5) STRENGTH

What do you think are the strengths of the Nelson Mandela Bay Municipality with regards to the service delivery to its communities?

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6) WEAKNESS

What do you think is the weakness of the Nelson Mandela Bay Municipality with regards to the service delivery to its communities?

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7) OPPORTUNITIES

What do you think are the opportunities of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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8) THREATS

What do you think are the threats of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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Thank the participants for their participation.

QUESTIONNAIRE C**GROUP C – SENIOR MANAGEMENT (50) AND PUBLIC PARTICIPATION OFFICIALS (10)****SECTION A: BIOGRAPHICAL DATA**

PLEASE MARK THE APPLICABLE BLOCK WITH AN "X"

A1 – AGE GROUP (IN YEARS)

18-35	36-45	46-55	+56
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A2 – MOTHER TONGUE

ISIXHOSA	ENGLISH	AFRIKAANS
OTHER (Please specify)		

A3 – GENDER

MALE	
FEMALE	

A4 – HIGHEST GRADE PASSED AT SCHOOL

GRADE 0 – 7	
GRADE 8	
GRADE 9	
GRADE 10	
GRADE 11	
GRADE 12	

A5 – HIGHEST TERTIARY QUALIFICATION

CERTIFICATE	
DIPLOMA	
DEGREE	
POST DEGREE	
OTHER (Please specify)	

A6 – EMPLOYMENT STATUS

EMPLOYED	
UNEMPLOYED	
SELF-EMPLOYED	
RETIRED	
OTHER (Please specify)	

A7 – EMPLOYER, IF EMPLOYED

PUBLIC SECTOR	
PRIVATE SECTOR	
SELF-EMPLOYED	
NPO / CO-OP	
OTHER (Please specify)	

A8 – LENGTH OF SERVICE AS A MAYORAL COMMITTEE MEMBER OR WARD COUNCILLOR

LESS THAN 1 YEAR	
01-04 YEARS	
05-09 YEARS	
10-19 YEARS	

20+ YEARS	
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A9 – WARD WHICH YOU RESIDE IN

WARD 1		WARD 16		WARD 31		WARD 46	
WARD 2		WARD 17		WARD 32		WARD 47	
WARD 3		WARD 18		WARD 33		WARD 48	
WARD 4		WARD 19		WARD 34		WARD 49	
WARD 5		WARD 20		WARD 35		WARD 50	
WARD 6		WARD 21		WARD 36		WARD 51	
WARD 7		WARD 22		WARD 37		WARD 52	
WARD 8		WARD 23		WARD 38		WARD 53	
WARD 9		WARD 24		WARD 39		WARD 54	
WARD 10		WARD 25		WARD 40		WARD 55	
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WARD 12		WARD 27		WARD 42		WARD 57	
WARD 13		WARD 28		WARD 43		WARD 58	
WARD 14		WARD 29		WARD 44		WARD 59	
WARD 15		WARD 30		WARD 45		WARD 60	

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ACDP		DA		UCDP	
ANC		IFP		UDM	
APC		INDEPENDENTS		VF PLUS	
AZAPO		NFP		OTHER (specify)	
COPE		PAC		NONE	

SECTION B: QUESTIONNAIRE

PLEASE INDICATE TO WHAT EXTENT YOU AGREE WITH THE FOLLOWING STATEMENTS
BY CIRCLING THE APPROPRIATE NUMBER

1. = Strongly Disagree (SD)
 2. = Disagree (D)
 3. = Neutral (N)
 4. = Agree (A)
 5. = Strongly Agree (SA)

NO		SD	D	N	A	SA
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3	Intergovernmental relations are not working well, that's why government cannot deliver services to the communities in an effective and efficient manner.	1	2	3	4	5
4	Certain political parties are involved in instigating service delivery protests in order to fulfill their own hidden agenda.	1	2	3	4	5
5	The legislative environment governing South African Municipalities is so complex and burdensome that it stifles timeous service delivery to the communities.	1	2	3	4	5

6	The recent service delivery protests that have rocked South African Municipalities are the work of a "Third Force" seeking to destabilise the government.	1	2	3	4	5
7	South African Municipalities do not have the necessary technical and other skills or capacity to render public services to its communities.	1	2	3	4	5
8	The Nelson Mandela Bay Municipality is well governed and is rightly poised to deliver services to its communities.	1	2	3	4	5
9	Communities in the Nelson Mandela Bay Municipal are well informed and participate fully in matters of their municipality.	1	2	3	4	5
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13	The root causes of service delivery protests include lack of housing and other public amenities like water, electricity, sanitation, refuse removal and roads.	1	2	3	4	5
14	Unless the problem of poverty and hunger are addressed,	1	2	3	4	5

	service delivery protests will continue unabated especially in poor communities.					
15	Communities in the Nelson Mandela Bay municipality are not well-informed about development plans of government or municipality.	1	2	3	4	5
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19	The recent service delivery protests took place mainly in informal settlements.	1	2	3	4	5
20	The recent wave of service delivery protests were orchestrated by certain disgruntled ANC politicians who had their own hidden agendas.	1	2	3	4	5

OPEN-ENDED QUESTIONS

1) In your opinion, what do you think are the reasons behind the service delivery protests in the Nelson Mandela Bay Municipality? Can you please rank them in a descending order of importance?

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2) Why do you think the government is failing in delivering adequate services to its citizens in the Nelson Mandela Bay Municipality?

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3) In your opinion, what should the municipality and government do to address community's concerns raised in service delivery protests in the Nelson Mandela Bay Municipality?

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4) Allegations of corruption, nepotism and poor governance could be some of the causes for service delivery protests. Do you agree with this statement?

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5) Are there any other comments you might wish to make?

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SECTION C – SWOT ANALYSIS

1) STRENGTH

What do you think are the strengths of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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2) WEAKNESS

What do you think is the weakness of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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3) OPPORTUNITIES

What do you think are the opportunities of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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4) THREATS

What do you think are the threats of the Nelson Mandela Bay Municipality with regards to service delivery to its communities?

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.....
.....

TO WHOM IT MAY CONCERN

Language statement

I, Marthie Nel, hereby confirm that I have language edited the thesis titled ***INVESTIGATION INTO CAUSES OF SERVICE DELIVERY PROTESTS IN MUNICIPALITIES: A CASE STUDY OF NELSON MANDELA BAY MUNICIPALITY*** submitted by Mr EW Shaidi towards the degree Doctor Philosophiae at the Nelson Mandela Metropolitan University.

I have been a language editor for thirty five years and am a member of SAITINT.

A handwritten signature in cursive script, appearing to read 'M Nel', written in black ink.

Marthie Nel
Nelson Mandela Bay
8 January 2014

Centre of Expertise in Forecasting

Faculty of Science

• PO Box 77000 • Nelson Mandela Metropolitan University
• Port Elizabeth • 6031 • South Africa • www.nmmu.ac.za



**Nelson Mandela
Metropolitan
University**

for tomorrow

11 December 2013

Nelson Mandela Metropolitan Municipality
Port Elizabeth

TO WHOM IT MAY CONCERN

This serves as a confirmation that I, Professor Igor Litvine, has conducted the Statistical Analysis of the Empirical Survey due by Mr Elisante Walter Shaidi in his Doctorate Thesis on "Investigation into causes of Service Delivery Protests in Municipalities: A case study of Nelson Mandela Bay Municipality".

pp
A handwritten signature in black ink, appearing to read "Igor Litvine", written over a horizontal line.

Prof. Igor N. Litvine
Department of Statistics

Prof Igor Litvine
Director
e-mail: igor.litvine@nmmu.ac.za
☎ + 27 41 504 2764
(F) +27 41 5042659

Centre of Expertise in Forecasting
Building 07, Room 0242
Nelson Mandela Metropolitan University
Port Elizabeth, 6031

07/07/2010

The Municipal Manager
Nelson Mandela Bay Metropolitan Municipality
Port Elizabeth

Dear sir

REQUEST FOR PERMISSION TO CONDUCT DPHIL RESEARCH

I am a Doctorate (DPhil) student at the Nelson Mandela Bay Metropolitan University pursuing research in fulfillment of the requirements of the degree: Doctor of Philosophiae in Public Administration and Management. My student number is *S204050871*.

My proposed research topic / thesis is titled:

“AN INVESTIGATION INTO THE ROOT CAUSES OF SERVICE DELIVERY PROTESTS IN MUNICIPALITIES: A CASE STUDY OF THE NELSON MANDELA BAY METROPOLITAN MUNICIPALITY: 2005 – 2010”

As the topic suggests, the study area will be the Nelson Mandela Bay Municipality that is why the University requires me to get a letter of permission from you as the accounting officer.

Please affix your signature in the space provided as an indication of your permission for me to continue with the study.

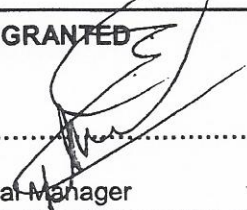
Please note that, for the purpose of this study, the “Ethical Code of Professional Conduct (The Professional Board for Psychology, Health Professions Council of South Africa 18/5/B 26/03/200 will be used. This means that you will be afforded an opportunity to look into the findings of the research before it is submitted finally to the University (NMMU).

It is my expectation that the outcome of the research will not only assist in me qualifying for the Doctorate conferring, but can be used by this municipality and other municipalities to improve on the rendering of public goods and services.

Thank you,



Elisante Walter Shaidi
Student No S204050871

<p>PERMISSION GRANTED</p> <p>Signature..... Elias Ntoba Acting Municipal Manager Nelson Mandela Bay Metropolitan Municipality</p> 
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