



**LEADERSHIP AND GOVERNANCE PERSPECTIVES IN LOCAL GOVERNMENT
ADMINISTRATION IN SOUTH AFRICA: LIMPOPO PROVINCE.**

BY

E. MAVHIVHA

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SUPERVISOR: PROF. P. A. BRYNARD

CO-SUPERVISOR: PROF J. O. KUYE

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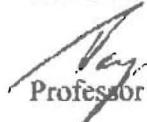
335 Lynnwood Road
Menlo Park
Pretoria
0081
6 August 2007

Attention: Mr E Mavhivha
Fax: 015 9614594
From: Professor RA Gray
Fax: 012 3620318

TO WHOM IT MAY CONCERN

This is to certify that I have edited and suggested amendments to the doctoral thesis of Mr E Mavhivha, as well as his article suitable for publication. The thesis is supervised by Professors Brynard and Kuye. Any financial assistance to the candidate to cover the cost of editing would be greatly appreciated.

Yours faithfully


Professor Rosemary Gray

DECLARATION

I, Elphus Mavhivha, do hereby declare that:

Leadership and governance perspective in local government administration in South Africa:

Limpopo Province, is my own work in conception and execution and that all the sources I have used have been acknowledged by means of direct and indirect references.

- This thesis has not been submitted before for any degree or examination in any other university.
- No part of my first two Master's degrees from the University of Pretoria (1995 and 1998) has been utilized for this thesis.



E. MAVHIVHA

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ABSTRACT

The study of this thesis was undertaken as a result of poor service delivery in communities which have fallen prey due to leadership which lacks knowledge and leadership skills in the Limpopo Province of South Africa. The study was conducted through literature study as well as governmental documents such as White Papers and Acts. To supplement the literature study in this thesis, the empirical research was conducted in Vhembe District Municipality and its four local municipalities namely Makhado, Musina, Mutale and Thulamela.

In this study, literature study indicated that more appropriate leadership for the developmental local government should be visionary and charismatic leader, strategic leadership, builder of its capacity to make policy judgements, respected leader, accountable and transparent leader, development leadership, builder of partnerships and coalition, interests, a leader with relationships with private sector, demonstrator of value of money, an outdoor person and good communication.

Regarding governance, literature study indicated it clearly that for municipalities to succeed in their activities the governed people (communities) should be actively involved in municipal activities. Communities in their respective residential areas know their precise needs. Hence, they should be involved in the planning of municipal activities so that they could be part of the decision making.

Empirical study also indicated that lack of knowledge and skills of leadership skills and governance of municipalities are the main reasons for poor service delivery in the Limpopo Province because rules and legislations to provide guidelines in the governing of municipalities are in place. The knowledge and skills of how to implement these legislations to the fullest is lacking amongst both political and administrative officials.

Therefore the following recommendations were put forward to improve the situation in the

municipalities. The study recommends that the National Government should establish a White Paper on the implementation of governmental policies and acts in anticipation so that this could force both political and administrative leadership to enforce these policies effectively. The study also recommends that the practice of political appointees should be done away with immediately because this undermines the requirements of the post and the capacity and relevant skills required by particular post. A minimum qualification requirement of Grade 12 was recommended, as this qualification will enable councillors to be in a position to study municipal by-laws and legislation with understanding. The study recommends that Ward Councillors should visit their villages in their wards in order to reduce the disruptive protests that are taking place in South Africa. The study suggests that community involvement in municipal activities should not only appear on paper, but should be effectively implemented. Furthermore, the study recommends that political parties should strengthen their branches by electing dedicated and committed members to executive positions of their branches so that the counsellors could have people who are accountable in their duties and responsibilities. The study then suggests that councillors who held executive positions in their branches before they are appointed as councillors should relinquish such positions since they cannot perform two functions at the same time. The study recommends that councillors educate residents in rural areas to pay for the services rendered, because no service could be rendered to people who do not contribute to municipal service expenses. The study concludes by recommending further research on the effective capacity building of both political and administrative officials to show how capacity building could be conducted for the improvement of service delivery in municipalities of South Africa.

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CHAPTER ONE

BACKGROUND ON HISTORICAL PROCESS OF LOCAL GOVERNMENT IN SOUTH AFRICA

1.1 Introduction

Chapter One is centred on the introductory orientation on the perspective of leadership and governance in local government administration in the Limpopo Province of South Africa. In this chapter, local government issues during apartheid are highlighted in order to familiarise readers of this thesis with the status of local government administration during the period of apartheid. This will enable readers to compare the status of local government administration during the period of apartheid with the period after apartheid. Chapter One also focuses on the present challenges for developmental local government administration in South Africa. The current situation regarding local government administration in South Africa also needs attention in order to explore and evaluate its mode of operation.

It is necessary and also important for political and administrative leadership in local government administration to outline how laws are made. This should minimize confusion and ambiguity with regard to the roles, functions and powers of various institutions of governance and of government officials. The intermingling of roles in local government has a negative impact on service delivery to communities by local government administration. Chapter One guides both councillors and officials to carry out their responsibilities and obligations effectively and efficiently to enable government to deliver its goods and services to communities. Chapter One also provides information for both councillors and officials on how local government should work harmoniously and peacefully with other spheres of government as well as with the private sector.

1.1.1 Local government during apartheid

According to Cloete (1993:13), when the Union of South Africa was established on 31 May 1910, municipal affairs were made the responsibility of the provincial authorities. For many

years, the central government showed little interest in municipal affairs and contributed nothing to the development of local government and administration systems in order to ensure that they become appropriate for South African urban areas. The legislation passed by Parliament on local government affairs before 1983 dealt mostly with (i) specific matters affecting individual municipalities or local communities, for example the Durban Borough (Extension of Area) Act, 1927 (Act 12 of 1927), and the Church Square, Pretoria, Development Act, 1972 (Act 53 of 1972); (ii) the administration of Black Urban areas, such as the Black Administration (Urban Areas) Consolidation Act, 1945 (Act 25 of 1945), and the Community Councils Act, 1977 (Act 125 of 1977); and (iii) financial affairs, e.g. the state Property (Immunity from Rating) Act, 1931 (Act 32 of 1931), and the Local Loans Act, 1926 (Act 19 of 1926).

The White Paper on Local Government, 1998 (1998:1) states that apartheid has left its imprint on South African human settlements and municipal institutions. Apartheid legislation was not the beginning of geographic, institutional and social separation at the local level. Segregation was already a policy by the time apartheid was introduced in 1948. However, the Group Areas Act, 1966 (Act 36 of 1966), the key piece of apartheid legislation, instituted strict residential segregation and the compulsory removal of black people to their own, separate group areas. Through spatial separation, influx control, and a policy of own management for own areas, apartheid aimed to limit the extent to which affluent white municipalities would bear the financial burden of servicing disadvantaged black areas. The Group Areas Act restricted the permanent presence of black Africans in urban areas through the pass system, and reserved a viable municipal revenue base for white areas by separating townships and industrial and commercial development. This meant that those who lived in Venda, were expected to remain in Venda but they were found in urban areas as immigrant labourers.

The White Paper on Local Government, 1998 (1998:1) goes on to state that various attempts were made under apartheid to introduce own management structures for black residents at the local level. This was in part to compensate for restricted rights, and in part to bolster the political and economic privileges of racial exclusion. The following serve as examples of the strategy:

- (a) In Bantustans, limited local government was established. Traditional leaders were given powers over land allocation and development matters in areas with communally owned land. Some small rural townships (the so-called 'R293 towns') were given their own administrations, but these lacked real powers.
- (b) In the 1960s, Coloured and Indian management communities were established as advisory bodies to white municipalities.
- (c) The Bantu Affairs Administration Act of 1971 established the appointment of Administration Boards, which removed responsibility for townships from white municipalities.
- (d) In 1977, Community Councils were introduced. The Councils were elected bodies, but had no meaningful powers and few resources. They, therefore, never gained political credibility in terms of voicing the opinions of the people.
- (e) In 1982, Black Local Authorities (BLAs) replaced Community Councils. These authorities had no significant revenue base, and were seen by the majority as politically illegitimate from the start. They were rejected by popular (and sometimes violent) community mobilisation in the mid 1980s (White Paper on Local Government, 1998:2).

Oluwu (1999:4) states that for many countries of the world, and definitely for African countries, local government has been an extension of the central state to the community. Local government derives its legal existence from the state and, in some cases, even all of its resources, human and financial, and it does not possess any discretionary authority independently from the state. For most independent African countries, local government as an institution for the promotion of popular democracy and economic development has been a qualified success at best. Even as an institution for the provision of community services under the control of the central government, it has largely been a failure.

According to Burke (1964:13), local government has an equally important part to play in the sphere of political development. An efficient and democratic system of local government is in fact essential to the healthy political development of the African territories. It is the foundation on which their political progress must be built. Local government in a traditional and historical sense was not a nation state invention to facilitate administration and consensus management.

The existence and, more important , the persistence of indigenous and often ancient forms of locality governance in a surprisingly large number of developed, as well as developing, states would seem to testify both to the persistence of certain problems arising from the interrelationship of members of a territorial community, regardless of the nature of the more inclusive political unit of which they are a constituent part, the intensity and longevity of the values that men associate with the institutional management of local problems and from the persistence of local political systems predating the state.

The International Republican Institute (1995:26), asserts that under the apartheid system, South Africans were classified by law as Whites, Blacks, Coloured or Asian. Local government was therefore also defined in racial terms. As already noted, the local government system since 1982 had given white and black people local authorities of their own, while Coloureds and Asians had advisory bodies attached to white local authorities. Before the 1980s, black South Africans had no proper participatory decision-making structures outside the homelands. According to the ideology of apartheid, black people were supposed to express themselves politically within the states (homelands) to which they belonged. Urban areas in white South Africa were regarded as places for white-led economic activity and residence. Black people were seen to be in these areas only on a temporary basis. Important changes took place in the 1980s. First, black local authorities (BLAs) had been introduced in 1982, as already stated, as a form of local government in the black townships (Cloete, 1993:26). Furthermore, the scrapping of influx control in 1986 meant that the government finally recognized the permanence of black people in urban areas outside the homelands. However black local authorities were never really accepted by the people whose needs they were supposed to serve for a number of reasons:

- (a) Black Local Authorities faced political opposition, because they were seen as an attempt to avoid granting black people national political rights.
- (b) Black Local Authorities were seen as collaborating with the apartheid government.
- (c) Black Local Authorities had financial and administrative shortcomings that prevented them from meeting the needs of people in their various areas.

The International Republican Institute (1995:27) states that community opposition to Black Local Authorities was expressed mainly in three ways: low levels of participation in elections, rent and service charge boycotts, and open political protests that often saw the townships erupting into violent battle zones. By the early 1990s, this opposition had reached a peak and was now aimed at the whole racially-based local government system as an expression of the wider apartheid system. As with the Black Local Authorities, the Coloured and Indian Local Authorities had never attained much legitimacy and had also become the focus of much of the resistance against apartheid. As a result of the lack of legitimacy of racially based local government and the resistance of communities, the state found it increasingly difficult to govern black areas.

November and Wessels (2001:145) state that the indigenous African system of governance was given a heavy blow when in 1910 white settlers formed the Union of South Africa. Following this, African kings and other Africans leaders saw the need also to unite and fight for their recognition collectively. Accordingly, several hundreds of South Africa's most prominent African citizens: professional men, chieftains, ministers, teachers, clerks, interpreters, landholders, business men, journalists, estate agents, building contractors and labour agents converged in Bloemfontein on 8 January 1912 to unanimously form the South African Native National Congress.

With the introduction of the Black Administration Act, 1927 (Act 38 of 1927) the African system of governance and administration was changed and the white government took control of the black African population. According to November and Wessels (2001:146), this denoted the invention, promotion and exploitation of tribal differences and traditions. Furthermore, new structures were established in their place in terms of the Black Authorities Act, 1951 (Act 68 of 1951). These were termed tribal authorities, community authorities, and regional authorities. In terms of the new development, the Governor-General was established as a supreme chief, a position that gave him the power to create and divide indigenous communities and to appoint any person he chose as the so-called chief or headman. The Governor-General also had the power to depose these so-called chiefs and headman. From 1961 the position of the Governor-

General was assumed by the President of the Republic of South Africa. In terms of the 1993 and 1996 constitutions, these powers were assigned to the premiers of the various provinces.

One may conclude that local government during the apartheid era was not well established because of apartheid policies. The establishment of local government was done purely on the racial basis because we had White, Coloured, Indian and Black local authorities. In consequence, black people organized themselves to fight against this racially-based municipal system particularly as resources were unequally distributed. The unity amongst black progressive structures heralded the dawn of the 1994 era.

1.1.2. Local government in post-apartheid South Africa

According to International Republican Institute (1995:33), by the end of 1993, the Local Government Negotiating Forum had produced the Local Government Transition Act. Together with Chapter 10 of the Interim Constitution of South Africa, as well as the Agreement on Finances, Services and Service Rendering signed by Mr Mandela and Mr De Klerk in February 1994, this Act provides the overall framework for an elaborate local government transformation process.

Planact (2001:3) states that local government, like any other sphere of government, is governed by the principles and rules laid down in the Constitution. In addition, the Constitution, 1996 (Act 108 of 1996) describes the framework which other spheres of government must adhere to in dealing and interacting with local government. It is Parliament's prerogative to pass laws that deal with the detail of what local government should look like. While the provincial governments have a responsibility for passing regulations for local government, such regulations must not contradict the principles laid down in the Constitution. One of these is that the interactions of other spheres of government with local government should not interfere with the status of local government to regulate its own affairs. The provisions concerning local government are set out in Chapter Seven of the 1996 Constitution, 1996 (Act 108 of 1996). It deals with the following principles: the status of municipalities, the objectives of local government, the developmental duties of municipalities, co-operative government, the

establishment of municipalities, the powers and functions of municipalities, the composition and election of municipal councils, membership of municipal councils, the terms of municipal councils, internal procedures, privileges, the publication of municipal by-laws and an organized local government.

According to the South Africa Yearbook (2001:72), the recognition of local government as a sphere of government has enhanced the status of local government as a whole and of municipalities in particular, and has given them a new dynamic role as instruments of delivery. The relationship between the three spheres of government is outlined in Chapter Three of the Constitution, which, among other things, requires Parliament to establish structures and institutions to promote and facilitate intergovernmental relations. According to the Constitution and the Organised Local Government Act, 1997 (Act 52 of 1997), (which formally recognizes the South African Local Government Association (SALGA) and state that the nine provincial local government may designate up to 10 part-time representatives to represent the different categories of municipalities and many participate in proceedings of the National Council of Provinces.

Planact (2001:19) argues that the White Paper on Local Government (March 1998) is the first national policy framework for local government in the post-apartheid period. It was developed after discussions, research and consultations with interested persons by the Ministry for Provincial Affairs and Constitutional Development. It effectively sets the stage for macro transformation. The White Paper provides a map that must be followed in order to reach our destination – a new, democratic system of local government that will take us into the 21st century.

The most important policy decisions or perspectives filtered through the White Paper are: a developmental vision for local government's new role in the new context; a deeper understanding of cooperative government and some of its implications for decentralisation; clarification of institutional arrangements for both metro and non-metro areas; outlining the sources of local government income and an equitable share of revenue to which local

government is entitled from the national fiscus and options for municipal political and administrative arrangements (Planact, 2001:20).

1.1.3 The present challenges

According to the White Paper on Local Government 1988 (1998:15), challenges facing South African municipalities include the following: Skewed settlement patterns, which are functionally inefficient and costly, extreme concentrations of taxable economic resources in formerly white areas demanding redistribution between and within local areas, huge backlogs in service 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 have 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. Most urban areas are really fragmented, with discontinuous land use and settlement patterns. Municipalities in urban areas will need to develop strategies for spatial integration, while managing the continuing consequences of rapid urbanisation and service backlogs, creating municipal institutions which recognize the link between urban and rural settlements.

There are wide variety of urban settlements, ranging from those which play the roles of local or regional service centres, to functionally specialised towns and administrative centres. Importantly, almost all towns are functionally linked to rural areas, relying on their hinterlands for productive economic activity and providing critical centres for the delivery of social services, entrenched modes of decision-making, administration and delivery inherited from municipalities geared for the implementation of urban and rural apartheid. There is an inability to leverage private sector resources for development owing to a 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 foundation to build on and the need to rebuild relations between municipalities and the local communities they serve. Municipalities

should be particularly sensitive to the needs of groups within the community who tend to be marginalized. They should also be responsive and accessible to people with disabilities. White Paper on Local Government (1998:16).

Vil-Nkomo (1998:205-207) argues that poverty in South Africa manifests itself in the form of lack of income, lack of access to services, as well as lack of access to resources for engaging in productive economic activity. In addition, there are high levels of inequality along racial, gender and geographic lines with respect to this lack of access. Thus, there is a need to foster the development of a functionally integrated, efficient and equitable urban economy, democratic and effective structures of urban governance and management, and a social environment which contributes to a better quality of life within South Africa's urban areas. This means that the challenge facing South Africa's urban sector is one of overall growth and development, within the country's given historical context and the conditions prevailing in the international political economy.

The challenge of local government leaders in South Africa centres on the development of effective mechanisms for mobilising the necessary resources to address growth and development at the local level. This includes tapping of own resources as well as provincial and national level resources. Secondly, the creation of appropriate capacity for policy formulation, and implementation. In the case of the latter, there is a need to build appropriate capacity to ensure that there is hierarchical control, and that it is complemented by ways to increase the citizen's capacity to use voice and exist to increase public sector accountability. These are critical challenges for local government structures which are faced with insurmountable delivery expectation (Vil-Nkomo, 1998:218).

In conclusion, the study suggests that local government has been given a new constitutional mandate to create and sustain humane, equitable and viable human settlements. It is doubtful whether local government – as presently designed – is adequately equipped to fulfil this developmental mandate, because it is manned by semiskilled and unskilled human resources. Local government has been democratised, but the local government system is still structured to meet the demands of the previous era. A fundamental transformation is required.

1.1.4 The present situation

In most municipalities, the bulk of the workforce comprises semi or unskilled black workers, who have historically been denied access to training and personal development opportunities and are alienated from the communities they serve. Management remains predominantly white, and historical schooled in rigid, authoritarian and outdated management practices (White Paper on Local Government, 1998:95).

Gotz and Wooldridge, (2003:19-20) note that the municipal system is new and still evolving. Many municipalities are still developing their basic working practices – delegations have not been completed, administrative and committee structures are not yet final, and policy development on numerous issues is still in progress. At this stage, there is very little that can be said with any confidence regarding the political-administrative interface. The practice is still emerging and the legal framework is still being tested. It is too soon to consider any major revisions to the regulatory framework, or to limit the space for local experimentation within the existing framework.

Some conflict between councillors and officials is inevitable in any system of municipal governance, because some politicians interfere with administrative activities of local government officials. An example of interference concerns recruitment and appointment. Both municipal councillors and officials will need to develop skills to manage conflict in ways which enhance, rather than diminish, the potential for good governance. The basic allocation of tasks between councillors and officials is an immediate concern for many municipalities so that both councillors and officials should adhere to their roles and functions. It is important to note that developing a viable political-administrative interface does not end here. Even when the allocation of responsibility for specific tasks is finalized, municipal officials and councillors should continue to reflect on how they engage with one another. Good governance requires that both councillors and officials adapt their working practices to respond to new challenges and opportunities as they arise.

1.2 Supreme Law of South Africa

As noted in the South Africa Yearbook (2001: 67), the 1996 Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) was drawn up by the Constitutional Assembly (CA) and reaffirms South Africa as a constitutional and republican state. The constitution is the highest and most important law of the land. No other law or government Act can supersede the provisions of the constitution.

Planact , (2001:7) states that the provision of the constitution of South Africa is the overriding framework for local government legislation. Mayors, councillors and other local government practitioners should understand the principles that underpin democratic government, and should not lose sight of their role, particularly with regard to the vital task of implementing the developmental vision for local government administration.

1.2.1 Principles of local government

South African Interim Constitution, 1993 (Act 200 of 1993) section 178 (1) states that a local government shall ensure that its administration is based on sound principles of public administration, good government and public accountability, so as to render efficient services to persons within its area of jurisdiction and effective administration of its affairs.

According to the Planact (2001; 7), the constitution is the fundamental supreme law of South Africa. It provides the framework within which the various spheres of government, organs of state and persons interact with one another. Local government, like any other spheres of government, is governed by the principles and rules laid down in the constitution. In addition, the constitution describes the framework which other spheres of government must adhere to in dealing and interacting with local government. In addition to the above paragraph, Cameron and Stone (1995:44) assert that it is parliament's prerogative to pass laws that deal with the detail of what local government should look like. While the provincial governments have a responsibility for passing regulations for local government, such regulations must not contradict the principles laid down in the constitution. One of these is that the interactions of

their spheres of government with local government should not interfere with the status of local government to regulate its own affairs.

The South African Constitution, 1996 (Act no 108) sets out the provisions concerning local government in Chapter Seven. It deals with the following principles: the status of municipalities, objectives of local government, developmental duties of municipalities, cooperative government, the establishment of municipalities, the powers and functions of municipalities, the composition and election of municipal councils, membership of municipal councils, terms of municipal councils, internal procedures, privileges, publication of municipal by-laws and organized local government.

1.2.2. Status of municipalities

Section 151(1-4) of the Constitution of South Africa, 1996 (Act 108 of 1996) states that: the local sphere of government consists of municipalities which must be established for the whole of the territory of the Republic; the executive and legislative authority of a municipality is vested in its municipal council; a municipality has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation as provided for in the constitution; and national and provincial government may not compromise or impede a municipality's ability or right to exercise its powers or perform its functions.

1.2.3. Objectives of local government

According to Planact (2001:9), local government must strive, within its financial and administrative capacity, to fulfil the following objectives: to provide democratic and accountable government for local communities; to ensure sustainable provision of services to communities; to promote social and economic development, to promote a safe and healthy environment and to encourage the involvement of communities.

1.2.4 Developmental duties of municipalities

The 1996 Constitution states that a *municipality* must structure and manage its administration, 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. A municipality must also participate in national and provincial development programmes (Planact, 2000:9).

1.2.5 Municipalities in co-operative government

The Constitution of South Africa, 1996 (Act 108 of 1996) provides for national and provincial government to support and strengthen the capacity of municipalities by legislation and other measures, to manage their own affairs, exercise their powers and perform their functions. It also provides for draft national or provincial legislation that affects the status, institutions, powers or functions of local government to be tabled for public comment before being introduced in parliament or in provincial legislatures. Such legislation should be presented in a manner that allows organized local government, municipalities and other interested persons an opportunity to make presentations concerning the draft legislation (Planact, 2001:10).

1.2.6 Powers and functions of municipalities

Planact (2001:10) states that local government is the sphere of government closest to the people and is therefore better placed than national or provincial government to efficiently carry out most tasks dealing with services and community development. Locally elected councillors have a better understanding of local needs than national and provincial politicians. The tasks of local government are therefore numerous. First, local government is responsible for planning, developing, constructing and maintaining infrastructure so that effective delivery of services can take place. Secondly, local government is responsible for the delivery of services that develop and maintain a peaceful, stable and healthy local environment. Thirdly, local government is responsible for managing its administration in an accountable and transparent manner.

1.2.7 Organised local government

According to Planact (2001:11), section 163 of the Constitution of South Africa, 1996 (Act 108 of 1996) envisages an important role for organized local government and provides that an Act of parliament must cater for the recognition of national and provincial organizations representing municipalities. Such an Act should also determine procedures by which local government may consult the national and provincial government, designate representatives to participate in the National Council of Provinces and nominate persons to the Financial Fiscal Commission (FFC).

Accordingly, the constitutionally based South African Local Government Association (SALGA) was launched on 20 November 1996. The Organised Local Government Act, 1997 (Act 52 of 1997) recognizes the South African Local Government Association and nine provincial local government associations (PLGAS) as representatives of organized local government. The Act allows organized local government to designate up to ten part-time representatives to the National Council of Provinces in the National Parliament and to further nominate two persons to the Financial and Fiscal Commission (FFC), which advises the Finance Ministry on budget issues. These representatives participate in intergovernmental structures and are therefore able to influence national and provincial legislation and to gauge the impact of such legislation on local government. The obligations for local government as encapsulated in the Constitution provide a framework for local government activities. The Constitution is an overriding component of legislation necessary for informing the local government legislation, which is dealt with later in section 164 (Constitution, Act 108 of 1996: 67).

1.3 Transitional period of Local Government administration in South Africa.

As recorded by the International Republican Institute (1995:33), by the end of 1993, the Local Government Negotiating Forum produced the Local Government Transition Act. Together with Chapter 10 of the Interim Constitution of the country as well as the Agreement on Finances, Services and Service Rendering signed by Mr Mandela and Mr De Klerk in February

1994, this Act provides the overall framework for an elaborate local government transformation process.

In elaboration Planact (2000:13) states that the South African political terrain changed dramatically with the unbanning of the liberation movements in 1990. At national level, the National Party government entered into a period of intensive negotiation with unbanned movements and other political players between 1990 and 1994. A similar scenario was played out at local level. The unpopularity of apartheid-style local government had led to the rise of local civic groups, which had united to form a national civic movement in the 1980s. These civic groups revolted against the apartheid system and called for a one city one tax base. The civic groups began negotiating with apartheid local authority about concrete issues of improved services, access to land and so on. These embryonic discussions led to the establishment of the Local Government Negotiating Forum in the pre-1994 period. The product of this forum was a significant piece of national legislation, the Local Government Transition Act (LGTA), which was promulgated in 1993.

1.3.1 Objectives of the Local Government Transition period.

In 1993, the promulgation of the LGTA was a breakthrough in the transformation of local governance in South Africa. The Act had the following objectives as recorded in Planact (2001:14): to provide for revised interim measures with a view to promoting the restructuring of local government and, for that purpose, as well as to provide for the establishment of provincial committees for local government in respect of the various provinces, as well as to provide for the recognition and establishment of forums for negotiating such restructuring of local government, to exempt certain local government bodies from certain provisions of the Act, to ensure the establishment of appointed transitional councils in the pre-interim phase, to delimit the areas of jurisdiction and the election of transitional councils in the interim phase, to ensure the establishment of a transitional rural local government structure, to enable the issuing of proclamations by the MECs of the various provinces, to establish Local Government Demarcation Boards for the various provinces, and to repeal certain laws and provide for matters connected therewith.

1.3.2 Key provisions of the Act

The Local Government Transaction Act, 1996 (Act 97 of 1996) effectively endorsed the deracialisation of local government. It mapped out a three phase process aimed at transforming local government in South Africa (Cameron & Stone, 1995:34).

(a) *The interim phase (1994)*

The interim phase (1994) was dominated by the amalgamation of different racially-based local authorities within localities. Non-statutory members, such as civil servants were also invited to form part of the transitional councils. This period ended with the first democratic local government elections in 1995 (1996 in KwaZulu-Natal and the Western Cape).

(b) *The transitional phase*

The transitional phase began after the 1995/6 democratic local government elections and ended after the democratic local government elections held in December 2000. The main task during this transitional phase was to establish National Policy frameworks and legislation for the local government sphere. The aim was to eradicate out all the difficulties associated with the past and interim system and this was therefore a period of intensive activity which was intended to devise a final, workable model for local government. The local government transition process was thus a long and complex one.

(c) *The final phase*

The final phase started after the December 5, 2000 local government elections. This phase poses critical challenges for all stakeholders in the implementation of the different pieces of legislation drawn up during the transitional phase. The Demarcations Act and Municipal Structures Act are designed to ensure the establishment of more representative, focused political structures with significant powers.

1.3.3 Historical metamorphosis of local government

It is important and significant to discuss the historical process of local government to enable the political and administrative powers to understand that a metamorphosis of local government in South Africa has taken place. The discussion below sketches the historical process of local government from apartheid through to what it looks like in the 21st century. (The different phases are discussed in some detail in the subsequent section of this chapter (Planact, 2001:15).

(a) *Apartheid local government pre - 1994*

The apartheid government imposed local government structures on disenfranchised communities throughout the country. These structures comprised black local authorities, white local authorities, and management committees' regional services councils. The councils were such as illegitimate and undemocratic.

(b) *"The city one tax base" campaign - 1980*

Communities started organizing themselves and rebelled against the apartheid systems. Civic organizations were created and were at the forefront of the rent and service boycotts. They called for a one city one tax base.

(c) *Local government negotiation forum 1990-1994*

The black local authorities continued to collapse because of protests. National and provincial government began to respond to rent and service boycotts. The Local Government Negotiation Forum was created comprising representatives from the statutory and non-statutory organizations. The product of this was the Local Government Transition Act.

(d) *The Local Government Transition Act 1993*

The Local Government Transition Act, 1993 (Act 209 of 1993) provided a regulatory framework for pre - interim and interim phase local government integration.

(i) *Pre-interim phase.*

Transitional Local Councils and Transitional Metropolitan Councils were negotiated on the basis of 50% from the non-statutory side and 50% from the statutory side.

(ii) *Interim phase*

Local government elections were set for 1995. Possible structures for local government in rural areas were identified. Provincial competence over local government was approved.

(e) *First democratic local government elections 1995-1996*

Seven out of nine provinces held elections during November 1995, ushering in the transition phase with democratically elected councillors in most urban and rural areas. KwaZulu-Natal and the Western Cape held their elections in 1996, as already stated. The challenge was to build support for rural development while contending with shrinking budgets, limited resources and necessary development in urban areas (Planact, 2001:17).

(e) *The final phase*

The final phase started after the 5 December 2000 elections as noted above. Local Government in the final phase would have new boundaries, new municipal structures, established sources of income, carefully designed institutional arrangements and at least in theory clear vision of its role.

1.4 Transformation of local government administration in South Africa.

The White Paper on Local Government 1998 (1998: IX) within the framework of the constitution establishes the basis for a new developmental Local Government System, which is committed to working with citizens, groups and communities to create sustainable human settlements which provide for a quality of life and meet the social, economic and material needs of communities in a holistic way.

Planact (2001:19) states that the White Paper on Local Government is the first national policy framework for local government in the post-apartheid period. The White Paper was developed after discussion, research and consultations with interested persons by the Ministry for Provincial Affairs and Constitutional Development. It effectively sets the stage for macro transformation. The White Paper also provides guidelines on how to achieve a democratic system of local government. The important policy decisions or perspectives filtered through the White Paper are:

- a. A developmental vision for local government's new role in the new context.
- b. A deeper understanding of cooperative government and some of its implications for decentralization.
- c. Clarification of institutional arrangements for both metropolitan and non-metropolitan areas.
- d. Outlining the sources of local government income and ensuring an equitable share of revenue to which local government is entitled from the national fiscus.
- e. Options for municipal political and administrative arrangements.

1.4.1. Current status of local government

Section A of the White Paper on Local Government looks at the situation during the transition period (1995) and the problems and challenges facing municipalities. Most of these problems have been inherited from the apartheid system, which the people resisted and which their struggle helped to bring to an end. The analysis set out in section A helps identify the need for a new local government system, which must address the inequalities and backlogs of the past

and ensure that everyone has access to basic services, opportunities and improved quality of life (Planact, 2001:9).

1.4.2. Developmental local government

Section B of the White Paper explains the meaning of development. It describes the kind of leadership councils must provide and the kind of relationships municipalities need to build with communities, organizations, business and other structures that contribute to the development of an area. It also describes integrated development planning (IDP) a new approach to planning which will assist municipalities to fulfil their development role.

(a) Definition of developmental local government

Developmental local government must ensure: that all communities have access to basic services; that everyone can participate in decision-making and planning; that the local economy grows; that job opportunities increase; and that local resources are used wisely to improve the quality of life for everyone, now and in the future. Developmental local government is local government committed to finding sustainable ways to meet their social, economic and material needs and to improve the quality of their lives.

(b) Four characteristics of developmental local government

Developmental local government has four interrelated characteristics which are:

(i) Maximising social development and economic growth

A municipality needs to ensure that all of its plans, policies, programmes and actions will lead to economic and social development and a better quality of life for all particularly for those who have been historically disadvantaged.

(ii) *Integrating and coordination*

Different agencies within a municipality, including national and provincial government, parastatals, trade unions, community groups and private sector institutions, contribute to the development of an area. Developmental local government must provide a vision and leadership for all those who have a role to play in achieving local prosperity. One of the critical tools for achieving coordination and integration is (IDP).

(iii) *Leading and learning*

All over the world, the extremely rapid changes taking place at global, regional, national and local levels are forcing communities to find ways of sustaining their economies, building their societies, protecting their environment, improving personal safety and eliminating poverty. It requires municipalities to create strategies and a fluid the means to deal with these issues, as there is no single correct way of achieving these goals. It also requires cooperation among stakeholders. Municipalities have to create a sense of common purpose to find local solution for increased sustainability. At the same time, municipalities should build the capacity of their communities.

(iv) *Democratizing development*

Municipalities play a central role in promoting local democracy. In addition to representing community interests within the municipality, municipal councillors should encourage citizens and community groups to become involved in the design and delivery of municipal programmes. Municipalities must adopt inclusive approaches to foster community participation, together with strategies aimed at removing obstacles to, and actively encouraging, the participation of marginalized groups in the local community.

The White Paper provides ways for municipalities to create social conditions favourable to development through building relationships capable of bringing together various interests to rally around a common vision. Developmental local government requires that municipalities become more strategic, visionary and ultimately influential in the

way they operate. A developmental municipality should play a strategic policy-making and visionary role, and seek to mobilize a range of resources to meet basic and achieve developmental goals (Planact, 2001:22).

(c) *Desired outcomes of developmental local government*

There are three outcomes that developmental local government seeks to achieve, and these are;

(i) *Provision of household infrastructure and services*

Local government is responsible for the provision of household infrastructure and services. The South African constitution enshrines the right of every citizen to basic affordable services. These basic services are essential to enable people to support family life, find employment, develop their skills or establish their own small business. Municipalities should first extend the provision of basic services to those who currently enjoy little or no access to services. These services should be affordable and sustainable. The Consolidated Municipal Infrastructure Programme (CMIP) is a national fund to assist municipalities to build the infrastructure needed for delivery of these services, for example, pipes, reservoirs and sewage treatment plants.

(ii) *Creation of liveable, integrated areas*

One of the major challenges local government is faced with is the integration of our settlements. Urban areas face the challenges of integrating towns and townships while rural areas face the challenge of building liveable environments ranging from securing access to land and services for the rural poor to addressing the distortions in ownership and opportunity that apartheid created between white and black rural dwellers.

This spatial integrating is critical if municipalities are to enhance economic efficiency, facilitate the provision of affordable services, reduce the costs households incur through communicating and enable social development. Spatial planning is also central to nation

building and to addressing disadvantages of location and to building an integrated society and nation.

(iii) *Local economic development*

The South Africa constitution entrusts local government with the responsibility of promoting local economic development by providing good quality cost-effective services, local government can play an important role in promoting job creation and boosting the local economy

(d) *Other initiatives*

There are two other important initiatives, which are:

(i) *Reviewing existing policies and procedures to promote local economic development*

Reviewing and simplifying municipal procedures and regulations can make a significant impact on the local economy. The White Paper gives an example of procurement procedures. Another example is that of the “one stop shop”. The establishment of user-friendly “one stop shops” that can advise residents and deal with single, consolidated accounts for all municipal services would increase the quality and efficiency of local services.

(ii) *Provision of special economic services*

The constitution states that local government is responsible for promoting the social and economic development of communities. This can be done through marketing and investment support, small business support, support for growth sectors, training and placement services, coordination with other agencies, and review of legislation that impacts local economic development.

(e) *Developmental municipality*

The achievement of developmental outcomes will require significant changes in the way local government works. The White Paper puts forward the following three interrelated approaches which can assist municipalities to become more developmental.

(i) *Integrated development plan (IDP)*

IDP is a process through which a municipality can establish a development plan for the short, medium and long term. This process involves all stakeholders in the activities of the municipalities (Planact, 2000:24).

(ii) *Performance management*

Performance management aims at improving the effectiveness and efficiency of local government by helping municipalities to focus on strategic priorities and measuring results, and at improving municipal accountability to local citizens.

(iii) *Working together with local citizens*

The White Paper states that one of the objects of local government is to provide democratic and accountable government for each community and to encourage the involvement of communities and community organizations in the matters of local government. Developmental local government means strong leadership, clear vision, maximum participation by the community, private sector and all stakeholders to meet the basic needs of all and to build solid foundations for growth and lasting prosperity.

1.4.3 Cooperative government

A framework for cooperative government is encapsulated in Chapter Three of the South Africa constitution. The constitution accords a completely new status and changed roles to

intergovernmental relations through the principle that all three spheres of government are distinctive, interdependent and interrelated. This principle, therefore, implies that no sphere of government should be viewed as an ‘island on its own’. Rather, every sphere exists not only on its own but also in interaction with other spheres. The White Paper on Local Government, 1998 (1998:38) defines ‘cooperative government’ as the set of multiple formal and informal processes, channels, structures and institutional arrangements for bilateral and multilateral interaction within and between spheres of government.

This system has the following strategic purposes:

- (i) to promote and facilitate cooperative decision making;
- (ii) to coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors;
- (iii) to ensure a smooth flow of information within government and communities, with a view to enhancing the implementation of policy and programmes; and
- (iv) to prevent and resolve conflicts and disputes.

1.4.4 Institutional system

Section D of The White Paper on Local Government, 1998 (1998:XI) looks at the three different categories of municipality established by the constitution and the different types of municipality in each category.

The three categories of municipality established by the constitution are:

- (a) *Category A*: A municipality that has exclusive municipal executive and legislative authority in its area – Metropolitan Council.
- (b) *Category B*: A municipality that shares municipal executive and legislative authority in its area with Category C municipality within whose area it falls – Local Council.

- (c) *Category C:* A municipality that has municipal executive and legislative authority in an area that includes more than one municipality – District Council.

1.4.5 Political systems

This section of the White paper begins by highlighting the importance of dynamic local political leadership. It discusses the advantages of allowing for the delegation of executive power by a municipal council to either an executive committee or an executive mayor, and proposes that both options should be accommodated.

The section concludes by proposing a mixed municipal election system where the proportional representation (PR) component is geared to adjust distortion in representivity, and proposes an approach to reducing the number of municipal councillors:

1.4.6 Municipal administrative system

The seventh section of the White Paper introduces the issue of the municipal administrative system. The section focuses primarily on service delivery systems, and a wide range of approaches to transforming municipal services delivery systems is put forward. While certain national interventions are required to enable municipalities to utilise the full range of options available, each municipality is encouraged to develop its own institutional transformation programme and adopt the options best suited to its circumstances.

The section also outlines proposed changes to the local government training system, and stresses the pivotal role the South Africa Local Government Bargaining Council will play in enabling the transformation of municipal administrative systems.

1.4.7 Municipal finances

This section deals with municipal finances and puts forward a set of principles to guide the development of a new framework for municipal finance. It goes on to elaborate the key aspects of that framework.

1.4.8 Transformation of municipalities

The White Paper also puts forward an approach to municipal transformation. It notes that national government is committed to developing a stable and enabling framework in which change can occur, and to providing a range of support mechanisms to assist municipalities during the transition. However, transformation ultimately rests in the hands of each municipality. Municipalities are encouraged to think critically about how they operate and relate to local communities, and to develop their own strategies for meeting local needs and promoting the social and economic development of communities in their areas of jurisdiction. The White Paper for Local Government outlines the system that will make developmental local government a reality.

1.5 Demarcation of municipalities in South Africa

According to the Planact (2001:29) demarcation is the first step in the transformation of local government in South Africa. The constitution sets the basis for the establishment of an independent authority to oversee the process and introduces the Demarcations Act that provides the legislative framework within which this process should be undertaken.

1.5.1 The purpose of the Act

The purpose of the Act is to provide criteria and procedures for the determination of municipal boundaries by an independent authority. The question is however:

Why do we need to demarcate municipal boundaries?

After the 1995/96 local government elections, approximately 1 260 local government bodies across the country were amalgamated to create 843 municipalities. The boundaries within these municipalities were working contributed to the inability of municipalities to effectively contribute to their new developmental role, for the following main reason: many councils are not financially viable. Surveys have indicated that many types of councils operate on a permanent overdraft basis and some do not have cash to finance their operations. This is because some boundaries do not have a tax base *that* can assist in sustaining local administration. The internal boundaries within municipalities were drawn along racial lines and, in some cases, this was even extended to what was perceived as “ethnic” groupings. Metropolitan government is divided into metropolitan councils and metro local councils. This has led to tax bases and planning areas being split across settlements which should be planned and budgeted for as a single integrated area. This has often resulted in poor planning decisions and conflicts over the distribution of resources between the more and less wealthy parts of the metro area. Some district councils are so large that they account for half the size of a province. They are too remote from local councils for these councils to understand and respond to their needs. Their areas are also not consistent with other functional regions, such as provincial sub-regions. This is not conducive to integrated development. Some parts of the country have an elected rural local government while others do not and are served by district councils. Rural municipalities are often structured without powers, financial resources or capacity. Although they are meant to serve wide areas, they do not do much more than recommended infrastructure investment projects to district councils. In some parts of the country, this has created a poor image of democratic local government. Meaningful service delivery in many rural areas means integrating them into the jurisdictions of municipalities that have real powers and capacity and resources.

1.5.2 Legislation governing the Demarcation Process

The Demarcation process is governed by three different pieces of legislation all of which relate to each other. These are:

(a) *The constitution*

The constitution establishes the need for an independent demarcation authority. After the 1995/6 elections, provincial Demarcation Boards were established which looked at the amalgamation of local government bodies in the transition period.

The constitution also states that national legislation should define criteria and procedures by which this Demarcation authority will determine new boundaries, and sets out the obligations for municipal councils. In addition, it calls for legislation to determine when an area should have a single Category A municipality and when it should have both Category B and Category C municipalities.

(b) *Municipal Structure Act*

The Municipal Structures Act, 1998 (Act 117 of 1998) lays down the criteria for determining when an area should have a Category A municipality and states who will make this decision and how. The Act stipulates that all non-metropolitan areas must have both Category B and C municipalities, and also sets out procedures for deciding when an area should have no Category B municipality and will therefore be a District Management Area. The Act defines municipal powers and functions that have to be taken into account in the demarcation process. It allows for cross-border municipalities; and it defines the role of the Municipal Demarcation Board and the Independent Electoral Commission (IEC) in delimiting words and criteria for this process.

(c) *Municipal Demarcations Act*

- (i) *Structure of the Act:* The Act is divided into three chapters. The content of each is summarised as follows:

- (ii) Chapter One of the Act defines the independent Demarcation Board. Part 1 of the chapter describes the procedure for the establishment of the Demarcation Board and spells out its functions and powers.

Part 2 details the composition of the members of the Board and how they will be appointed, it lists appropriate qualifications of potential Board Members and their term of office. It states that the State President appoints the Chairperson and Deputy Chairperson of the Board. It also deals with how members of the Board should conduct themselves, their conditions of appointment and termination of membership.

Part 3 maps out some key operating procedures of the Board, such as meetings, procedures, decisions and committees the Board may establish to assist it in the performance of its functions and to provide it with administrative support.

- (iii) Chapter Two of the Act outlines the demarcation process. Part 1 deals with how the Board determines and re-configures municipal boundaries. Part 2 deals with the demarcation criteria, setting out the objectives of demarcation and the factors to be taken into account to address difficulties created by these boundaries. Section 24 of Part 2 states that when the Board determines a municipal boundary its aim must be to establish an area that will enable the municipality for the area to fulfil its constitutional obligations including the provision of democratic and accountable government for the local communities, the provision of services to the communities in an equitable and sustainable manner, and the promotion of social and economic development, in order to enable effective local governance and integrated development, and have a tax base as inclusive as possible of users of municipal services in the municipality.

Part 3 of Chapter Two deals with the demarcation procedures themselves and lays down how the Board is to consult with communities and municipalities. It also states that the legal, practical and other consequences resulting from the area of a municipality being wholly or partially incorporated in or combined with the area of another municipality must be dealt with in terms of the 1998 Municipal Structures Act.

- (iv) Chapter Three of the Act deals in Part 1 with the Board's administrative matters, such as the appointment of a manager who is the CEO and accounting officer. Sections 34 and 35 deal with employees, conditions of employment and their pension rights.

Part 2 deals with financial matters, such as where the Board should obtain its finance, how it accounts for those finances, the auditing of its financial statements for which the Board is accountable and the reporting procedures in relation to finances. Part 3 deals with miscellaneous matters, such as the civic liability of the Board, regulations, offences and penalties, repeal of legislation and transitional provisions. It is also important to mention that Chapter One (a) section 1 (d) (e) 10 (j) and 10 (k) of the Promotion of Local Government Transition Act, 1983 (no 91 of 1983) and the Local Government Transition Act (no. 209 of 1993) are repealed by the Demarcation Act.

(v) *Role and responsibility of the Demarcation Board*

The Demarcation Board is probably the most important structure in the demarcation process. It is very different from the structures that oversaw the last local government demarcation process. The country now has one Demarcation Board which is an independent structure comprising members appointed by the President. The Board also makes independent decisions (Planact, 2000:33).

(vi) *Responsibilities of the Board*

The Board and its administration are funded by national government, and it must draw up and submit its annual budget to the Minister of Finance. The Board may appoint committees to conduct the work of demarcation. These committees may be made up of members, employees and co-opted experts. The Board may delegate powers to its committees but cannot delegate the making of the actual decision to approve a municipal boundary. When the Board or one of its committees starts work on the process of demarcating any municipal boundary, it must publish a public notice of this fact. The notice must state the intention to start demarcating and must invite written

representation from any interested persons or parties. The Board must make sure that this notice is seen by the public and by key interest groups. It must publish the notice in local newspapers, draw attention to it by radio or other means, and send a copy to the MEC. Any municipalities potentially affected, and the local magistrate if any magisterial districts might be affected and the provincial house of traditional leaders concerned must also be notified (Planact, 2001: 33).

The Board must give the public and interested parties at least three weeks to submit written representations. The Board may choose to hold a public meeting about demarcation in a particular area. The Board may also choose to initiate a formal technical investigation to resolve a demarcation question. The Board must act in accordance with priorities and schedules set by the local government minister or MEC and South African Local Government Association (SALGA). The Board is consulted when the minister takes decisions on Category A municipalities and district management areas. The Board is responsible for delimiting word boundaries within a municipality. It must consult the Electoral Commission in this process. The Municipal Structures Act also accords the Demarcation Board powers to decide whether a Category B municipality has the capacity to perform powers and functions that the MEC wishes to reallocate to a Category C municipality, or vice versa, and make the appropriate recommendations. The MEC must consult the Demarcation Board before altering the division of powers and functions between district and local councils (Planact, 2001: 34).

Note, however, that on 15 October 1999 the Constitutional Court found sections 4.5.6 (2) and 24 (1) of the 1998 Municipal Structures Act to be unconstitutional and the following amendments were made after this court ruling. The municipal Demarcations Board and not the minister of provincial and local government must decide which area must have Category A municipalities and which must have municipalities of both categories B and C, as already noted. The municipal Demarcation Board and not the minister must also decide which areas must have a district management area. It is no longer possible for the minister to determine guidelines to assist MECs for local

government to decide which type of municipality will be appropriate for a particular area. Furthermore, the terms of municipal councils are determined by parliament and not by the minister (Planact, 2001: 33).

(vii) New structures

Section 7 of the Municipal Structures Act, no. 117 of 1998 makes provision for three different categories of municipalities in the country. They are elected differently, and have different structures, powers and functions. The new municipalities are: Category A – 6 metropolitan municipalities, namely Cape Town, Durban, East Rand, Pretoria, Johannesburg and Port Elizabeth; Pretoria and Durban have traditional authorities within them. Category B – 23 local municipalities of which 114 have traditional authorities within them and 26 are district management areas; Category C – 47 district councils of which 30 have traditional authorities within them.

In total the country's municipalities have been reduced from 843 to 284. In the Free State Province, the number has been reduced from 99 to 26.

1.6. Structures of municipalities in South Africa

The Municipal Structures Act, 1998 (Act 117 of 1998) is the second piece of legislation that is aimed at laying the foundation for local government in South Africa. As indicated above, the demarcation of municipal boundaries is the first step in further transforming local government. However, new boundaries alone will not automatically solve all the problems. Proper structures, systems, adequate and stable sources of income, and structures to encourage community participation are needed to ensure local government that is citizen-friendly, accountable, developmental, financially sustainable, performance-orientated and committed to the improvement of the quality of lives of the people (Planact, 2000:37).

1.6.1 *Purpose of the Municipal Structures Act*

The main purpose of this Act 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 municipalities to be established in an area; define types of municipalities that may be established within each category.
- provide for an appropriate division of function and powers between categories of municipalities regulate the internal systems, structures and office bearers of municipalities;
- provide for appropriate electoral systems.

1.6.2 (a) *Categories and types of municipalities*

According to Planact (2000:38), the Constitution and the Municipal structures Act, 1998 (Act 117 of 1998) together establish a system of categories and types of municipalities. There are three categories of municipalities, dealt with in Chapter 1. They are as set out as follows: Category A is the metropolitan municipality, which has the exclusive authority to administer and make rules in its area. Category B is the local municipality which shares the authority in its area with the district municipality of the district in which it falls. Category C is the district municipality, which has the authority to administer and make rules in an area that includes more than one local municipality. Areas are called district management areas, and the district municipality performs all the municipal functions in an area. The minister must apply the criteria outlined above to establish whether an area should have a single Category A municipality or municipalities of both Categories B and C.

(b) *Establishment of municipalities*

Chapter Two of the Act provides for the establishment of municipalities by the Member of the Executive Council for Local Government by notice in the Provincial Gazette

(Section 12 notice), in which the category, type, boundaries, names and number of councillors of the municipality are specified (Planact, 2001:42).

According to Planact (2000:40), the chapter further regulates the consequences where a newly established municipality supersedes an existing municipality. When a municipality is established in terms of Section 12 in the area of an existing municipality, it supersedes the existing municipality and becomes the successor in law with regard to that area. In such cases, a Section 12 notice must regulate the legal, practical and other consequences of the disestablishment of the existing municipality. The chapter also provides for the amendment, repeal or replacement of a notice establishing a municipality.

(c) *Municipal Councils*

The Municipal Structures Act, 1998 (1998:24) spells out that Part 1 of Chapter Three deals with the composition, membership, operation and dissolution of municipal councils. The Act regulates the number of councillors to be elected or appointed, the qualifications applicable to councillors as well as the election or appointment of councillors. It also provides for the holding of by-elections, the term of office of councillors, the vacation of office, privileges and immunities of councillors, the committees of municipalities and the assignment of powers and duties to communities and other internal functionaries.

Part 2 of Chapter Three stipulates that each municipal council must have a chairperson who will be called a speaker. This speaker must be elected at the first sitting of the municipal council after the election (Municipal Structures Act, 1998:38).

(d) *Internal structures and functionaries*

Planact (2001:43) states that Chapter Four of the Act provides the criteria for determining when municipal councils may elect an executive committee, its

composition, powers and functions, the term of office, the filling of vacancies, removal from office, quorums, decisions and the appointment of sub-committees of the executive committee. It also provides for the election of a mayor and defines the powers and functions of a mayor.

Section 44 of the Municipal Structures Act 1998 (Act 117 of 1998) states that an executive committee is the principal committee of the council of a municipality that is entitled to establish such an executive committee. It receives reports from other committee of the council and must forward them, together with its recommendations, to the council when it cannot dispose of the matter in terms of its delegated powers.

1.6.3

Functions and powers of Executive Committees

According to Planact, (2000:44), the Executive Committee of a municipal council must do the following: identify the needs of the municipality, review and evaluate those needs in order of priority, recommend to the municipal council strategies, programmes and services to address priority needs through the integrated development plan and estimates of revenue and expenditure, taking into account any applicable national and provincial development plans and recommend or determine the best methods, including partnerships and other approaches, to deliver these strategies, programmes and services to the maximum benefit of the community.

In performing its duties Planact, (1998:43), the executive Committee must identify and develop criteria in terms of which progress in the implementation of the strategies, programmes and services can be evaluated, including key performance indicators (KPIs). It must evaluate progress against the key performance indicators, review the performance of the municipality in order to improve its economy, efficiency and effectiveness; the efficiency of credit control and revenue and debt collection services; and the implementation of the municipality by-laws. In addition, the Executive Committee should monitor the management of the municipality administration in accordance with the policy direction of the municipal council, oversee the sustainable

provision of services to communities in the municipality, compile reports annually on the involvement of communities and community organizations in the affairs of the municipality, ensure that regard is given to public views, and report on the effect of consultation on the decisions of the council and report to the municipal council on all decisions it takes.

The Act also provides criteria for the election of an executive mayor and stipulates that at the beginning of its term, the municipal council elects the executive mayor and subject to the approval of the members of the Executive Council, a deputy executive mayor) from among its members. The election procedure is detailed in Schedule 3 of the office of the municipal council. It is not possible to serve more than two consecutive terms as an executive mayor (Municipal Structures Act, 1998:48).

1.6.4

Functions and powers of Executive Mayors.

The duties and powers of the Executive Mayor are almost the same as those of the Executive Committee (outlined above). The Executive Mayor is also duty bound to report on all his or her decisions to the Municipal Council (Planact, 2001:44). In the bigger municipalities (those with more than nine council members), the Executive Mayor must appoint a mayoral committee from among the councillors. The purpose of such a committee is to assist the Executive Mayor, who may delegate specific responsibilities or powers to its members (Municipal Structures Act, 1998:48). Even though the role of Executive Mayor will depend, to a large extent, on what powers and functions the municipal council delegates to him or her, it is clear that the executive mayor will be the executive leader of the municipality. He or she will be responsible for the day-to-day running of the municipality, assisted by the Mayoral Committee. The Municipal Council may designate some tasks of the Executive Mayor to be exercised together with the Mayoral Committee. This allows the Council to bend the decision-making structure slightly towards a more collective executive bearing in mind that the Mayoral Committee is appointed by the Executive Mayor (Planact, 2001:44).

The Act also provides for the establishment, composition, powers and functions, term of office and vacation of office, quorum and decisions of metropolitan sub-councils and ward committees respectively (Municipal Structures Act, 1998:44).

1.6.5

Ward Committee

Part 4, Section 73 of the Municipal Structures Act, 1998 (1998:52) stipulates that certain types of local and metropolitan municipalities may have a ward committee, its purpose being to increase the participation of citizens in local government. A ward committee consists of the councillor who represents that ward in the Municipal Council, and not more than ten other persons, who must be residents of the ward. These ten are unpaid committee members. The Ward Committee serves as an advisory forum on matters that affect the ward. It can make recommendations to the Ward Councillor and through him or her to other organs of the municipality. The Municipal Council may also delegate other duties and powers to a ward committee if it fails to fulfil its objectives.

According to Planact (2001:45), Part 6 of the Act provides for the participation of traditional leaders in the proceedings of district and local councils. It sets out regulations governing their participation and describes the ceremonial role of traditional leaders in the affairs of a district and on local council. The Act further stipulates that a municipal council must appoint a municipal manager as head of the administration and an accounting officer for the municipality and, when necessary, an acting manager.

1.6.6.

Functions and powers of municipalities

The Municipal Structures Act, 1998 (1998:56) stipulates that Chapter 5 of the Act provides for an appropriate division of power and functions between municipalities when an area has both Category B and C municipalities. It also provides for the member of the Executive Council for local government in the province, subject to other provisions of the section, to adjust the divisions of functions and powers between a

district and local municipality. Section 86 deals with the resolution of disputes concerning the performance of functions or the exercise of powers. It establishes a mechanism whereby the member of an executive council for local government may, with the concurrence of the municipalities concerned or the approval of the minister and by notice in the provincial gazette, assign any of the powers and functions of a municipality to a local or district municipality.

1.6.7. Code of conduct for councillors.

Schedule 5 of the Municipal Structures Act lays down a code of conduct for councillors. The Chairperson of the Municipal Council must give each councillor a copy of this code and make it available in every room where the council meets (Planact, 200:46).

(a) What councillors must do

(i) General Conduct

In general, councillors must perform their duties in good faith, honesty, in a transparent manner and in the best interests of the municipality without compromising the municipality's credibility and integrity. Councillors must attend meetings of the council and committee of which they are members unless they have obtained leave of absence or are required to withdraw from the meeting. The council may determine fines, but failure to attend three or more consecutive meetings must result in removal from office (Municipal Structures Act, 1998:94).

(ii) Disclosure of personal matters

Councillors must disclose any personal interests in any matters before the Council or its committees and withdraw from meetings about those matters, unless the council decides otherwise (Planact, 2000:47)

(iii) Financial interests

According to Planact, 2001:46), financial interests in businesses, partnerships, employment and remuneration, gifts above a certain amount, directorships and the like must be made known in writing to the Municipal Manager and the Council may decide to make this information public.

(b) What councillors may not do.

(i) Private gain

Section 6 of the Municipal Structures Act 1998 (1998:96) forbids councillors from using their position, privileges or confidential information for private gain for themselves or any other person; and prior consent of the Council is needed for activities that may compromise a councillor's credibility.

(ii) Full-time councillors

According to Schedule 5, Section 8, a councillor who is a fulltime councillor may not undertake any other paid work, except with the consent of a municipal council which consent shall not unreasonably be withheld.

(iii) Rewards, gifts and favours

Councillors may not accept rewards, gifts or favours for doing things, such as voting in a particular manner, persuading the councillor, making a representation to the Council or disclosing confidential information (Planact, 2001:47).

(iv) Unauthorised disclosure of information

According to Schedule 5, Section 10(1), a councillor may not without the permission of the Municipal Council or a committee disclose any privileged or

confidential information of the Council or committee to any unauthorised person.

(v) *Intervention in administration*

A councillor may not interfere in the administration of any of the municipality's organs (unless mandated to do so by the Council) or instruct any employee of the council without authorisation. Councillors may not obstruct the implementation of any council or committee decision or behave in a way that would contribute to maladministration in the Council. A councillor may not use, take or acquire or benefit from any property or asset owned, controlled or managed by the municipality, to which that councillor has no right (Planact, 2001:47)

(vi) *Consequences of a breach of the code*

Any investigation into a breach of the code by a councillor or traditional leader must take place in accordance with the rules of natural justice, which means that there must be a "fair hearing". The two fundamental requirements for the fair hearing to which an affected party is entitled are the "notice of Intended Action" and a "proper opportunity to be heard". Thus, an affected party must be given adequate notice of the possibility that administrative action may be taken against him or her. The notice should also stipulate how, where and when representations can be made (Planact, 2000:47).

(c) *The Executive Mayor*

According to Planact (2001:47), if the Executive Mayor of a council suspects a breach of the code of conduct, he or she has to investigate the matter, allow the councillor concerned to respond to the allegations and

report the matter to a council meeting. This report is open to the public. The MEC should also be informed of the outcome of the investigation.

(d) *The Municipal Council*

The Municipal Council can investigate and offer findings on an alleged breach of the code. It can also establish a special committee to investigate and make recommendations to the Council. The Council can also punish a councillor by: using a formal warning, reprimanding the councillor, requesting the MEC to suspend the councillor, firing the councillor and requesting the MEC to remove the councillor from office.

Councillors may appeal to the MEC against a warning, reprimand or fine and the MEC can, after hearing both sides of the story, confirm or change the decision taken by the Council (Planact , 2000: 47 – 48).

1.7 Systems of municipalities in South Africa

The Municipal Systems Act, 2000 (Act 32 of 2000) is the third piece of legislation to give effect to the Local Government White Paper. The first two Acts (the Municipal Demarcation and Municipal Structures Acts) deal with the institutional and jurisdictional aspects of the local government transformation process. The Municipal Systems Act seeks to establish the basic principles and mechanisms to give effect to South African's collective vision of developmental government. Its focus is therefore primarily on the internal system and administration of the municipality (Planact, 2001:49).

1.7.1 Purpose of the Municipal Systems Act

The key purpose of the Act is to give effect to the country's vision of a developmental Local Government as indicated in the White Paper on Local Government. Based on constitutional provisions for basic development rights, the Act elaborates on the core principles, mechanisms

and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of communities, and to ensure universal access to quality services that everyone can afford. Furthermore, the Act extends the definition of a municipality to include residents and communities within the municipal area, working in partnership with the municipality's political and administrative structures (Planact, 2001:50).

1.7.2 Structure of the Act

The Municipal Systems Act, 1998 (Act 117 of 1998) comprises the following: interpretation of terms, the legal nature and internal relations of municipalities, public participation, municipal powers and duties, IDP, performance management, local public administration and human resources, municipal services, credit control and debt collection, provincial and national monitoring and standard setting, legal and miscellaneous matters (Municipal Systems Act, No. 32 of 2000).

1.7.3 Key Provision of the Act

(a) Legal nature and internal relationships of municipalities.

In Chapter Two of the Municipal Systems Act (2000:18) the legal nature of municipalities and internal relationships, cooperative government rights and duties of governing structures, rights and duties of communities, residents and rate payers are outlined. While section 2 of the Act defines a municipality as 'a corporate entity within the local sphere of government exercising legislative and executive authority within an area determined in terms of the Local Government Municipal Demarcation Act, 1998'. A municipality is constituted of structure, functionaries, administration, communities, residents and ratepayers. The main thrust of Chapter Two is to set municipalities up as corporate entities that are legally responsible for their own actions.

(b) *Cooperative governance*

Planact (2001:51) states that section 3 of the Municipal Systems Act, 1998 (Act 32 of 2000) emphasizes the need for cooperative governance as described in the Constitution and the White Paper on Local Government. The Act emphasizes that municipalities must, within the constitutional system of cooperative governance as envisaged in section 4.1 of the Constitution, do the following: seek to integrate the exercise of their legislative and exercising authority with policies, programmes, legislation and institutional arrangements of the national and provincial spheres of government, participate in organized local government to seek solutions for the problems relating to local government generally, develop common approaches for local governance, facilitate compliance with principles of cooperative government and intergovernmental relations and comply with any arrangements concluded by organised local government section 4 and 5 of the Act make provision for the rights and duties of the governing structures of a communities, residents and rate payers.

(c) *Public participation*

According to Planact (2000:53), in Chapter Three of the Act is devoted to public participation. It looks at the development of a culture of participation, suggests mechanisms, processes and procedures for public participation and its promotion. It deals with public notice of meetings and the admission of members of the public to the municipal council meetings. The chapter stipulates that a municipality must seek to develop a culture of governance that complements formal representative government with a system of participatory governance and must, for this purpose, encourage and create conditions for communities, residents and ratepayers in the municipality to participate in local affairs. It also mentions that municipalities must establish mechanisms, processes and procedures for participation and in doing so they must take into account the special needs of people who cannot read or write, people with disabilities and other disadvantaged groups.

(d) *Municipal powers and duties*

Municipal Systems Act, (2000:30) stipulates in Chapter Four that a municipality has all the powers and functions assigned to it in terms of section 44 (a) (iii), 104 (1) (c), 156 and 229 of the Constitution and must exercise them subject to Chapter Five of the Municipal Structure Act, No. 117 of 1998. It allows for additional functions to be assigned to municipalities by the cabinet in consultation with Minister of Local Government as well as organized local government, the member of Executive Council, for local government in the province as well as organized local government.

Planact (2001:53) note that in assigning any function to a municipality, the cabinet member or the member the executive Council must either undertake to provide the funds, or make alternative financial arrangements for performance of the assigned tasks as the function of the municipality concerned. If the assignment of the function imposes a duty on the municipality, that duty falls outside the functional areas listed in Part B of schedule 4 or Part B of schedule 5 of the Constitution the performance of the duty. This has significant financial implications for the municipality concerned. The core message of Chapter Five is that municipalities must fulfil their developmental role in order to archive their legislature role.

(e) *Municipal planning in cooperative governance*

All municipalities must be aligned with the broad development plans and strategies of other affected municipalities and other organs of the state so as to give effect to the principles of cooperative government. It is therefore, important for municipalities to participate in national and provincial development programmes (Planact, 2001:54).

(f) *Adoption of integrated development plans*

Each Municipal Council must, within a prescribed period, adopt a single, inclusive strategic plan that links, integrate and coordinate plans and take into account proposals,

aligns the resources and capacity of the municipality with the implementation of the plans. It should form a policy framework and general basis on which annual budgets must be based, comply with the general provisions of Chapter Five of the Act and be compatible with national and provincial development plans and planning requirements that are binding on the municipality in terms of legislation (Municipal Systems Act, 2000:16).

(g) *Core components of integrated development plans(IDPS)*

These plans must reflect the council's vision for the long-term development of the municipality with special emphasis on the most critical development needs and internal transformation needs of the municipality. It must undertake to conduct an assessment of the existing level of development in the municipality, which must include an identification of communities that do not have access to basic municipal services, the council development strategies, which must be aligned with any national or provincial sectoral plans and planning requirements that are binding political structures and that will encourage them to administer their affairs in an economical, effective, efficient and accountable manner. The Act also places the responsibility for the establishment of the system with the Executive Committee, which must manage the development of the municipality's system, but can assign this responsibility to the municipal manager. The municipality must also establish mechanisms to monitor and review its performance systems. The Act outlines the core components of the performance system and explicitly states that the local community must be involved in the development, implementation and review of the municipality's performance through appropriate mechanisms, processes and procedures (Municipal Systems Act, 2000:46).

(h) *Performance Management Systems*

Chapter Six of the Municipal Systems Act, 2000 (Act 32 of 2000) requires that municipalities establish performance management systems that will promote a culture of performance management among its employees. The policy must reflect national policy

and obliges councils to adopt by laws to give effect to this policy. The chapter also deals with internal and external mechanisms for providing services. It enumerates the responsibilities of municipalities when providing services through service delivery agreements with external mechanisms, and provides for the establishment of internal municipal service districts and multi-jurisdictional municipal service districts (Planact, 2000:56).

(i) *Local public administration and human resources*

Chapter Seven sets out the basic values and principles governing local public administration, methods of dealing with inconsistency with applicable labour legislation, roles and responsibilities of political structures, political office bearers, the appointment of managers directly accountable to the municipal manager, the remuneration of municipal managers and the delegation system (Planct, 2001:55).

(j) *Municipal services*

Chapter Eight sets out the general duties of municipalities in terms of municipal services and refers to the constitutional obligations that apply in this regard. It also states that councils must adopt a tariff policy on the levying of fees for municipal services provided by the municipality. It stipulates that the municipality must devise a spatial development framework that must include the provision of basic guidelines for a land use management system for the municipality, as well as the council's operational strategies, applicable disaster management plans, a financial plan, which must include a budget projection for at least the following three years, key performance indicators and performance targets (Planact, 2000:54-55).

The Act provides a framework which is referred to as a process or guide for the drafting of integrated development plans, and specifies that this must tally with a pre-determined programme that also specifies timeframes for the different steps, involve consultations with the local community about its development needs and priorities, allows for

community participation in the drafting of the plan and involves consultations with organs of state (international and traditional authorities). The Act also sets out the process by which integrated development plans should be approved and how the drafting process is to be managed. It also provides for provincial monitoring and support, the submission of integrated Plans to the Member of Executive Council⁷ for its annual review and the amendment of integrated development plans (Municipal Systems Act, 2000:48).

(k) *Credit control*

Chapter Nine stipulates that municipalities must establish sound customer management systems for levying rates and other taxes and charging services fees. The aim of such a system would be to create a positive relationship between the person liable for these payments and the municipality and, where applicable, the service provider. The chapter also spells out the responsibilities of municipalities in relation to debt collection, its credit control policy and the adoption of by-laws to give effect to this policy. It lays how the policy is to be implemented and enforced, and sets out municipalities' rights of access to premises in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict the provision of any service. The chapter also discusses the amounts owing, agreements with employers of people who are in debt to the municipality, and regulations and guidelines with regard to this policy (Manact, 2001:56).

(l) *Provincial and national monitoring*

According to Municipal Systems Act, 2000 (2000:96), Chapter Ten outlines, how provinces can monitor municipalities and how non-performance and maladministration may be handled. It also deals with prosecution for offences, fines and bail, the serving of legal documents and legal processes and provides for national monitoring and standard setting. Legal proceedings, public servitudes and custody of documents are

dealt with in Chapter 11 of the Act, while Chapter 12 deals with a number of miscellaneous matters.

1.8. Management of municipal finance

The Municipal Finance Management Act, 2003 (Act 56 of 2003) is the fourth component of the legislative reforms and transformation framework articulated in the White Paper on Local Government. It provides a foundation for orderly and sound financial management principles and practices in the local sphere of government. It is crucial for councillors to understand these principles and practices and to keep them in mind when carrying out their role to ensure the attainment of a development vision for local government. Local government financial management was legislated for by the Local Government Transition Act, No. 209 of 1993 (LGTA), and was destined for repeal by the 5 December 2000 local government elections. The Management Act replaces the provisions relating to financial management in the LGTA (Planact , 2000:57).

1.8.1 Purpose of the Act

According to section 2, the object of the Municipal Finance Management Act, 2003 (Act 56 of 2003) is to secure sound and sustainable management of the fiscal and financial affairs of municipalities and municipal entities by establishing norms and standards and other requirements for ensuring transparency, accountability and appropriate lines of responsibility in the fiscal and financial affairs of municipalities and municipal entities; the management of their revenues, expenditure, assets and liabilities and the handling of their financial dealings; budgetary and financial planning processes and the coordination of those processes with the processes of organs of state in other spheres of government; borrowing; the handling of financial problems in municipalities; the supply chain of management and other financial matters.

1.8.2 Structure of the Act

(a) Interpretation, objectives, application and amendment

Chapter One provides definitions of key concepts and outlines whom the legislation applies to as well as the conditions under which amendment may be made (MFMA, No. 56 of 2003).

(b) National and provincial supervision

Chapter Two deals with the intergovernmental aspects of local government financial management. It defines the major relationship between the different spheres of government as they pertain to municipal financial management. The provisions in this chapter enable national and provincial government to monitor local government finances, to prescribe relevant norms and standards for municipalities and to delegate powers (MFMA, No 56 of 2003).

(c) Municipal revenue

Chapter Three regulates the management of municipal revenue and investments. It requires each municipality to establish a revenue fund, into which all monies received by municipalities must be paid. The municipal manager is accountable for the management of the revenue fund and must ensure compliance with the relevant requirements in the legislation. Various procedures are outlined for the control, withdrawal and investment of funds. The national treasury is granted powers to prescribe a framework for municipal cash management and for management of investments by local governments (MFMA, No.56 of 2003).

(d) Municipal budgets

Chapter Four defines a process of annual budgeting for municipalities including provisions for regular reporting to their councils and the national and provincial governments. The guiding principle is that municipalities will assume responsibility for detailed budgeting, within a nationally determined macro economic framework. Provision is made for budget adjustments

and for the shifting of funds between budget votes in the course of a municipality's financial year, subject to certain reporting requirements' limitations – based on the previous year's budget – are placed on the municipality's expenditure liability if they have not passed these budgets. The budgets and budgeting provisions aim to establish clear links between the assignment of functions to municipalities and the allocation of resources to them. Councils are made ultimately responsible for passing budgets, within the framework set for intergovernmental relations concerning financial management in local spheres of government (MFMA, No. 56 of 2003).

(e) Cooperative government

Chapter Five as with Chapter Two of the Act, deals with the intergovernmental aspects of local financial management. It defines the major relationships between the different spheres of government as they pertain to municipal financial management. The provision in this chapter enables national and provincial government to monitor local government finances, to prescribe relevant norms and standards for municipalities and to delegate powers (MFMA, No. 56 of 2003).

(f) Debts

Chapter Six deals with the borrowing of money by municipalities. It limits short-term borrowing to bridging finance, operating cash shortfalls or capital requirements on the basis of anticipated income streams, grants or long-term debt in waiting. It requires that short-term debt be paid off annually. Long- term debt is limited to funding of capital investment. Chapter Six of the Act also sets out the requirements for the authorization of municipal debts, without national or provincial approval, and details the conditions for providing security. The chapter rules out guarantees of municipal debts by national and provincial government, other than what is provided for in the Public Finance Management Act. Disclosure requirements for the borrowing of money by municipalities are also set out (MFMA, No. 56 of 2003).

(g) *Responsibility of mayors*

The responsibilities of major custodians involved in municipalities, financial management are detailed in Chapter Seven. The municipal mayors are there to provide general political guidance over the fiscal and financial affairs of the municipalities. In providing such general political guidance, the mayor may monitor and, to the extent provided in this Act , oversee the exercise of responsibilities assigned in terms of this Act to the accounting officer and the chief financial officer, but may not interfere in the exercise of these responsibilities (MFMA No. 56 of 2003).

(h) *Responsibilities of officials*

The responsibilities of officials involved in a municipality's financial management are detailed in Chapter Eight. The municipal manager is designated as a municipality's accounting officer, with some general and specific responsibilities related to developing and maintaining efficient and transparent systems of financial and risk management, internal control, budget and expenditure control, contacts and liabilities, as well as reporting. Written employment contracts and performance standards are required for the accounting officer. Part 2 of the chapter sets out conditions for the delegation of powers and duties by municipal accounting officers to other officers and outlines the implications that this has for such other officials (MFMA, No. 56 of 2003).

(i) *Municipal entities*

Chapter Ten allows municipalities to retain or establish a variety of corporate entities in terms of other relevant legislation, but also makes it possible for statutory and regulatory limitation and requirements to be imposed on such entities. These conditions concern accounting, auditing, asset transfers, debt management, governance, reporting and disclosure, decision-making, mandates and operational scope, planning, budgeting and investments. Every municipal entity is required to have an accounting authority that will be accountable for the execution of such conditions (MFMA, No. 56 of 2003).

(j) *Goods and services*

Part 1 of Chapter 11 deals with the supply chain of management and this part does not apply if a municipality contracts with another organ of state. Part 2 of the chapter deals with public-private partnership agreement, but only if the municipality can demonstrate that the agreement will provide value for money to the municipality (MFMA, No. 56 of 2003).

(k) *Financial reporting and auditing*

Chapter 12 outlines the requirements and procedures for local government financial statements and auditing. The municipal manager must, in accordance with generally recognized accounting practices, ensure that annual consolidated financial statements are issued and submitted to the auditor-general and the national and relevant provincial treasury. The relevant MEC must, in turn, submit copies of the statement, the audit report and particulars of corrective action to the provincial legislatures. Stringent conditions are set out to ensure compliance with these requirements by all relevant parties (MFMA, No. 56 of 2003).

(l) *Resolution and financial problems*

Chapter 13 of the Act deals with the following primary responsibility for the resolution of financial problems, provincial interventions, debt relief and restructuring and municipal financial recovery service (MFMA, No. 56 of 2003).

(m) *General treasury matters*

A number of general treasury matters are dealt with in Chapter 14. There are the assignments of powers to the national treasury to make regulations or to issue instructions or guidelines relevant to the Act or specific aspects of municipal financial management in general and for borrowing by municipalities or municipal entities. Provision is also made for the creation of audit committees (MFMA, No. 56 of 2003).

(n) *Financial misconduct*

Chapter 15 is concerned with financial misconduct within municipalities. It defines the concept of financial misconduct with reference to various relevant clauses in other chapters of the Act, and relevant to municipal officials as well as the accounting authorities and officials of municipal entities. A legal regime is provided for disciplinary proceedings and the Minister of Finance is empowered to make regulations prescribing procedures in this regard. Part 2 of the chapter provides for criminal proceedings against accounting officers, accounting authorities and officials (MFMA, No. 56 of 2003).

(o) *Miscellaneous*

Chapter 16 provides for miscellaneous aspects. It limits liability in respect of anything done in good faith in terms of the legislation, allows the Minister to exempt municipalities and municipal entities from specific provisions of the legislation, and sets out transitional arrangements for the phasing in of legislation and for its repeal (MFMA, No. 56 of 2003).

1.9. Municipal Property Rates in South Africa

According to Planact (2001:63), the Property Rates Act is the fifth piece of legislation that forms part of the transformation process.

1.9.1. Purpose of the Act

This Act is intended to regulate the power of a municipality to impose rates on property; to exclude certain properties from rating in the national interest; and to make provision for municipalities to implement a transparent and fair system of exemptions, reductions and rebates through their rating policies, to make provision for fair and equitable valuation methods for properties; to make provision for an objection and appeals process; to amend the local government Municipal Systems Act, 2000, so as to make further provision for the

serving of documents by municipalities; to amend or repeal certain legislation; and to provide for matters connected therewith (Municipal Property Rates Act, No. 6 of 2004).

1.9.2 Structure of the Act

The Act consists of the following chapters: Interpretation, Power to levy rates, Liability for rates, General valuation of rateable property, Valuation criteria, Valuation rolls, Valuation Appeal Boards, updating of valuation rolls, and Miscellaneous matters.

(a) *Rating*

Chapter Two of the Property Rates Act provides for a municipality to levy a rate on all property in its municipal area. It sets out specific categories of property, and allows for different rates to be levied on different properties. The Act also gives municipalities the right to determine categories of property in their municipal area. The Minister of Finance may issue guidelines to assist municipalities in the exercise of their power to levy rates (MPRA, No 6 of 2004). The chapter also states that the Minister of, in concurrence with the Minister of Finance, may by notice in the government gazette set a limitation on the amount of the rates, annual percentage increments and additional rates that may be levied on property (MPRA, No. 6 of 2004).

The chapter further defines the period for the levying of commencement, phasing in and compulsory phasing in of certain rates. Levying of rates in areas under the jurisdiction of traditional authorities is also specified. The Act obliges municipalities to draw up and maintain a register of properties situated within their municipal areas (MPRA, No. 6 of 2004).

A signature point is that the Act obliges municipalities to adopt a rates policy and to levy rates in accordance with this policy. The chapter mentions the principles on which a rates policy should be based by law, giving effect to the implementation and enforcement of a municipality's rates policy that must be adopted (MPRA, No 6 of 2004).

(b) *Liability for rates*

Chapter Three sets out how municipalities must recover rates from single and joint property owners and specifies that the rates on state-owned property are non-recoverable. The method and time of payment of property rates are dealt with and it is stated that owners should be furnished with accounts. Criteria are provided as to how arrears on rates may be recovered from tenants, occupiers and owners who are not available at the premises of the property on which rates are being levied (MPRA, No. 6 of 2004).

(c) *General valuation of rateable property*

Chapter Four requires municipalities to make a general valuation and to prepare a valuation roll of all properties on which they intend to levy rates. It specifies when the valuation may commence, how long it should last and how the date should be set (MPRA, No. 6 of 2004).

The Act also requires that a municipal valuer must be appointed and the functions of the valuer are described in this chapter. It states that a municipality may enter into an agreement of partnership with another municipality to appoint a single valuer, defines the qualifications of such a valuer. It also provides for the protection of confidential information.

(d) *Valuation criteria.*

In Chapter Five, it also specifies that property must be valued in accordance with the 'Generally recognized valuation practices, methods and standards and provisions' of the Act. The chapter enumerates the techniques tools and systems to be used for valuation and looks at the general basis of valuation, Sectional title schemes and special valuations (MPRA, No. 6 2004).

(e) *Valuation rolls*

In preparing a valuation roll, a municipality must list all the properties on which it intends to levy rates. Chapter Six prescribes the particulars to be reflected in the valuation roll in respect

of each property as at the date of valuation. They are as follows: registered or other description of the property; the category, determined in terms of Section 8, into which the property falls; the physical address of the property; the extent of the property; the market value of the property, if the property was valued; the name of the owner and any other prescribed particulars (Section 48 (2a-g) of MPRA, No 6. of 2004). The chapter also defines the process and time for the public notice of valuation rolls, impaction and objections and the process to be followed with regard to objections and the certification, obligation to give reasons and rights of appeal (MPRA No. 6 of 2004).

(f) *Valuation Appeal Boards*

In Chapter Seven the MEC for local government is given the right to establish Valuation Appeal Boards in a province. The main function of these boards is to hear and decide appeals against decisions by municipal valuers concerning objections to matters appearing on or omitted from valuation rolls (MPRA, No 6. of 2004).

The chapter describes the composition of the boards, disqualifications, and terms of office, termination of membership and conduct of members of the board. It describes the procedures and processes for meetings, decisions to be taken and the orders of procedure (MPRA, No. 6 2004).

The MEC for local government may authorize a Valuation Appeal Board to establish a committee or committees to assist it in the performance of its functions. The powers of Valuation Appeal Boards are: (1) an Appeal Board may, by notice, summon a person to appear before it; to give evidence; or to produce a document available to that person and specified in the summons; call upon a person present at a meeting of an Appeal Board whether summoned or not to give evidence; or to produce a document in that person's custody; it may administer an oath or solemn affirmation to that person question that person, or have that person questioned, or retain a document produced in terms of paragraphs (a) (ii) and (b) (ii) for a reasonable period (Section 75 [1a-e] of MPRA No. 6 of 2004).

The Act specifies that legal proceeding by or against a Valuation Appeal Board may be instituted in the name of the board and that any costs awarded in any legal proceedings against a Valuation Appeal Board must be borne by the municipality concerned (MPRA, No. 6 of 2004).

(g) *Updating of valuation rolls*

In terms of Chapter Eight, a municipality may whenever necessary and after the municipality's valuation roll has been certified in terms of section 49 of the Act, cause a supplementary valuation to be made and a supplementary roll to be prepared in respect of any retainable property (MPRA No. 6 of 2004).

(h) *Miscellaneous matters*

Chapter Nine states that the Minister must monitor and from time to time investigate and issue a public report on the effectiveness, consistency, conformity and application of municipal valuations for rating purposes. It identifies what is to be included in the investigation and the categories of properties that must be investigated. The report of the investigation should reflect whether the criteria are being applied in a capable manner, the ratio set for valuation and whether there is equality. It also specifies the regulations, offences and transitional arrangements and the repeal of laws (MPRA No. 6 of 2004).

1.10 Conclusion

This chapter began by looking at the parliamentary committee system, which allows room for public participation and is therefore one of the hallmarks of South Africa's relatively young democracy. These committees increasingly play a key role in ensuring that government is by and for the people. The obligation for local government is encapsulated in the Constitution of South Africa, 1996 (Act 108 of 1996) which provides a framework for local government activities. The Constitution is an overriding component of legislation necessary for informing local government legislation. While it is widely acknowledged that Local Government Transition Act, 1996 (Act 97 of 1996) resulted in the deracialisation of local government; it is

also widely agreed that it did not bring about fundamental transformation. This posed challenges to local government proponents and practitioners. A series of Acts emerged from this framework. These direct municipalities in the new dispensation and form the final phase of the Local Government Transaction. Legislation flowing from the White Paper on Local Government are the following: the Municipal Demarcations Act, the Municipal Structures Act, the Municipal Systems Act, the Financial Management Act and the Municipal Property Rates Act. In Chapter Two of this study the research methodology is outlined, this indicates how this research was conducted.

CHAPTER TWO

RESEARCH METHODOLOGY

2.1 Introduction

The research methodology is important because it shows how the research was conducted. It also assists the investigation to follow procedures when the research is conducted. The definition of concepts is also significant in this chapter, because it sheds light on the research topic as a whole. It makes it easier for readers to understand the whole topic as it is. Research methodology necessitates a reflection on the planning, structuring and execution of the research project with a view to complying with the demands of truth, objectivity and validity. Hence, the research methodology focuses on the process of research and the decisions which the researcher has to take to execute the research project. For example:

- Which decision(s) need to be taken as the research progresses?
- Which methods and techniques for data collection and data analysis should be selected?
- Which factors play a role in the design of a research project?
- What is the influence of a particular purpose of the research project on the selection of methods and techniques?
- Which factors play a role in the process of research and how do these factors influence the methodology of the researcher?

Mahlangu (1987:3-4) defines research methodology as ‘the study of the logic or rationale underlying the implementation of the scientific approach to the study of reality. It is the theory of correct scientific decisions. Methods are techniques for collecting data about the world around us whereas methodology is the logic of applying a scientific perspective to the study of events. It is the process by which the product of scientific inquiry is generated and the steps involved in relating the theory of empirical research. This means therefore that the research is designed, structured and executed to produce reliable, valid and objective knowledge’. As indicated in this paragraph, this definition is valid because for the research to be conducted

successfully, it must be designed, structured and executed in order to yield reliable, valid and objective findings.

According to McMillan and Schumacher, (1989:39), research methodology is systematic and purposeful. Procedures are not haphazard activities; instead they are planned to yield data on a particular problem. This can be done with measurement techniques, extensive interviews and observation or a collection of documents.

Leadership and governance perspectives in local government administration are examined in this project through a study of relevant literature as well as governmental documents, such as White Papers and Acts. The empirical research was conducted by means of qualitative research methodology.

2.2. *The purpose of the study*

The purpose of the study is to examine leadership and governance issues facing Local Government Administration in South Africa in order to enhance capacity-building among leaders in Local Government Administration; to promote effective service delivery in South Africa and to facilitate the effective implementation of basic values and principles governing public administration regarding the new Public Service of South Africa through knowledge advancement.

2.3. *The importance and significance of study*

This study is significant, because it offers solutions to the following: social Government Administration and its transformation, which poses a number of challenges with regard to new policies, procedures, and laws. There are new officials and political leaders in the new system and, therefore, they need to clearly articulate the new vision of new government. Local Government is always expected to deliver. The study seeks to facilitate effective public participation in local affairs; interaction between the governors and the governed; and to stimulate debate between the Local Government Administration and civic society in general.

These would be made possible through the encouragement of both the political and administrative leadership to interact effectively with the community members. This interaction may take place in the form of municipal structures such as ward committees, municipal quarterly news letter, councillors, executive council road shows national meetings and media such as radio.

2.4. Problem statement

According to Booyse (1993:38), problem formulation in qualitative research commences with the simultaneous selection of a general research theme and a methodology. Next, the general theme is narrowed down to a more specific theme and the problem is only finally formulated after considerable initial data gathering and analysis have taken place. Inductive reasoning leads to a gradually emerging research design and to the problem being constantly reformulated in the course of the investigation. Hanekom (1981:23) states that the problem should be proposed concisely, clearly and precisely. It can be put as a question or presented as a statement. The main idea is to clearly demarcate the problem so that any person who reads the statement or question will be able to understand it without the act of explanation.

Baloyi (1991:5-6) indicates that a sharp and clear way of formulating a research problem is to ask related questions in the form of sentences, because they are possible preconditions for formulating the hypothesis, planning research procedures and for enthusiastic problem analysis and solution. Initially, one main question has to be asked and followed by sub-questions. This research intends to survey service delivery in certain selected municipalities in the Limpopo Province. For the purpose of this study, the problem statement is lack of knowledge and the skills of leadership and governance of municipalities in the Limpopo Province by both political and administrative officials create challenges for speedy or effective service delivery to the community.

The research questions are formulated as follows:

- What should be done in order to promote and enhance service delivery by Local

Government Administration?

- How can the interference of both politicians and official in local government administration be minimized?
- What is the importance of cooperative governance in local government administration?

2.5 Studying the literature

A study of the literature involves identification, tracing and analysis of documents containing information relating to the research problems (Gay, 1981:51). The literature review method is considered by Wiersma (1991:45) to be a method through which the researcher attempts to determine what others have learned about similar research problems and to gather information relevant to the current research problem. Documents consulted or analysed include books, periodicals, other research reports, White Papers and Acts which shed light on the problem under investigation.

The purpose of a study of the literature is to find information relating to assumptions, hypotheses and definitions; to discover the latest research findings about the particular subject; to trace hints about research approaches. This includes methods, instrumentation and data analysis, as well as studying the interpretation of other researchers. This can facilitate one's own interpretation and determine the significance and use of one's findings.

2.6 Qualitative research methodology

De Vos (2001:240) defines qualitative research as a multiperspective approach making sense of interpreting or reconstructing this interaction in terms of meanings that the subjects attach to it. This approach deals with data that are principally verbal. It is the approach in which the procedures are not as strictly formalised as in quantitative research and the scope is more likely to be undefined and a more philosophical mode of operation is adopted. It aims at understanding and interpreting the meanings and intentions that underlie everyday human

action. Qualitative researchers maintain that many natural properties cannot be expressed in quantitative terms, they will lose their reality if expressed simply in terms of frequency (Kincheloe, 1991:143).

Qualitative methodology refers to research which produces descriptive data: generally no numbers or counts are assigned to observations. The indispensable condition or qualification for qualitative methodology is a commitment to seeing the world from the point of view of the actor (the participant). Because of this commitment to see through the eyes of one's subjects, close involvement is advocated (Bryman, 1984:78).

Creswell (1998:12) states that it is clear that in qualitative research one gets closer to the people, talks to them and tries to get into their subjective feelings to understand the reasons why they do what they do. Reality is, therefore, subjective and one seeks to understand phenomena. Concepts are in the form of themes, motifs and categories. The research design is therefore flexible. Inductive logic is employed in the quest to derive meaning from subjects. These are meanings people attach to everyday life. Applied qualitative methodologies allow the researcher to know people personally and to see them as they are, to experience their daily struggles when confronted with real situations. Using a qualitative research methodology, the researcher interprets and describes the actions of people when confronted with real life situations.

Based on the qualitative research methodology, the researcher designed and compiled semi-structured interview questions in order to collect information from mayors, municipal managers and directors for departments of administration, community and technical services. In this regard information was collected through the use of questionnaires. The qualitative research methodology was used because it provides a framework for a subject to speak freely out in his or her own terms about a case which the researcher brings to the interaction.

2.6.1. Strategies of a qualitative research methodology

2.6.1.1 Ethnography

For the purpose of this study, ethnography research is preferred, because it provides a much more comprehensive perspective than do other forms of empirical research. By observing the actual behaviour of individuals in their natural settings, one gains a much deeper and richer understanding of behaviour such as the capacity of mayors, municipal managers, or directors in the municipalities. It is good for the topics that are not easily quantified. The thoughts, ideas and other nuances of behaviour that might escape researches using other methodologies can often be detected by ethnographic research. It is appropriate to behaviours that are best understood by observing them within their natural settings.

This is a research method which combines participant observation with many of the characteristics of non-participant observation studies in an attempt to obtain as holistic a picture of a particular society, group, institution, settings or situation as possible. It emphasizes documenting or portraying the every day experiences of individuals by observing and interviewing them and relevant others (Fraenkel and Wallen, 1996:453).

2.6.1.2 Case study

Case study is the number of units studied. The unit can be a formal organization or a psychotic child, a community, or an encounter group. It can be a field study or ethnography taking place in a naturalistic setting or in an artificial laboratory setting involving researcher-initiated manipulation or participants, or natural experiments accidental occurrences interrupting the flow of events – that can be studied as if they were experiments (Le Compte and Preissle, 1993:32). For the purpose of this study

a case study, is the Vhembe District Municipality together with its four local municipalities, namely Makhado, Musina, Mutale and Thulamela.

2.6.2 Interpretive tradition in qualitative research.

Le Compte and Preissle (1993:31-32) discovered that the interpretive tradition in qualitative research is concerned with the explanation, translation and interpretation of reality. It focuses on interpreting and accurately recounting the meanings that research participants give to the reality around them. The aim is to understand and interpret the meanings and intentions that underlie every human action.

2.7 Research design

2.7.1 Population

Lecompton and Preissle (1993:60) define the term population as referring to potential human respondents or participants in a study. Non-human phenomena and inanimate objects are also potential populations. Some population groups are naturally bounded and share a common geographical location such as a village, schools, and factories.

A research population is defined as all the cases that can potentially be included in an investigation, (Charles, 1988:73). On the other hand, McMillan and Schumacher (1989:161) and Borg (1987:8) define a research population as a larger group of cases from which a sample can be selected.

According to Sekaran (1992:225), ‘Research population refers to the entire group of people, events or things of interest that the researcher wishes to investigate’ while Sax (1980:511), however, holds the view that ‘where populations are small and accessible, sampling is simple unnecessary because all cases can be included in the investigation’. In view of this paragraph, a research population is necessary for the research to be conducted effectively and successfully.

An ideal population for this research project would be all adult citizens in the Republic of South Africa in the Limpopo Province and within the jurisdiction of the Vhembe District Municipality. As indicated above, the Vhembe District Municipality is comprised of four municipalities, namely Makhado, Musina, Mutale and Thulamela municipalities.

2.7.2 Sampling

Mulder (1989:55) defines a sample as a group which is selected from the population and is thus less than the population, while remaining as representative as possible. This is the process whereby all the elements in the sample frame have equal representation. Each element (school manager for example) will appear only once. Elements that will appear more than once will have a greater probability of selection. Findings based on a sample can be taken as representative only of the aggregation of elements that compose the sample frame (Babbie, 1995:206). In this case, mayors, municipal managers and directors in the Vhembe District Municipalities will have an equal opportunity of being sampled.

The research was conducted in the Far North of the Limpopo Province. This is basically a rural setting, and this fact could serve as a limiting factor to the study. The sample includes people chosen from the following categories: mayors, municipal managers and directors at municipalities under the Vhembe District Municipality. The randomly selected participants were subjected to an in-depth interview. The sample covers people in various positions as employees of the municipality.

2.7.3 Gaining access to the setting

It was initially anticipated that it might be difficult to gain access to the municipalities in particular, for ethical reasons. Managers and employees of municipalities are there to serve the interests of their political heads and as such their views on the poor service delivery by local government administration, confusion and ambiguity with regard to roles, functions, powers of various institutions of governance and officials and problems of cooperative

governance might ruin their public standing as faithful and loyal employees. It is, therefore, important to ensure that they are convinced of the confidentiality of their responses.

2.8 Data collection

Data was collected by means of interview through questionnaires. The questionnaires were used to obtain the opinion of mayors, municipal managers, and directors of departments of administration, and community and technical services in order to justify what should be done in a bid to improve service delivery by municipalities in South Africa. Mayors, municipal managers and directors for departments of administration, community and technical services in municipalities under Vhembe District Municipality were asked to complete these questionnaires. As their responses are written, the information thus provided may be regarded as more or less true reflection of what is taking place on in municipalities in Vhembe District Municipality.

2.8.1 Ethical consideration

Ethical considerations are important, both during the interviews and also during reporting. It is, therefore important for researchers to always keep in mind that the objects of enquiry in an interview are human beings. It is, therefore, important to protect them and also for them to feel protected at all times. When they agree to be involved in the interview, steps should be taken to ensure that they know exactly what they are agreeing to. In some cases, the respondents, such as employees at municipalities, might want their identity to be anonymous. This was explained to them and their right to privacy was respected. There are also other risks that the interview might expose them to and they were allowed to raise such concerns, to be dealt with thoroughly before the interview commenced (Mouton & Marais, 1993:90).

2.8.2 Interviews

Data collection took form of in-depth interviews. The purpose of qualitative interviewing is to provide a framework for a subject to speak freely out in his or her own terms about a case

which the researcher brings to the interaction. It allows the researcher to explain his or her questions if the respondent is not clear on what was asked. It also allows the study to probe deeper following the answer of a respondent (De Wet, et al, 1981:161-163).

A choice has to be made between a structured interview and an unstructured one. A structured interview asks each respondent a series of pre-established questions with a limited of response categories set. There is little room for variation except when the question is an open-ended one, which is rare. Unstructured interviewing provides a greater breadth than the structured one given its qualitative nature. It attempts to understand the complex behaviour of members of society without imposing any categorisation that may limit the field of enquiry (Denzin & Lincoln, 1994:364-367). It is for the above reasons that semi-structured interview will be used in this research. Information was collected through the use of questionnaires.

2.8.3 The questionnaire

In order to assess the prevalent situation in municipalities in the Vhembe District Municipality, the questionnaire method was utilized. This method was employed, because it is fast and efficient at collecting large amounts of information, which enables data to be easily quantified and can thus provide a comparable data basis from different perspectives (Preedy 1989:41). The questionnaire is composed of a list of questions or statements to which the individual is requested to respond in writing. The response may range from a checkmark to an extensive written statement (Wiersma, 1980:142).

These questionnaires were used to obtain the opinions of mayors, municipal managers and directors of departments of administration, and community and technical services in order to justify what should be done in a bid to improve service delivery by municipalities in South Africa. Mayors, municipal managers and directors for departments of administration, community and technical services in municipalities under Vhembe District Municipality were asked to complete these questionnaires. As their responses are written, the information thus provided may be regarded as a more or less true reflection of what is taking place on in municipalities in Vhembe District Municipality.

2.8.4 Establish a rapport

Establishing a good rapport with the respondents is crucial, as it helps the parties to reach the goal of understanding each other. To achieve this, researchers should try to put themselves in the role of the respondents and attempt to view the situation from the latter's perspective. This study, however, attempted to avoid losing its objectivity, by immersing itself too much into the respondents' roles. It consciously avoided becoming a spokesperson for the respondents. The decision on how one presents oneself is also very important to create a good rapport. This may be in terms of dress code. The researcher therefore dressed in a formal way which had a positive impact on the respondents.

2.8.5 Locating an informant

The Far North Region of the Limpopo Province (Vhembe District) has mainly two ethnic groups, the Vendas and the Tsongas. It is, therefore, necessary to find a third party as informant who could interpret the morals, culture and even the language during the interview process, and also during data analysis. This helped to save time and prevent a lot of unnecessary mistakes.

2.9 Evaluation

The research processes needs to pass a set standard of evaluation. It is important, therefore, that the field notes as well as the tape-recording devise be kept intact for purposes of verification, should the need arise. The limitations of tape recording are that the respondents' facial expressions during the interviews are lost to the evaluator. This is the reason why some researchers prefer video taping. It is also important to exclude the possibility of personal bias as far as is reasonable.

2.10. Reporting

According to Mouton (1993:170-173), a research report is a reconstruction of the research process and is written to present the researcher's case as logically, objectively, persuasively, and concisely as possible.

In writing the report, an attempt is made to think seriously about the audience and then mould the report in a logical way that will be appreciated and well understood by the reader. A holistic approach was adopted in the written presentation of data, and examples of extracts from responses are given. Field notes have been quoted to provide authenticity.

2.11 Clarification of Concepts

It is important to define the following concepts namely, leadership, governance and local government because they form an integral part of the whole research report. For example, good leadership will provide good governance and as the result local government will provide service delivery to the communities.

2.11.1 Leadership

According to Oyungi (1996:1), leadership cannot be considered in a vacuum. The leaders of new states work within a situation characterized by fragile institutions, and it is their task to build and stabilize an institutional framework that can contain and accommodate the tensions and conflicts inherent in the modernising process. Political stability may depend on the charismatic qualities of the leadership of the new state; but increasingly it will come to depend on the kind of political institutions created, and the degree to which the legitimacy of those institutions is recognized. Thus, consideration of leadership in any particular situation must

take into account the institutional environment within which the leadership works, and also such adaptations or changes as are made.

Ntimama (1996:137) argues that a traditional leader refers to any person who by virtue of his ancestry occupies a clearly defined leadership position or thonged stool in an area, and/or who has been appointed to such a position in accordance with the customs and tradition of the area, real or invented, and thus has traditional authority over the people of that area, or any person appointed by an instrument or order of government or elected by the community to exercise traditional authority over an area or tribe, or to perform traditional functions for them.

In emphasizing this kind of leadership, Nzouankeu, (1996:292) states that traditional leaders derive their authority from the belief in traditions and myths that have existed since time immemorial. This type of authority is in sharp contrast to rational authority – the kind of authority Weber attributes to modern-day bureaucratic institutions and that is derived from law.

According to Thornhill and Hanekom (1995:15), leadership has been defined in terms of traits, behaviour, influence over other persons, patterns of interaction, role relationships, occupation of an administrative position, and the perception others have regarding legitimacy of influence. Leadership and management are not necessarily synonymous, although leading does normally occur within the higher hierarchies of an organization. According to Yukl (1981:5), an operational definition of leadership will, to a large extent, depend on the purpose of the researcher. The purpose may be to identify leaders to train them, to discover what they do, to determine how they are selected, or to compare effective and ineffective leaders.

Yukl (1981:2-3) proceeds on to argue that it is difficult to select a definition of leadership that is general enough to accommodate the many meanings implied above and specific enough to serve as an operationalisation of the variable. An illustration of this may be found in some of the definitions given below:

- a. The behaviour of an individual when he is directing the activities of a group towards a

- shared objective.
- b. Impersonal influence, exercised in a situation, and directed through the communications process, towards the attainment of a specific objective or objectives.
 - c. An interaction between persons in which one presents information of a sort and in such a manner that the other becomes convinced that he will benefit by behaving in a manner suggested or desired.
 - d. A particular type of power relationship characterizing a group member's perception that another group member has the right to prescribe behaviour patterns for the former regarding his activity as a group member.
 - e. An influence process whereby O's actions change P's behaviour and views the influence attempt as being legitimate and the change as being consistent with P's objectives.
 - f. The influential increment over and above mechanical compliance with the routine directives of the organization.

It is apparent that definitions of leadership usually have in common the assumption that it is a group phenomenon involving the interaction between two or more persons and that it involves an influencing process whereby intentional influence is exerted by one person (the leader) over other persons (followers). The conception is that of a person who influences group members in any manner to comply with his or her requests willingly or unwillingly. The more restrictive conception is that of a person who exerts the most influence on other group members and systematically influences their behaviour towards the attainment of group objectives and who obtains the enthusiastic commitment of group members in carrying out his or her requests. Leaders are ultimately accountable for the performance and conduct of those who serve under them. As leadership and governance impact on the general health of an economy, the implications for leadership are enormous. The right kind of leadership can transform a country. The wrong kind can cause a country to stagnate, and cause its people to lose faith in public government. The next term to be defined is governance as the definition of this term sheds light on how leaders should govern or rule their subjects in order to enhance or promote service delivery by local government administration (to the communities).

2.11.2 Governance

Oyungi (1996:91) describes governance as a value-free concept and one can speak of good or bad governance. As a process, there are certain activities that are its manifest ingredients: decision-making; role recruitment and succession; regulating the behaviour of the polity; and defence of territorial and national integrity.

In line with the above, Haynes (1992:12 & 15) stresses that good governance lies at the heart of the exercise of power and is central to political accountability. It is not necessarily democratic government but it is purposive, development-orientated government, which seeks to improve the mass of people's quality of life. Efficient governance appears to be a function of the reduction of state dominance and the growth of vibrant spaces that constitute a crucial sign of broad political engagement.

Kharoufi (1999:129) states that governance in cities becomes important and aims to improve the urban management system by promoting democratic principles with electoral processes, and the establishment of a new organic relationship between the authorities and civil society. The latter's active participation in administrative and political structures can only widen official legitimacy which, it has to be said, is marred by venality inefficiency and corruption.

In addition, , Ulimwengu, (1996:103) states that governance has to take place in an atmosphere of order and social place, and this not possible without a minimum of good governance in which the people are free to make the choices they consider best suited to their requirements and where the governors are accountable to the governed.

Van Niekerk, van der Waldt and Jonker (2002:64) define governance as 'the ordering of a group, community, or society by a public authority. The purpose of governance includes the maintenance of law and order, the defence of society against external enemies, and the advancement of what is thought to be the welfare of the group, community, society, or state itself. Governance is possible only as long as governments manage to enforce their will'. This suggests that for the governance to succeed, the governed people should also be involved

in the activities of government. Communities in all municipalities should be involved in municipal activities for these activities to be of full benefit to the people.

In addition, Van Niekerk, Van der Waldt and Jonker, (2002:65) go on to argue that numerous characteristics can be identified that contribute towards achieving a system of good governance in all spheres of government in South Africa. These include, amongst others:

- a. Openness and transparency
- b. Adherence to the principles contained in the Bill of all Rights
- c. Deliberation and consultation
- d. Capacity to act and deliver
- e. Efficiency and effectiveness
- f. Answerability and accountability
- g. Cooperative government
- h. Distribution of state authority and autonomy
- i. Responding constructively to the resolution of problems by engaging the government and business through various actions
- j. Influencing the manner in which politicians address the basic need of the communities
- k. Monitoring government activities to ensure continuous answerability and accountability

According to Kotze (1998:15), the effectiveness of the government and the participation of inhabitants in it are what constitute good governance. In elaboration Johnson (1991:396) states that good governance is described as follows: efficiency and rationality in allocating resources in other words sensible priorities; curbing corruption which is strangling development and inhibiting investment; enhancing legitimate freedom of association, of speech, of press and above all of the individual; the rule of law, and so an unfettered judicial system; guarantee of civil and human rights readily available; and accountability to the people.

In 1952, Adlai Stevenson said ‘Even more important than winning the election is governing the nation. That is the test of a political party, the acid, final test. When the tumult and the

shouting die, when the hands are gone and the lights are dimmed, there is the stark reality of responsibility' (Starling, 1993:1).

Hubbard (2000:3), similarly, defines governance as how societies steer themselves. It varies with societal differences and also through time. Today, there is turbulent environment combined with the globalisation of information and markets but not of democracy (broadly defined). This means that the need for good (high quality) governance in western, liberal democracies, such as Canada, is more urgent and more necessary than ever. If governance is steering, it means answering two questions: how many hands are on the tiller and how did they get there? What map is being used and how was it designed?

In the light of the above definitions, it is clear that governance is a way of governing. It takes the views and interests of those affected by government more seriously than in the past. The governed refers to the community at large. This includes individuals, community organizations and businesses, trade unions and NGO's. Political leaders have realized that they need to involve the community and all their constituent parts in the functioning of government. Relationships, partnerships and alliances have therefore become much more important for a government than in the past, and this is especially true of local government. The last term to be defined is local government. The definition of this term assists the researcher to understand the roles of local government in terms of service delivery to the communities.

2.11.3 Local government

According to Ofei-Aboagye (2000:2), local government is interpreted as the active involvement of the local population within the territorial boundaries of a local government in ensuring improved quality of service and leadership at the local government level. It includes greater participation by civil society in decision-making processes and involves consensus-building and civic awareness.

Ofei-Aboagye's interpretation endorses that of Burke (1964:13), who states that local government has an equally important part to play in the sphere of political development. An

efficient and democratic system of local government is in fact essential to the healthy political development of the African territories; it is the foundation on which their political progress must be built. Local government in a traditional and historical sense was not a nation state invention to facilitate administration and consensus management. The existence and, more important, the persistence of indigenous and often ancient forms of locality governance in a surprisingly large number of developed, as well as developing, states would seem to testify both to the persistence of certain problems arising from the interrelationship of members of a territorial community, regardless of the nature of the more inclusive political unit of which they are a constituent part, the intensity and longevity of the values that men associate with the institutional management of local problems and the persistence of local political systems predating the state.

Ulimwengu, (1996:105) argues that serious and effective local government is the appropriate vehicle to guarantee that the people's views and ideas will be not only heard but heeded and acted upon. In collaboration, Oluwu, (1997:5) states that local governments were regarded as critical for the training of citizens and of the political leadership in democratic life. They also promote the accountability of the public administration system in that their officials are closer to the public physically, socially and psychologically. Local governments can enhance allocative efficiency in the production of goods and services. They are the closest to the market in that they enable each locality to express its preference for goods and services it requires, which then become the priority of the local government. Local governments can help to mobilize resources for the provision of needed community services. Their proximity to the people enable them to have crucial information on taxes and on the tax potential of each individual in the community. They are also able to mobilize members of the community to contribute to the community offers in the form of donations of time and money. Local governments are thought to be crucial for the provision of a wide range of social and economic infrastructures because of their proximity to the people and their knowledge of the locality.

According to the International Republican Institute (1995:14), local government is the level of government that is responsible for serving the political and material needs of the community in a specific local area, such as a town or a city. The structures that have governing powers and responsibilities in local areas are called local authorities. A local authority consists of two components: elected councillors and officials. The councillors are elected by local voters and

provide the political leadership of the local authority. They are supported by officials who implement the council's policies and serve the public as employees of local government.

In view of the definitions given above, it is clear that local government is a government which is closer to the people and as such it is responsible for the provision of necessary services to the communities within its jurisdiction.

2.12 Delimitation of the study

The study is based on Public Administration focusing on Local Government Administration in the Republic of South Africa. The focus is also extended to the Local Government Administration situated in the Limpopo Province under the Vhembe District Municipality where four municipalities are found namely: Makhado, Musina, Mutale and Thulamela, as already stated.

2.13 Research programme and structure

The researcher requires a set of procedures which enable him or her to follow a formal and systematic approach. The structure of the research is as follows:-

Chapter One provides the background to the study: the historical process of local government in South Africa. The period of apartheid and the current situation are discussed in full.

The research methodology is outlined in Chapter Two and the strategies on how the research study has been conducted are described.

Chapter Three outlines the theoretical perspective on leadership and governance in local government administration are outlined wherein theories of leadership and governance within an international context and theories of leadership and governance within the South African context are discussed.

Chapter Four presents the case study, which focuses on municipalities under the Vhembe District Municipalities in the Limpopo Province.

Analysis of the findings and information gleaned from the empirical research conducted in municipalities situated in the Vhembe District Municipality is given in Chapter Five

Chapter Six concludes the study. It includes conclusions derived from the research project and others recommendations based on the research study.

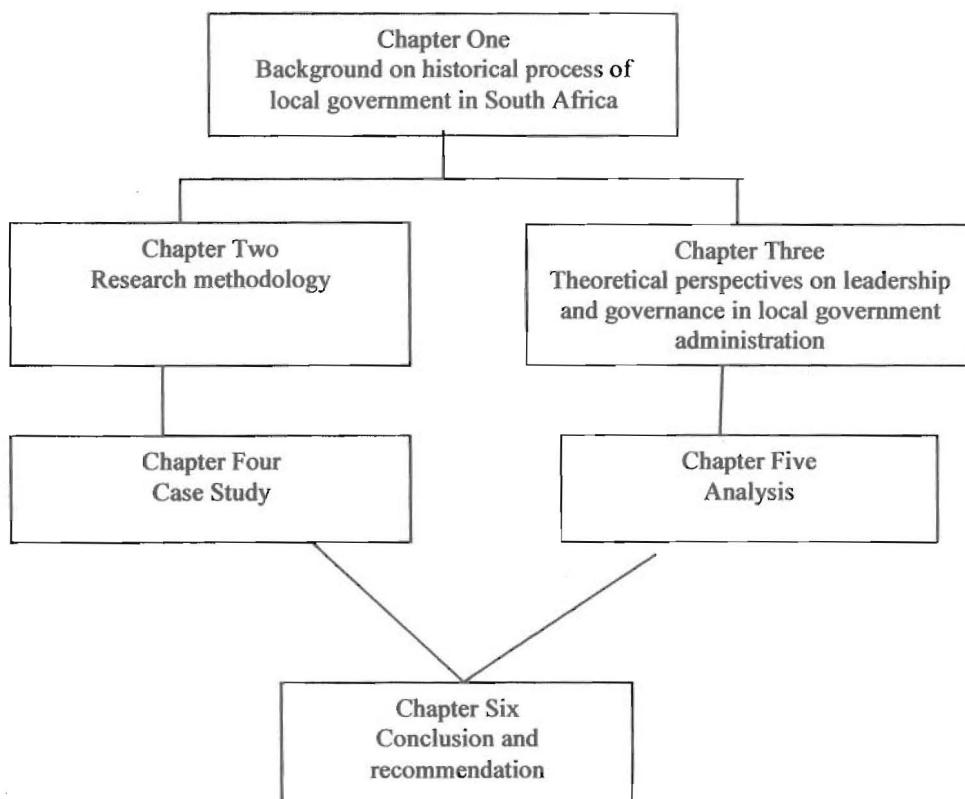


Figure: 2.1: Structure of the research report

2.14 Conclusion

It is necessary to note that leaders are ultimately accountable for the performance and conduct of those who serve under them. As leadership and governance perspectives highlighted the significance of an ethical public service to the health of an economy and to the very foundations

of government, the implications for leadership are enormous. The right kind of leadership can transform local government administration in South Africa while the wrong kind can cause a local government administration in a country to stagnate and cause its people to lose faith in local government administration.

It is also clear that governance is a way of governing. Governance takes the views and interests of those affected by government more seriously than in the past. The governed refers to the community at large. This includes individuals, community organizations and businesses, trade unions and NGO's. Political leaders have realized that they need to involve the community and all their constituent parts in the operations of government. Relationships, partnerships and alliances have therefore become more important a local government administration than in the past. Local government is government which is closer to the people and as such it has the responsibilities to provide the communities within its jurisdiction with the necessary services.

In Chapter Three, the theoretical perspectives on leadership and governance in local government administration is highlighted and outlined in order to determine which leadership and governance qualities are appropriate for local government to meet its obligation of delivering service to the communities.

CHAPTER THREE

THEORETICAL PERSPECTIVES ON LEADERSHIP AND GOVERNANCE IN LOCAL GOVERNMENT ADMINISTRATION

3.1 Introduction

Both urban and rural localities are becoming increasingly complex units to govern. The local area is not an island unto itself, it is not a closed society. Rather, local areas are increasingly part of web of social, economic and political transaction that transcend their boundaries. The actions of a wide range of civil and corporate players impact on the local economy and society. Resources and capacity are dispersed across different sectors and deployed for a variety of purposes. In this complex context, developmental municipalities will need to be guided by strong political and administrative leadership, they will also need to be able to make difficult policy judgements, implement good governance by working with a range of players and guide the actions of the administration to promote the social and economic well-being of local communities. Since governance signifies a way of governing, the political and administrative leadership should take the interests and views of those affected by local government administration more seriously than in the past. The governed are the community at large. This includes individuals, community organizations and business, trade unions and non-governmental organizations. Political and administrative leadership should realize that it is necessary to involve the community and all their constituents parts in the functioning of local government administration. As already stated, relationships, partnerships and alliances have, therefore, become much more important for a local government administration than in the past.

Successful politicians are those who represent the interests of their constituency and use their power effectively. As a public representative, a councillor's profile or image in the community is very important. Good communication skills are essential for effective inputs both in the council and with the various constituencies. Councillors who are not powerful within their

council will not be heard and will therefore not be able to bring about meaningful change. According to the International Republican Institute (1995:78), to survive as a politician, needs to expand and build the constituency that first elected one. In other words, one needs to stay in touch with the people who voted for one. The best way of doing this is to understand their issues and problems, and to work closely with local organizations. For the council to always be on tract, its administrators, such as municipal managers and directors, should have the necessary knowledge and skills to advise the council during its meetings or sittings correctly. In this way, the intermingling of the roles of both councillors and administrators will be minimized and the delivery of goods and services to the communities will be improved. To accelerate this process of service delivery, municipalities in South Africa should operate in partnership with the following: other municipalities, other spheres of government (provincial and national governments), civil societies and private sectors.

3.2 Components of leadership and governance.

According to Kuye and Mafunisa (2003:432), it is clear that leadership is a complex management activity. Particular components of leadership are authority, power, influence, delegation, responsibility and accountability. Authority is the right of a leader to give orders and demand action from workers. Power, however, refers to the ability of a leader to apply authority in such a way that workers take action. At times the task of a leader might also be passing his/her authority to a subordinate to do something on his/her behalf. This entails subdividing a task and passing a part on to a worker with the necessary authority to execute it. The final part of leadership is accepting responsibility and accounting for it. To maintain effective leadership, one must keep a delicate balance among the different leadership components mentioned above. For example, excessive authority may lead to an autocratic leadership style, which could influence and undermine the motivation of others in the organization.

Smit and de J Cronjé (1992:334) assert that certain components of leadership emerge, namely authority, power, influence, delegation, responsibility and accountability. Authority is the right of a leader to give orders and demand action from subordinates. Power refers to the ability of a

leader to influence the behaviour of others without necessarily using his authority. Influence is the ability to apply authority and power in such a way that followers take action. Delegation entails subdividing a task and passing a smaller part of it on to a subordinate together with the necessary authority to execute it. The final component of leadership is accepting responsibility and accounting for oneself.

In order to ensure that the people are receiving the necessary and effective services, the governance structures should be guided by the following principles: political and management commitment by all government leaders; clear understanding of the constitution of the country and its implementation process; an effective legal framework which defines standards of behaviour for public servants and enforces them through systems of investigation and prosecution; efficient accountability mechanisms; a workable code of conduct; professional socialisation mechanisms by which public servants learn and inculcate ethics, standards of conduct and public service values; supportive public service conditions of service; respect for the rule of law; effective maintenance of law and order; advancement of welfare for the people; and the development of clear policies (Thakhathi, 2000:78-79).

According to Cloete (2002:440), good governance is prescriptively conceptualised for the purposes of the achievement by a democratic government of the most appropriate developmental policy objectives to sustainably develop its society, by mobilising, applying and coordinating all available resources in the public, private and voluntary sectors, domestically and internationally, in the most effective, efficient and democratic way. Public service delivery is similarly conceptualised as the implementation of public policy aimed at providing services to the public. Developmental policies are public policies which succeed in raising the quality of life of a society's citizens. The objective of sustainable development in this sense is to achieve a self-sustaining improvement in the medium to long term quality of life. This inevitably implies a coherent systematic interaction of development initiatives, resulting in structural, functional and cultural consolidation of a new way of life, in fact, of the creation of a development culture in society. This is the reason why it is emphasized that political and administrative leadership in municipalities should work in consultation with all stakeholders for municipalities to succeed in their service delivery.

Taking into account the discussion under the components – namely authority, power, delegation, responsibility, accountability of leadership and governance – one may conclude that for a leader to be effective and efficient in his/her leadership he/she should keep a delicate balance among the different leadership components, namely authority, power, delegation, responsibility and accountability. Excessive authority, for example, may lead to an autocratic leadership style, which could influence and/or undermine the motivation of others in the organization. The leader should also be in a position to be able to delegate certain tasks to his /her subordinates because in a large organization such as municipalities the leader is not be able to carry out all the tasks alone. A leader will be exercising good governance in his / her organization if he or she delegates, thus involving all stakeholders in the various organizations. This is the reason why it is emphasized that political and administrative leadership in municipalities should work in consultation with all stakeholders in order for municipalities to succeed in their service delivery.

3.3 The importance of leadership and governance

The performance of any organization is directly related to the quality of its leadership. The point of contention is that effective managers will lead their institutions to greater heights of achievement, productivity and ultimately prosperity if they are competent and inspiring leaders as well. It is in the public service that effective leadership is most needed. But the difference between a manager and a leader also has to be understood. Effective managers are not necessarily good leaders. Managers are bearers of authority assigned to them by an organized structure that has the authority and right to organize so as to lead to the activities of others. This entails giving orders and ensuring that they are carried out. A leader can get results without coercion. Such an individual is a leader because he/she has specific traits and a power base, consults his/her followers on particular matters and motivates them to corporate and to work according to their own free will (Kuye & Mafunisa, 2003:432).

Reddy (2003:450) states that it is generally accepted that decentralised government under favourable conditions facilitates the multiplication of points towards and the identification of responses to new developmental opportunities. There will be improved efficiencies and reduction of lost opportunities as a result of improved management as well as more effective use of and matching of local needs to available resources. Improved management allows for prioritisation of areas and projects to facilitate equitable distribution of services and to meet economic objectives. It is believed that less specialized units, smaller working groups, immediate responses and ongoing deliberation with the local citizenry ensures an outcome-based perspective that fosters integration across economic and environmental spheres. It is accepted that more localised forms of authoritative decision-making reduce the cost of effective participation and increase the returns to collective action. The poor and marginalized are not disadvantaged in terms of their information base and it deepens democracy and accountability through effective citizen participation. There will be fewer levels of decision-making, greater flexibility, and more interpersonal networking internally which reduces internal transaction costs. With better management there will be enhanced community care of infrastructure and the development of an ethos of local citizenship.

According to Cloete (2002:442), recent international research findings on good governance indicate the following main trends: a general acceptance that a strategic management approach focused on committed actions to achieve realistic implementation objectives is needed to improve service delivery outcomes, necessitating effective information use and management; a dramatic world-wide increase in the availability of digitised policy related data and high powered capacity compiler systems to manipulate that data; a resultant dramatic increase in the reliance on electronic management information systems in well developed administration and relatively successful policy systems to monitor coordinate, implement and assess the effectiveness of policy implementation programmes, and an increasing reliance on more user-friendly, less technically complicated electronic decision support systems to optimise multi-criteria policy decision-making and in order to promote effective policy implementation and service delivery.

It is clear that an organization without sound leadership and good governance is lifeless and unproductive, because it has no objectives and goals to achieve. Leaders should always be there in any organization so that they can organize and plan for their organisations. It is imperative for leaders to plan for an organization if that organization has to be seen as operating effectively and achieving its vision, mission, objectives and goals. Leaders should also have the knowledge of how to govern that particular organization for the organization to function effectively and efficiently. In the context of this thesis, leaders should be persons who know and understand their leadership roles in local government administration in order to be in a position to make local government administration deliver goods and services to the communities under their jurisdiction. They are to be leaders who know how to involve all stakeholders in running the local government administration for the local government administration to function successfully and effectively. Political and administrative leadership in municipalities must be familiar with the legislative framework of local government administration in order to know what to do and what not to do.

3.4 Theoretical leadership within international context

3.4.1 The theory of qualities/traits

According to the theory of leadership traits, the leader is a particular type of person with particular capabilities; and his leadership is based on putting these characteristics or competencies into practice (Gumingham and Gephart, 1973:2). This theory explores the comparisons that have previously been made between the qualities of leaders and non-leaders. The theory has practical value, because leadership involves the application of specific expertise and makes certain demands of certain leadership qualities (Swartz, 1979:7).

One of the earliest approaches for studying leadership was the trait approach (Yukl, 1981:67). Generally speaking, there is considerable variation in the personality, ability, capabilities, and skills of successful leaders. However, research reveals that some traits appear more consistently than others. It should be remembered that although the statistical correlations between these traits and leadership are positive, the correlations are often low, and also do not prove the cause-

and-effect relationship. It may require one set of traits to achieve a position of leadership and another set of abilities to maintain that position (Beach, 1985:335).

Fox, et al (1991:101) stated that many research studies have shown that a leader has somewhat greater intelligence than of his followers, but not a great deal more. A manager of scientists will usually possess a somewhat higher intelligence of a typical Ph.D. will have too successfully supervise a gang of labourers. On average, leaders score fairly high on various measures of social skills, sociability, and friendliness toward others. They also score high on interpersonal skills, including tactfulness. Leaders are able to obtain co-operation from others and tend to participate actively in group functions. A passive, apathetic, or aloof person is unlikely to rise to a position of leadership and is unlikely to maintain that position. On the average, the successful leader tends to initiate action for others. He proposes, suggests, and co-ordinates. Leaders exhibit a strong need to achieve and to excel. They show persistence in overcoming obstacles, are vigorous in pursuing their objectives and completing tasks, and are creative in problem solving.

The first organized efforts by psychologists and other researchers to learn more about leadership involved the analysis and identification of the personal qualities of leaders. The underlying idea was that strong leaders have basic traits or a set of traits could be isolated and identified, then potential leaders could be recognized. In their search for identifiable leadership traits, the researchers followed two basic approaches. First, they tried to compare the characteristics of those who had come forward as leaders with those who were not leaders, and secondly, they compared the characteristics of effective leaders with those who can be regarded as ineffective leaders (Smit & de J Cronjé, 1992:340).

Most of the studies consulted for this thesis fall into the first category and researchers hold that leadership traits include qualities, such as intelligence, assertiveness, above-average height, a good vocabulary, attractiveness, self-assurance, an extrovert personality, and similar characteristic leadership traits. However, the researcher was disappointed time and again with the results, because there were so many exceptions. For each set of "leadership" traits, it was found that a vast number of people who are not leaders also have stipulated attributes.

Napoleon, for example, was short of stature and Abraham Lincoln was an introvert; yet both were outstanding leaders. Another possibility that emerged from the research was that individuals become more self-assured and communicate better after they have achieved a leadership position. In other words, traits that come to the fore after a while are the result of the leadership position itself rather than the cause of it. The second category of research, namely a comparison of the traits of successful and unsuccessful leaders, failed to contribute anything startling. The studies do, however, show that effective leadership is not the result of a specific set of traits, but rather of how well a leader's traits, correspond with the qualities required for a specific position (Smit & Dde J Cronjé, 1992:340-341).

According to Canwood & Gibbon (1985: 51-52), men and women are either born with the silver spoon of leadership in their mouths, or not, with the corollary that those who possess the inborn or inherent qualities of a leader will naturally emerge as the head of any group in which they are placed, regardless of the situation. They are born to lead. The earliest research workers in this field tended to share this assumption that leadership consisted of a certain pattern of inherited or acquired personality traits, and therefore they set about trying to produce a definitive list of qualities. Much to their surprise they found very little agreement among the legions of writers upon the topic. Each list seemed to be subjective, telling the reader more about the author's own temperament and beliefs than leadership. One survey of twenty experimental studies revealed that only five percent of the qualities examined were common to four or more studies. In fact there was bewildering number of trait names from which the student of leadership could make up his portfolio. Two researchers compiled a list of same 17 000 words for personality qualities. Courage and initiative, for example, both favourites in almost any trait analysis of military leadership are really qualities expected in all soldiers regardless of rank. They are essential military virtues. But it is quite possible to recall brave and resourceful soldiers who are by no stretch of the imagination leaders.

The lack of agreement on the so-called leadership traits, theory has tended to discredit this approach. However, it is worth pointing out one undoubted truth which the theory contains, namely that leaders ought to possess and exemplify the qualities or values esteemed by the group. The leader has a symbolic or representative role which can perhaps best be understood

in terms of qualities. This is especially true for national leaders. In the Second World War, for example, no small part of Winston Churchill's effectiveness lay in his power to portray vividly in words and appearance the sterling quality of the British nation at that time: bulldog resolve. Although the qualities approach persists and still colours the language of many speeches on the subject, this is usually because alternatives are not fully known; nor have they been properly examined and discarded. In other words, it is uncritical adherence made possible either by ignorance of the remaining possibilities or because the thought-pattern formed by many years of unchallenged assumptions cannot easily be dissolved by new discoveries. From the leadership trainers' point of view, however, there is no reason to regret the disfavour into which the qualities approach has fallen. By its very nature the theory tended to lay the emphasis on leadership given rather than on training. Opinions vary as to how far the student of leadership can develop leadership qualities by the exercise of willpower, but those who have attempted this self-improvement have found it extremely difficult. Indeed, both psychologists and theologians suggest that such endeavours are self-defeating. It is hard to imagine, for example, how the conscious cultivation of a sense of humour can be anything but serious. Often the sole results of these frontal assaults upon leadership qualities are increased self-centredness – the one certain disqualification for leadership (Canwood & Gibbon, 1985:52).

Leadership was explained by the internal qualities with which a person is born. The thought was that if the traits that differentiated leaders from followers could be identified, successful leaders could be quickly assessed and put into positions of leadership. Personality, physical and mental characteristics were examined. This research was based on the idea that leaders were born, not made, and the key to success was simply in identifying those people who were born to be great leaders. Though much research was done to identify the traits, no clear answer was found with regard to what traits consistently were associated with great leadership. One flaw with this line of thought was in ignoring the situational and environmental factors that play a role in a leader's level of effectiveness (Horner, 1997:270).

Armandi, Opperdisano and Sherman (2003:1076) stress that, in the 1920s and 1930s, research focused on trying to identify the traits that differentiate leaders from non-leaders. The goal was to identify sets of traits to assist in selecting the right people for positions requiring effective

leadership. None of the six traits that were found to be associated with the leadership (drive, the desire to lead, honesty and integrity, self-confidence, and job-relevant knowledge), however, consistently distinguished leaders from followers. A major reason for the failure of trait theories is that they do not take into account leader-subordinates interaction or situational conditions.

Leaders are people who are able to express themselves fully. They also know what they want; why they want it, and how to communicate what they want to others, in order to gain their cooperation and support. They know how to achieve their goals. But what is it that make someone exceptional in this respect? As soon as one studies the lives of people who have been labelled as great or effective leaders, it becomes clear that they have very different qualities. One only has to think of political figures such as Nelson Mandela, Margaret Thatcher and Mao Zedong to confirm this (Bennis, 1998:3).

Instead of starting with exceptional individuals, many researchers turned to setting out the general qualities or traits they believed should be present. Surveys of early trait research reported that many studies identified personality characteristics that appear to differentiate leaders from followers. However, others found no differences between leaders and followers with respect to these characteristics, or even found people who possessed them were less likely to become leaders. The basic idea remains that if a person possesses these qualities she or he will be able to take the lead in every different situation. The following is a list of traits that are thought to be central to effective leadership, namely, physical vitality and stamina, intelligence and action-orientated judgment, eagerness to accept responsibility, task competence, understanding of followers and their needs, skill in dealing with people, need for achievement, capacity to motivate people, courage and resolution, trustworthiness, decisiveness, self-confidence, assertiveness and adaptability or flexibility (Wright, 1996:34).

In the light of the above discussions of the theory of qualities, it is very clear that this theory of leadership is considered to be misleading, because the early searches after traits often assumed that there was a definite set of characteristics that made a leader irrespective of the situation. They thought the same traits would work on a battlefield and in the staff room of a school.

They minimized the impact of the situation. In a nutshell, this line of thought ignored the situational and environmental factors that play a role in a leader's level of effectiveness.

3.4.2 The situation theory

The point of departure in this case is that certain types of leaders or leadership are the most suitable in certain situations (Bester, 1970:11). The situation is the most important factor which determines who emerges as a leader, what the nature of leadership action will be and how the group will act (Swartz, 1979:7-8). This means, for instance, that a politician would not necessarily be capable of being a leader in the defence force, or the other way round. In this regard, one might ask if Napoleon would today be the outstanding leader which he was in his particular situation (Cunningham & Gephart, 1973: 13).

According to Van der Westhuizen (1991:189), situational theory holds that there is no best style of leadership for all situations. The success of leadership lies in the fact that it should be applicable and should be accepted as a given; the planning of tasks and situations should ideally be done in such a way that a person's leadership style can be adapted to suit the specific situation.

The situational leadership theory involves two broad categories of leadership behaviour. The one is task behaviour. This refers to the extent to which leaders are likely to organize and define the roles of the members of their group and to explain what activities each must do and when, where, and how tasks are to be accomplished. It is characterised by trying to establish well-defined patterns of organization, channels of communication, and ways of getting jobs done. Relationship behaviour is the extent to which leaders are likely to maintain personal relationships between themselves and the members of their group by opening up channels of communication, providing socio-emotional support and facilitating behaviour (Hersey and Blanchard, 1977:104).

The model of Hersey and Blanchard deals with only one situational moderator variable called follower maturity. This is defined as the capacity to set high but attainable goals, willingness to

take responsibility, and education and /or experience (Hersey and Blanchard, 1977:161). The maturity of a subordinate is measured only in relation to a particular task that the subordinate has to perform. Therefore, a subordinate may be quite mature in relation to one task, but immature regarding another aspect of the job. According to this theory, follower maturity involves two related components: Job maturity, which is a subordinate's task-relevant skills and technical knowledge and Psychological maturity, which is a feeling of self-confidence and self-respect. A high maturity subordinate has the ability to perform a particular task and at the same time has a high degree of self-confidence about the task. A low maturity subordinate lacks ability as well as effectiveness. Although Hersey & Blanchard recognize that other situational variables may sometimes be as important as follower maturity, they have excluded these other kinds of situational variables in order to create a more narrowly focussed model of leader effectiveness (Fox, Schewella & Wissink, 1991:103). The situational leadership theory holds that as the level of subordinate maturity increases, the leader should make use of more relationship-oriented behaviour and less task-oriented behaviour, up to the point where subordinates have a moderate level of maturity. As maturity rises beyond that level, the leader should decrease the amount of relationship-oriented behaviour, while at the same time continuing to decrease the amount of task-oriented behaviour (Yukl, 1981:141).

In his evaluation of Hersey and Blanchard's theory, Yukl (1981:143–144) points out that they have not published validation studies testing their theory. The conceptual basis of the theory is weak, because they have neglected to provide a coherent, explicit rationale for the hypothesized relationship. However, despite these and other deficiencies, situational leadership theory does make a positive contribution, such as the emphasis on flexible, adaptable leader behaviour. The theory also advances the innovative proposition that leaders have other options besides just adapting to the present situation—they may change the situation by building the skills and confidence of subordinates. Another contribution is the recognition that leader behaviour must be exhibited within a given situation and will not be effective unless the leader has sufficient skills in using that style of leadership.

According to Smit and De J Cronjé (1992:343), to complement the trait and behaviour approaches to leadership and to tie in with Tannebaum and Schmidt's multidimensional view

on leadership, which gave rise to the contingency or situational approach to leadership, researchers started identifying factors in each situation that influence the effectiveness of leadership. The research for this approach and the shift in emphasis was that the trait and behaviour approaches indicated that no single trait or style is equally effective in all situations, and that good leadership is the result of additional variables. Hence a leader's success can be attributed partly to certain traits and behaviour patterns that he manifests, but it is determined primarily by how good his traits and behaviour are in satisfying the needs of his subordinates and the given situation. A leader's success is often determined by his ability to sum up a situation and adapt his style of leadership accordingly. This is the contingency or situational approach to leadership. Instead of searching for the best style of leadership managers should rather learn to establish interfaces with regard to themselves, the situation and the nature of their subordinates.

Hoy and Miskel (1987:273) argue that reaction, or perhaps more appropriately overreaction, to the trait approach was so intense during the late 1940s and 1950s that for a time it seemed that both psychologists and sociologists had substituted a strictly situational analysis for the then questionable trait approach. Researchers sought to identify distinctive characteristics of the setting to which the leader's success could be attributed; they attempted to isolate specific properties of the situation that had relevance for leader behaviour and performance. The following variables have been postulated as situational determinants of leadership: structural properties of the organization (size, hierarchical structure, formalization) organizational climate (openness, participativeness, group atmosphere), role characteristics (position power, type and difficulty of task, procedural rules) and subordinate characteristics (knowledge and experience, tolerance for ambiguity, responsibility, power).

Horner (1997:274) stresses that these contingency theories make the assumption that the effects of one variable on leadership are contingent on other variables. This concept was a major insight at the time, because it opened the door for the possibility that leadership could be different in very situation. With this idea a more realistic view of leadership emerged, allowing for the complexity and situational specificity of overall effectiveness. Several different contingencies were identified and studied, but it is unrealistic to assume that any one theory is

more or less valid or useful than another. One such theory considered two variables in defining leader effectiveness: leadership style and the degree to which the leader's situation is favourable for influence. Fiedler's concept of situational favourability, or the ease of influencing followers, was defined as the combination of leader-member relations, task structure, and favourability. He then developed a questionnaire to measure leadership style, called the least preferred co-worker scale. Through this research, he found that certain leadership styles were more effective in certain situations.

The Michigan studies under the guidance of Likert identified two basic forms of leadership behaviour. First task oriented leader behaviour, in which the leader is concerned primarily with careful supervision and control to ensure that subordinates do their work satisfactorily. This leadership style involves applying pressure on subordinates to perform. According to task-oriented leaders, subordinates are merely instruments to get the work done. Secondly, employee-oriented leader behaviour, in which the leader applies less control and more motivation and participative management to get the job done. This leadership style focuses on people, and their needs and progress (Smit & De J Cronjé, 1992:342).

Thus where the first leadership style stresses the actual job, the second concerns the development of motivated groups. In the first group, job satisfaction was and labour turnover and absenteeism low while exactly the opposite was true of task-oriented leaders. One conclusion drawn from the Michigan research which identified the two divergent leadership styles is that leadership does not have only one dimension, and that both dimensions (task-oriented leadership and employee-oriented leadership) may be necessary for successful leadership (Smith & de J Cronjé, 342-342).

Fox, Schwella and Wissink (1991:105) emphasize that this theory tries to explain how the behaviour of a leader influences the motivation and satisfaction of subordinates. According to House, a leader's motivational function consists of increasing personal pay-offs to subordinates for attaining work goals, making the path to these pay-offs easier to travel by clarifying it, reducing pitfalls and roadblocks, and increasing opportunities for personal satisfaction along the way. The leader has supplemental motivational functions. He should provide subordinates with

essential coaching, guidance, and performance incentives that are not provided by the organization or the work group.

Over and above its effects on subordinate motivation, a leader's behaviour will also effect subordinate job satisfaction. The theory holds that, leader behaviour will be viewed as acceptable to subordinates to the extent that the subordinates see such behaviour as either an immediate source of satisfaction or as instrumental future satisfaction. It is important to note that the effect of the actions of a leader on subordinate satisfaction is not necessarily the same as their effect on subordinate motivation. This depends on the situation. A given pattern of leader behaviour may increase satisfaction but lower motivation, and vice versa, while in other situations the same behaviour may increase satisfaction as well as motivation, or it may increase one without having an affect on the other (Yukl, 1981:145).

House's path-goal theory includes four categories of leader behaviour. Supportive leadership considers to the needs of subordinates, displays concern for their well-being and creates a friendly work climate. Directive leadership lets subordinates know what they are expected to do, give specific guidance, asks subordinates to follow rules and procedures, and schedules and co-ordinates the work. Participative leadership consults with subordinates and takes into account their suggestions and opinions when making decisions. Achievement oriented leadership sets challenging goals, seeks performance improvements, emphasises excellence in performance and shows confidence that subordinates will attain high standards (Fox, Schwella & Wissink, 1991:106).

Wright (1996:36-7) argues that as the early researchers ran out of steam in their search for traits, they turned to what leaders did and how they behaved (especially towards followers). They moved from leaders to leadership and this became the dominant way of approaching leadership within organizations in the 1950s and early 1960s. Different patterns of behaviour were grouped together and labelled as styles. This became a very popular activity within management training and perhaps the best known being Blake and Mouton's Managerial Grid. Various schemes appeared, designed to diagnose and develop people's style of working. Despite different names, the basic ideas were very similar. The four main styles that appear are:

- (i) Here leaders emphasize the achievement of concrete objectives. They look for high levels of productivity, and ways to organize people and activities in order to meet those objectives.
- (ii) In this style, leaders look upon their followers as people – their needs, interests, problems development and so on. They are not simply units of production or means to an end.
- (iii) This style is characterized by leaders taking decisions for others and expecting followers or subordinates to follow instructions.
- (iv) Here leaders try to share decision-making with others.

According to Horner (1997:274), this theory deals with an analysis of the people who are led by leaders. The importance of the followers in leadership, and leadership was seen as an interaction between the goals of the followers and of the leader. The path-goal theory suggests that leaders are primarily responsible for helping followers develop behaviour patterns that will enable them to reach their goals or desired outcomes. Variables that impact on the most effective leader behaviour include the nature of the task, the autonomy levels of the followers, and follower motivation. The Vroom-yellow theory describes what leaders should do given certain circumstances with regard to the level of involvement of followers in making decisions. Following a decision tree that asks about the need for participation, a conclusion can be drawn about how the leader should go about making the decision to be most effective.

Armandi, Oppedisano and Sherman (2003:1077-8) maintain that the intention of the behavioural theorists was to identify determinants of leadership so that people could be trained to be leaders. Studies conducted at the Ohio State University, and the University of Michigan identified two behavioural dimensions that point to two general types of leader behaviour. The first consideration, or employee orientation suggests emphasis on employee's feelings and interpersonal relationships. The second initiating structure or production orientation suggests a focus on tasks to achieve goals. Research findings on which dimension is most important for satisfaction and productivity have been inconclusive. However, employee-oriented leaders appeared to be associated with high group productivity and job satisfaction. Another approach to leader behaviour focused on identifying the best leadership styles. Work at the University of

Iowa identified democratic, autocratic and laissez-future styles. Research findings at Iowa were also inconclusive. Five styles were identified: impoverished leader, task management, middle of the road, country club management and team management.

According to Hoy & Miskel, (1987:292-3) this theory explains how leaders influence their subordinates' perceptions of work goals, personal goals, and paths to goal attainment. Accordingly, leaders are effective when they enhance the acceptance, satisfaction and motivation levels of their subordinates. Unlike Fiedler's theory, this theory focuses on leader behaviour, not the motivational basis of action. In particular, the theory includes four basic types of leader behaviour: behaviour that clarifies expectations, gives specific directions, asks subordinates to follow rules and procedures; behaviour that sets challenging goals, seeks performance improvements, emphasizes excellence, and shows confidence that subordinates will attain high standards; behaviour that is considerate, displays concern for the well-being of subordinates, and creates a friendly climate in the work group; that calls for consultation with subordinates and use of their ideas before decisions are made.

In the light of the above discussion, styles of leadership discussed in the behavioural theories seem to be every effective and efficient when they are all employed simultaneously in a particular situation. A leader in a particular situation should be directive, achievement-oriented, supportive, task and employee-oriented, engage in participatory management – orientated for his/her organization to succeed in the execution of its task. By so doing the organization will be able to achieve its objectives and goals. In the context of this thesis, political and administrative leadership in local government in the Vhembe District Municipality should be directive achievement oriented, supportive, task and employee-orientated, participatory management orientated for the Municipality to achieve its objectives and goals, the principal of which is service delivery.

3.5 Theories of governance within international context

3.5.1 Agency governance theories

According to Bhasa (2004:5), a new era in governance has been ushered in across the world, in all sectors and industries, in the past decade, spearheaded by Britain's Cadbury Report, which defines governance as the system by which organizations are directed and controlled, and calls on boards of directors to take responsibility for the governance of their forms; the Canada's Dey Report, Where were the Directors? calling on boards to explicitly assume responsibility for governance including leadership, stewardship, risk management and information; the U.S Sarbanes-Oxley Act, which requires boards and three core committees (Audit, Governance, Compensation) to take direct responsibility for critical elements of oversight and control. This new era is actually a return to the way corporations (organizations) were originally governed, and according to Agency theory, ought to be governed. Agency theory was articulated in the 1700s by Adam Smith. Essentially what he said is that the members of every social organization (from hunter gatherer tribes to corporations to nations) rapidly specialize into different groups, depending on their competencies and expertise: principals (owners) are people with a knack for accumulating capital (wealth, resources), and agents (management) are people with a surplus of ideas to effectively use that capital (and get things done, i.e. create more value).

Economics is all about how we allocate these scarce resources (from the principals) to their most effective uses (by the agents). The Agency problem is that agents often have ideas to use capital that lies outside the intent (purpose) of the principals. This can apply to a single (financial) or triple (economic, social, environmental) bottom line: principals have a purpose in mind for their resources and agents aim to accomplish those (Bhasa, 2004:6).

- Rayman-Bacchus (2003:180) asserts that governance exists to address this Agency problem. Governors act as intermediaries (boards in corporations), as the principals: representative (steward, trustee, fiduciary) with the agents, ensuring capital is directed to the right purpose. The governors also act as the voice of the agents to the principals, articulating their ideas for

uses of capital and making an accounting of the use of capital back to the principals. The governors (intermediary entity or board) therefore have these four core responsibilities, which comprise governance: (1) to set the strategic direction of the organization (purpose, mission) and (2) to put in place the leadership (CEO selection, board renewal) to accomplish that direction; (3) to shepherd resources belonging to others (trustee, fiduciary), that is, risk management, allocation of duties/roles/responsibilities, delineation of authority; (4) to receive and review measures of performance, and hold management (CEO) accountable for success (achieving the purpose, creating value) and account to the principals (owners, investors, stakeholders) on the results of using their capital (resources labour, etc.). According to Thomsen (2004:29), the principals and agents have specific core responsibilities as well; good governance is not about an adversarial or confrontational relationship among the three players, but each identifying and fulfilling their own unique competencies. Principals have three core responsibilities in agency governance: to select and put in place (elect, appoint) the governors (board of directors, trustees); to select and put in place (elect, appoint) the auditors (external, independent body that tests and reports on the integrity of financial reporting and controls); and to ensure there is an effective governance system in place.

In view of the discussion about agency governance theories it is important for both politicians and administrators in the Vhembe District Municipality to know and understand their competencies in local government administration. This will enable them (politicians and administrators) to carry out their obligations in accordance with the rules and regulations that regulate them in the performance of their duties. In this way, it will speed up the service delivery by the local government to the communities. This will ultimately minimize the interference of mayors or councillors in the administrative work, because everybody will be in the know as to what to do and what not to do.

3.5.2 Competing governance/management theories

According to Thomsen (2004:30), for a time in the 20th century, governance levers swung away from governing bodies (including boards) towards either management (often in the private sector) or owners (often in the public sector). In both cases, this results in a breakdown in

accountability, as the correct separation of powers (division of duties) fails to occur. The private sector, particularly in industrialized countries, was dominated by a swing to Management Theory (1920s through 1990s). Management theory says that agency theory was perhaps workable for the simpler, smaller corporations of Adam Smith's day, but in today's world, corporations are complex, large, multi-faceted entities that are extremely challenging to direct and control. Only a sophisticated, experienced, professional management team can effectively direct and control a modern complex corporation. It should be admitted that direction and control have been ceded by owners and boards (principals and governors) to these managers.

Management theory is what the new era in governance calls into question. Cadbury, Dey and Farbanes-Oxley do not deny that modern corporations are complex, but their main point is that management cannot be given all the levers over both governance (direction and control) and management (everything else) – to do so would create a circularity or tautology in accountability. In fact, Adam Smith's reasoning is that the more complex social organizations get, the more people need to specialize, to divide their labours. Boards (governors) are not given responsibility for governance because they understand the corporation any better than managers, but precisely because they are not the managers. Many today argue that one of the reasons Japan has failed to recover from its economic troubles of the early 1990s is because of its continued adherence to management theory (Thomsen, 2004:32).

In terms of the discussion about management theories, the politicians and administrators should have specialized knowledge and skills to run the local government administration effectively and efficiently. Without these specialized skills that should be acquired by the politicians and administrators, the municipalities in South Africa will become ineffective and stagnant. This will result in demonstrations by the communities registering their dissatisfaction with the poor service delivery rendered by the municipalities throughout the country. It could also be noted that leaders as politicians should exercise their leadership authority or mandate to cheer people up and direct them towards organizational goals, vision and mission. On the other hand managers should manage and coordinate activities in municipalities for municipalities to reach their goals of delivering service to the communities.

3.5.3 Democratic theory

According to Bhasa (2004:7), the public and cooperative sector have experienced a different dominating governance theory, namely democratic theory. This theory propounds that the levers of power for direction and control belong neither to the board nor to management, but to the owners of the organization. Under this theory, the board is selected based only on their ability to represent the interests of the owners. This is what is meant by a lay board – they have no specific experience or expertise in the business or in governance. They are meant to sit around the boardroom table and ask themselves: what would the owners want us to do? Clearly, there are at least two major weaknesses to democratic theory: the board lacks the authority to actually govern the organization; governance is usually divided in an ad hoc way between the owners (who may approve the strategic plan and budget, ad select, compensate and evaluate the CEO directly). This is common place in the public sector and the management (who often set the strategic direction and priorities, design and use the performance measurement system) – and, in turn, accountability once again fails owing to circularity (how can the CEO hold himself accountable for failure?) and distance (how can the owners effectively hold management accountable?). This theory views accountability as counter to the law. In all British common law jurisdictions (the U.K, Canada and the U.S.A among them), the corporation is treated as a person under the law, with a birth (chartering, incorporation) and death (no corporation is expected to last forever) and a lifetime fulfilling a unique purpose. It is the board of directors that is the directing mind of this body corporate. The board is expected to act in the best interests of the corporation at all times, not in the interests of the owners.

For the municipalities in South Africa to succeed in their service delivery, they should be democratic and people-orientated municipalities. Civil societies should be brought on board in whatever the municipalities are planning to do for the communities. People should be given an opportunity to air their views on how their communities should be developed and looked after by the municipalities. In this way, municipalities should also be ready to take advice from the people or communities at large. Recognition of communities by local government administration is very important if local government is to operate effectively and achieve its goals and objectives.

3.5.4 Stakeholder theory

Stakeholder theory holds that every corporation or organization was created to serve more than just its shareholders. They should instead serve a diverse range of people who have a legitimate stake in the organization's outcomes and performance, and indeed also serve a broad societal purpose. Because of this, the board is selected to be as broadly representative of these stakeholders as possible. Employees, unions, leaders, even communities and minority shareholders are given seats on the board in addition to the major shareholders. Stakeholder theory is best known in continental Europe where it has roots in Germany, France, the Nordie and Low countries. Some business writers argue that continental European economic performance tends to lag behind British common law economic performance because its stakeholder boards are slow to act and react to a rapidly changing competitive global environment (Thomsen, 2004:34).

According to Bhasa (2004:8), stakeholder theory has both advantages and disadvantages, namely: It is inclusive, diverse legitimate points of view and expectations have a direct voice around the boardroom table and influence the strategic direction and priorities of the corporation. Corporations and management are more sensitive and responsive to broader social and environmental interests. The decision-making process is very slow. Inclusion of diverse voices necessarily means longer board meetings. Further, discussions are more often revisited, even when a strategic direction is approved, there is little board discipline in unifying behind it. Board members tend to act in their constituent's best interests, at times at the cost of the corporation's best interests. And so much time is taken up in direction that the board rarely pays sufficient attention to the other half of governance and control. Management and second tier boards often take on this responsibility in stakeholder governance.

Rayman-Bacchus (2003:190) argues that the different theories of governance can be arranged on a spectrum representing the degree of engagement of the governing body (e.g. board) with the organization's agents (management/staff).

Table 3.1.

Management theory	Passive, rubber stamp, advisory board
Agency theory	Board actively engaged in direction and control
Democratic theory	Board acts in owners' interests not organization's board often active in management; owners and management have large roles in government.
Stakeholder theory	Board often more active in management than oversight and control, micro-managing

Source: Rayman-Bachus (2003:190).

There are constant tensions between flexibility and consistency, between control and diversity, between public/social policy and commercial/financial objectives, between mandated standards and risk-taking innovation. The right choice of entity and governance model will depend on where and how the principals seek to balance these competing dynamics.

In view of the above, Agency theory is meant to apply, not just to private sector firms of the 1700s, but to any social organization (including but not limited to corporations), cooperatives, hybrid and mixed governance models and their ethics can all benefit from the basic principles and lines of authority and accountability expressed in Agency theory.

3.6 Leadership theories within South African context

Cotter, (2000:9) believes that in the context of South African public service ethics, leadership is important for at least three reasons. First, leaders set an example for others. A leader's strong commitment to ethical principles sets the tone for an organization. This leadership – by example – is important in every aspect of public service, from the most senior political leader to the supervisor of the smallest branch in government. Leading by example is a true test of character.

Secondly leaders can cause an ethical regime to be established to ensure that the public service, or at least that part of the service over which they have responsibility, will conduct itself in accordance with the highest ethical standards. In this respect, leadership has a significant influence on the second element – the ethics regime-within the public service. Thirdly, leaders will be an essential part of the accountability component of any ethics system. Leaders will in many cases be expected to exercise responsibility to ensure that the values of an ethics system are honoured and maintained. In some cases, this will mean that a sanctioning authority will need to be established. In other cases, it may require leaders to approach superiors and insist that they exercise their authority to address ethical shortcomings at senior levels within the organization.

Kemp (2000:28) argues that the biggest challenge facing anyone in a leadership position at any level, be it in government or the private sector, is to achieve the most with the limited resources available. The availability of resources plays a major role in the leadership style that leaders adopt. Generally speaking, the more resources at a leader's disposal, the more power the individual has; he or she can buy his or her way out of trouble and it often results in leaders being arrogant and not particularly caring. Those with more limited resources are often better people managers.

According to Hanekom (1981:6), the realization of community objectives depends on people working together as a team, irrespective of whether they work together voluntarily or not. Usually one member of the community serves as the individual who motivates the other individuals to act toward objective achievement. This person (called the leader) is called upon to direct the activities of the members of the community. Some theorists believe that leadership potential is determined by personal traits. Others believe that leadership depends on the position held by a person, while yet others are of the opinion that a specific situation (contingency) will determine which individual will act as a leader. Leadership may also involve carrying out specific clusters of functions aimed at inducing people to work to their ultimate mental and physical capacities. Leadership does not and should not emerge instinctively.

Hanekom (1981:6) goes on to argue that leaders should have certain personality traits and should be competent in their specific spheres of activity. It is possible to determine two poles in exercising leadership, the autocratic or leader-centred pole on the one hand, and the democratic or personnel-centred on the other. This implies that no two leaders will behave in exactly the same way, because aspects such as the personality of the leader, the personalities of subordinates, type of work, authority of the leader, norms and values, size of the organization, safety risks, the time factor, and other aspects may influence the selection or utilization of a particular style of leadership.

Fox, Schwella and Wissink (1991:91) argue that in the public sector political office bearers have to be advised by and the instructions of the legislative should be executed by competent persons with the potential to lead. This implies that people have to be formally prepared to lead others. As far as the preparation of leaders is concerned, there are two schools of thoughts. One school contends that all that can be done is to create conditions under which leadership potential may develop, and the other that formal training may contribute towards the development of leadership potential. In the latter case it should be remembered that formal training can only develop executing leadership potential and cannot install potential.

Smith and De J Cronjé (1992:333) state that leadership also entails activities, such as transmitting information to subordinates, formulating the enterprise's mission, objectives and plans and explaining these to subordinates, supervising the work of subordinates, taking steps to improve the performance of subordinates, disciplining subordinates and dealing with conflict.

According to Human (1998:75), the characteristics of the true revocrat are varied and may often seem contradictory. This stems from the high levels of complexity which these managers have to deal with. A linear, task-by-task approach to management works well during periods of equilibrium, but during punctuations, managers have to cope with both the present and the future at once: they need to simultaneously maintain and restructure current delivery levels, while juggling the demands from below and the directives from above with global realistic, local conditions, social dynamics, and technical complexities. The ability to manage many things simultaneously is known as cognitive complexity.

One may be forced to conclude that leadership is influencing and directing the behaviour of individuals and groups in such a way that they work willingly to pursue the objectives and goals of the organization. In the context of this research study, the more appropriate leadership for the developmental local government should be the following: visionary and charismatic leader, strategic leadership, builder of its capacity to make policy judgements, respected leader, accountable and transparent leader, development-orientated, builder of partnerships and coalition, a leader of action, able to represent a diversity of interests, a leader with a sound relationship with private sector, demonstrator of value for money, an outdoor person and good communicator.

3.6.1 Visionary and charismatic leadership

According to the Student's Dictionary & Grammar (1995:337), a visionary leader is a leader who has a vision about how things might be different in the future. While Hester and Rudolph (1994:34) define leader charisma as characteristic, inspiring, involved and dynamic, may be similar to extroversion (the tendency to be assertive, active and talkative). Indeed, extroversion may be a necessary element of the charismatic. Compelling evidence suggests that extroverts rank exciting personality in an ideal romantic partner higher than do introverts. Accordingly, extroverts may be more inclined to endorse charismatic leadership traits.

The White paper on local government (1998:81) states that local communities are often diverse and contain a municipality of diverging interests. By putting forward a vision for the local area, building coalitions of common interest and encouraging the development of a vibrant civil society, local political leadership can enhance the capacity of diverse groups of people to act together around shared goals.

In the light of the above discussion, it is important for South African leaders to establish a vision, to align the culture in local government and design a set of management practices based on that culture. Creating a vision means linking everyday events to a large set of values. It also means making employees feel as if they have a sense of purpose at work and that what they do is meaningful. In addition, a visionary and charismatic leader must be able to create a common

culture in the organization. It is also a known fact that all organisations have a culture or a set of traditions, beliefs, values, norms and patterns of behaviour that make them unique. The leader's role is to ensure that this culture includes a set of core values, such as open and trusting relationships, a commitment to people and teamwork, and a commitment to change and innovation. A visionary and charismatic leader must also be able to manage change. It is also believed that this type of leader will be able to solve the problem of poor service delivery facing local government in South Africa, because his/her leadership qualities will inspire every employee in local government work very hard for the success of municipalities.

3.6.2 Strategic leadership

To develop and sustain strategic leadership requires mentoring for strategic thinking, development and maintenance of core competencies, emphasis on building human capital, sustaining an effective corporate culture, establishing strategic control, and rewarding strategic actions. Strategic leadership entails the ability to integrate the short and long term objectives of the organization. In fact, the exercise of strategic leadership may require as long as ten to twenty year vision, while five years is arguably more common (Harbad, 1993:24-31).

In view of the above, political and administrative leaders of different departments and their subordinates at local level should arrange a general meeting wherein all stakeholders can identify the local government's internal strengths and weaknesses, determining the local government's external opportunities and threats in the new dispensation. They should also plan the local government's activities, based on national policies, together with national government. This practice will encourage all stakeholders to support the realization of the local government's programme, to enhance communication, coordination and participation in the process of strategy formulation and implementation. It is hoped and believed that this kind of action will, in time bring about solutions to the problem of poor service delivery facing local government in South Africa.

3.6.3 Respected (integrity) leadership domestically and internationally

According to the *Student's Dictionary & Grammar* (1995:157), integrity is the quality of being honest and firm in one's moral principles. A leader with integrity will be respected when fighting corruption in local government and can, therefore, successfully work towards attaining clean governance. In relation to the above discussion, suitable political and administrative leaders for local government in South Africa would always be those committed and dedicated to their work. These leaders should also lead exemplary lives free of all forms of corruption. They should, in addition always be ready to fight corruption in local government irrespective of whether the corruption has been committed by loyal members of the ruling party or not.

It is believed and hoped that this exercise may induce local government officials and political leaders to refrain from corruption practices themselves. Lack of corruption on the containment of corruption should attract investors from abroad. This in turn, will promote and enhance economic activities which will result in mass employment and service delivery.

3.6.4 Development-oriented leadership

According to Coetzee (1986:36), development-oriented leaders are leaders who are interested in the process of directing change that brings economic growth and political development resulting in autonomous and reconstruction. Leaders, who attempt to improve the general quality of life, meet the basic needs of the majority of the population. While Kotzé (1983:17) argues that development-oriented leaders are leaders who have a vision of integrated change within societal institutions (political, social, economic and cultural) according to collective evaluative preferences which may be executed in an evolutionary or a revolutionary manner through conscious human action.

In consideration of the above, mass participation in decision-making and in the implementation of decisions is required to contribute to development efforts and meaningful progress. Mass participation implies the genuine involvement of the people not as passive spectators of what is happening in their own environment but as active agents for change. It is a process whereby

people are mobilized to become involved in development activities in their municipalities. In addition to this, it may also be fair for political leaders (council) to establish a department solely responsible for the development of the municipalities, particularly among the disadvantaged communities. Such a department may serve as a nodal point between other municipal departments and the communities to be developed. The existence of this kind of department may promote effectiveness and efficiency in the reconstruction and development programme in the municipalities.

3.6.5 Builders of its capacity to make policy judgements

According to White Paper on Local Government, 1998 (1998:81), governing is about making choices, from prioritisation of a range of demands to the allocation of limited resources. Local political leaders can actively strengthen their ability to make policy judgments through deepening their understanding of the dynamics in the local area, anticipating changes and learning from past practices.

3.6.6 Builders of partnerships and coalitions

The challenge of meeting the needs and aspirations of local communities requires political leaders able to build partnerships with communities, business, labour and other public agencies. Political leaders who engage in ongoing dialogue with a wide range of local actors will be able to identify and act on opportunities to build partnerships between sectors. In this way, human and financial resources and capacity can be mobilized to achieve developmental goals (White paper on Local Government, 1998:82).

3.6.7 Leaders of action

There is an English saying which asserts that ‘Actions speak louder than words’. In the light of this saying, the researcher is in a position to indicate that our local government needs leaders who stand by their words. Their words should be followed by an action. Local government in South Africa does not only need eloquent speakers, but also leaders of action. Leaders who are

committed and dedicated to their work and who are ready to serve their communities in their municipalities are in dire need in local government in South Africa.

3.6.8 Leaders who represent a diversity of interests

Municipal Councils which represent the diversity of interests within the local community are best able to provide credible and effective leadership. Municipalities should take active steps to ensure that representation from groups which tend to be marginalized (such as women, people with disabilities and the poor) is encouraged and these groups should stand for elections. One way to achieve this is through the running of support programmes, which provide information to prospective candidates on issues, such as electoral systems and processes, and the functions and operations of local government. Also necessary is the building of skills in areas, such as public speaking, organizing public meetings, fundraising and so forth (White Paper on Local Government, 1998:82).

3.6.9 Leaders with relationships with the private sector

Municipalities in South Africa need leaders who will be able to construct good relationships between public and private sectors. According to *A Manual for South Africa's National and Provincial Government Departments*, 2001 (2001:3) a public/private partnership is a contractual arrangement whereby a private party performs part of a department's service delivery or administrative functions and assumes the associated risks. In return, the party receives a fee according to predefined performance criteria, which may be entirely different from service tariffs or user charges, within a departmental or other budget.

The first black president of South Africa, Nelson Mandela, was a leader who cultivated friendships with the private sector. His friendship with the private sector was evident when, for example, the Anglo American Corporation was seriously engaged in building houses for the poor in the Free State Province. In the Limpopo Province, Gencor had also built six schools and clinics. These projects were officially opened by the President himself on 10 September 1996.

3.6.10 Leaders who demonstrate value for money

According to White Paper on Local Government, 1998 (1998a:82) local political leadership is responsible for ensuring that local taxes are utilized to the maximum benefit of the local community. Local political leadership should, therefore, be concerned with the efficiency and effectiveness of the local administration, and constantly seek to enhance performance and service quality. In consideration of the views under leaders who demonstrate value for money, leaders in the municipalities of South Africa should deem service delivery rather than their salaries to the communities as their core priority. Most municipalities in South Africa are failing to achieve their main responsibility (service delivery) because most of the monies are spent on the salaries of officials.

3.6.11 An outdoor person and a good communicator

An outdoor person is considered to be a leader who does not confine himself or herself in his or her office but who goes outside and meets the people in their own environment. In addition, he or she should be a person who is able to communicate effectively and successfully or convincingly.

Domestically, such a leader should be able to visit people in their environment and in person in order to find out what the particular problems are in their communities. Visiting the dwelling and work places of his or her people will enable a leader to determine how to address problems encountered by the people. At the same time the leader will have time to communicate policies of the local government or municipalities face-to-face with the people. This will enable people to understand the policies of the local government better than when the polices are communicated to them in a written form.

Internationally, the leader should be able to visit different countries abroad in order to construct relationships with other countries. Once the relationship is established with other countries, the local government concerned may be able to survive socially and economically. But this does not encourage a local government to be entirely dependent on other countries. It should be able

to generate its own funds. The leader should also be able to communicate convincingly with countries defending policies of his or her country. For example, Mr Pik Botha as a Minister of Foreign Affairs used to defend policies of apartheid effectively and convincingly during the time of apartheid; likewise Ms Dlamini-Zuma, the current Minister of Foreign Affairs defends South Africa's policies on HIV Aids and crime, for instance.

3.7 Theories of governance within South African context

According to Draper (2000:29), a review of the spheres of convergence reveals some common threads. These elements are central features of the movement for good governance, as well as core elements of the new public management. There is a clear concern with focusing on people issues and ensuring they are the focal point for development. At the national level this is manifested in concerns about poverty eradication, and other social issues. At the public service organizational level this is also manifested in concerns for citizen engagement and citizen satisfaction. Within the organization, it is manifested in increased concerns with quality of work life issues. This is manifested in the acceptance of the need for more comprehensive development frameworks, as well as more comprehensive reform agendas. There is the move away from some of the more piece-meal approaches which characterised earlier reform agendas. All the spheres of convergence point to the absolute essential of stakeholder participation and involvement. These points to the importance of mindsets which value diversity, and the need for institutional frameworks that facilitate full involvement and participation. The concept of the learning organization. Very explicitly focuses on the importance of shared visions. The effective transformation of public services, and indeed societies also demand clarity and sharing of visions.

An element of the reform agenda for all sectors is the importance of accountability. This focuses on the need for capacity building within institutions on accountability, as well as enforceability codes that enshrine the principle of accountability. One tenet of reform work across all sectors is the importance of openness. This element also underscores the importance of known systems and procedures for decision-making as well as the need for public access to information. All the spheres of convergence outlined point to an increased focus on outputs and outcomes, and move

away from traditional concerns with inputs: The increasing complexities of our time and the face of change demand a commitment to continuous learning. The learning organization model argues that it is the only way to ensure on-going organization success and effectiveness. A central feature of the dialogue about good governance and the new public management is the need for clear ethical principles. The earlier discussion on corporate citizenship also pointed to the growing importance of corporate governance. More than this, the importance being placed on the need fight corruption has also served to highlight the importance of ethics and values. In this century, organizations in all sectors will be challenged to work in partnerships. New network organization forms will become the norm. These spheres of convergence also speak to the importance of effective leadership. It is leadership that recognizes the concept of stewardship (Draper, 2000:30).

Duvenhage (2002:56) argues that governance implies orientating people in terms of task and destination; the arrangement of power for controlling and directing people; the way power is distributed within the system (centralized; decentralized); development of polices; the mission and vision of the institution or the purpose and direction of the institution. Governance is a means to maintain social stability and well-being through deepening democracy, structuring social relationships and conflicts and ensuring responsive delivery. Governance is not about the impartial mediation of various interests in society; rather it is promoting a set of values in the context of diverse interest and concerns.

Unlike government, governance means governing with people, rather than by people. In addition to the traditional methods, governance seeks to build partnerships with civil society, organized labour, NGOs, business and other groups outside of the government. It seeks the active participation of community. It sees its role as being to facilitate, to enable and to promote, rather than simply to rule. In this way, it is a truly democratic process of governance (Molomo & Somolekae, 1998:100).

According to Kotze (1998:15), the effectiveness of the government and the participation of inhabitants in it are what constitute good governance. Johnson (1991:396) describes good governance as follows: efficiency and rationality in allocating resources, in other words sensible

priorities; curbing corruption which is strangling development and inhibiting investment; enhancing legitimate freedoms of association, of speech, of press, of above all the individual; the rule of law, and so an unfiltered judicial system; guarantee of civil and human rights; transparency-making information and statistics readily available and accountability to people.

Thakhathi (1995:3) argues that in order to ensure that the people are getting the necessary and effective services, the governance structures should be guided by the following principles: political and management commitment by all government leaders, clear understanding of the constitution of the country and its implementation process, a effective legal framework which defines standards of behaviour for prosecution, efficient accountability mechanisms, workable code of conduct, professional socialisation mechanisms by which public servants learn and in which they calculate ethics, standards of conduct and public service values, supportive public service conditions of service, respect for the rule of law, effective maintenance of law and order, advancement of welfare for the people and the development of clear policies.

Thakhathi (1995:14) identified the following principles which could assist managers to implement their policies effectively and enhance effective governance: deduction the concept of effective and democratic government composed of responsible, elected office-bearers and the belief that professional general management is essential to the achievement of the service objective; affirmation of the dignity and worth of the services rendered by government and maintenance of constructive, creative and practical attitude towards effective delivery of services and a deep sense of social responsibility as trusted civil servants; recognition of the fact that the chief function of government at all times is to serve the best interest of all the people of South Africa; demonstration of the highest standards of personal integrity, trustfulness, honesty and fortitude in all public activities in order to inspire public confidence and trust in public institutions and serve the public with respect, concern, courtesy and responsiveness, recognising that service to the public is beyond service to oneself.

In an effort to promote the principle of administrative law in all public activities, Thakhathi (1995:5) argues that the following norms should be observed: public administration must occur legally. This means that all the actions of any public official must take place strictly within the

framework of the existing legislation; public officials must be able to account to the public in relation to their actions; public officials must treat all members of the public equally and impartially; and public administration must occur in an official manner. This entails greatest measure of goal attainment within available resources. Public administration must be sensitive to and responsive to the needs of the public and public officials must act responsibly.

According to Starling (1993:10-18), the managers in the public service now realize that there is a cluster of key roles and functions which they need to perform in order to maintain their departments and to improve their performance, adapting themselves to the vicissitudes of a turbulent, complex environment and the inherently more difficult task of governing and maintaining their institutions. It is important for managers to understand their roles, tasks, functions and responsibilities very clearly so as to enable them to position themselves strategically for the many challenges that they face. The following actions could assist managers to cope with these challenges: cultivate their capacity for strategic thinking; develop strategic perspectives about their departmental and where it is going, and share those perspectives with all the workers within their department; focus on a few vital issues at a time and devise strategic initiatives to resolve them; create an internal capacity to carry out the initiatives; and structure opportunities for broad participation in developing them, seeking external support for their implementation. They should also set up ways to exert strategic control over how the department performs on the new initiatives and measure what goes on inside the department and listen for the impact on customers and stakeholders as strategic initiatives are implemented and let those signals guide learning.

Bernsten (1995:10) argues that there are ten ways of governing better, namely, catalytic government: steering rather than rowing; community-owned government empowering rather serving; competitive government injecting competition into service delivery; mission-driven government: transforming rule driven organisation; results-oriented government : funding outcomes, not inputs; customer-driven government: meeting the needs of the customer not the bureaucracy; enterprising government: prevention rather than cure, decentralized government from hierarchy to participation; and market –oriented government; leverage change through the mark place.

According to Khosa (2000:239), the concept governance in western literature used to refer largely to the domain of the state. However, since the rise of neo-liberal universalism governance as a concept has come to proliferate in development discourse and increasingly also includes the domain of the non-state. The World Bank, for example, has come to support good governance programmes. These are programmes designed not only to curtail the power of the state and make it more efficient, but also to shift the balance of power in society away from government and the public sector to private individuals and groups.

Habermas (1993:33) and Offe (1985:26) identified distinctive mechanisms of governance by which institutions operate-rational communication, influence, prestige, authority and money. Each has quite different implication for representation democracy and accountability, yet they are interrelated. Anchoring institutions such as property rights and bureaucratic rules create money and authority. These two institutions are interdependent but stand at some remove from influence and prestige which as mechanisms of governance, are rooted in networks of limited rather than rational communication. The institution that utilise these mechanisms and the mechanisms themselves are continuously contested and negotiated.

Thus, according to De Antentara (1998:30), in future, if the discourse on governance is to open new opportunities for resolving the current crisis of livelihood and governability, the following should be attended to: encouraging the creativity and originality of people in actual social settings to be shifted to align with others. Broadening dialogue on the needs for change in specific programmes; strengthening the public sphere and rewarding contributions to the common good, thereby developing the discourse on citizenship; recognizing the necessary interrelation between institutional reform and macroeconomic policy and moving away from artificial separation of national governance and international issues.

In conclusion, under theories of governance within a South African context, one is bound to conclude that for the Vhembe District Municipality and its four local municipalities to succeed in the delivery of services to the communities, communities should be actively involved in the activities of their municipalities. The governed people in the municipalities are the ones who know exactly what they need in their communities. Hence they need to be involved in the

planning of each and every activity that will affect their daily lives. In this way, the demonstrations that are riddling municipalities in South Africa may be averted.

3.8 Politicians / Politics

Thornhill (1995:13), rightly asserts that politicians and political activity are concerned with a broader range of tasks than participation in the running of governmental institutions. Of these, the task of marshalling points of view and securing public support for them is probably the most important. In pursuing these activities, politicians will gain information and develop ideas which they will wish to apply in their work in governmental institutions. It is from this wider experience that politicians get the impetus which presses them towards an involvement wherever possible with executive affairs. The work is not a self-justifying activity and is only a limited element in the functioning of government and public bodies generally.

The role of politicians is to maintain equilibrium in the overall system by monitoring and adjusting the relationships amongst the professional administrators and interest groups (Fry, 1989:79). Sharkansky (1982:13) asserts that for politicians, it is essential to appreciate the roles administrators play in shaping public promises, but, once elected, they cannot deliver them alone. Not only must other politicians be considered in a democratic government with several centres of power, but also, even if all politicians acted in concert, they would still have to take administrators into account. While the law and constitutional tradition assign greater power to elected officials, reality often favours administrators.

Ridley and Blondel (1969:15) argue that it has become difficult to draw a clear distinction between administrative and political posts since the return to power of General de Gaulle in 1958. It was sometimes hard to know where the civil service began and where the government ended. This could be seen by the establishment of senior civil service posts where junior ministers might previously have been appointed. The distinction had in any case become somewhat academic because civil servants were then often appointed to what were really practical posts, previously held by parliamentarians only that it was true that French law never made it compulsory for ministers to be members of parliament.

According to Fry (1989:81), politics means seeking selfish advantage or advancement through the control of rules. In its true sense, politics mean actions by which rules control. The problem is that there is no objective way of distinguishing between vulgar and true politics, since the distinction lies in the motivation of the actor rather than in the action itself. The Oxford Dictionary (1996:190) defines politics as ‘an art and science of government, public life and affairs, political principles or practice and activities concerned with seeking power or status’.

Thornhill (1985:19) asserts that politicians are concerned with the acquisition and intention of office and the exercise of the power that goes with it, as with the search for the most acceptable course of action in any given situation. Despite politicians, projections of themselves in electoral campaigns as the fronts of the people, one cannot but think that the desire to wield power is the most important driving force of all but a minority of party politicians. Even those who do not enjoy high office nevertheless share the sense of power from their association with those who do.

In view of the discussions under politicians, both politicians and administrators should work within their own parameters. Politicians (Mayors and Councillors) in the Vhembe District Municipality should know their role in local government administration and when to interfere in administrative activities so that the professional administrators are in a position to carry out their day-to-day activities efficiently and effectively. It is also clear that politicians have nothing to do with the professional administrator of the public sector but it is mainly concerned with the acquisition and retention of office and the exercise of power that goes with it. It may also be gathered that politicians are there in the local government administration to guide the professional administrators by formulating public policy which has to be implemented by the professional administrators.

3.9. Governmental institution and functionaries of local authorities

3.9.1 Status of municipalities

In terms of Section 151 of the Constitution Act, 108 of 1996, subsection (1-4) stipulates that the local sphere of government consists of municipalities, which must be established for the whole of the territory of the Republic. The executive and legislative authority of a municipality is vested in its municipal council. A municipality has the right to govern, on its own initiative, the local government affairs of its community subject to national and provincial legislation as provided for in the Constitution. The national or a provincial government may not compromise or impede a municipality's ability and right to exercise its powers or to perform its functions.

3.9.2 Powers and functions of municipalities

In terms of Section 156 of the Constitution Act, 1998 108 of 1996, subsections (1-5) spells out powers and functions of municipalities and declares that a municipality has executive authority in respect of, and has the right to administer local government matters listed in Part B of Schedule 4 and B of schedule 5; and any other matter assigned or delegated to it by national or provincial legislation. A municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer. Subject to Section 151 (4), a by-law that conflicts with national or provincial legislation is invalid. If there is a conflict between a by-law and national or provincial legislation that is inoperative because of conflict referred to in Section 149, the by-law must be regarded as valid for as long as that legislation is imperative. National and provincial governments must assign or delegate to a municipality, by agreements and subject to any conditions, the administration of a matter listed in Part A of Schedule 4 or Part A of Schedule 5 which necessarily relate to local government, if that matter would most effectively be administrated locally, and the municipality has the capacity to administer it. A municipality has the right to exercise any power concerning a matter reasonably necessary for or incidental to the effective performance of its functions.

According to the Municipal Systems Act, 32 of (2000:22) a municipality's administration is governed by the democratic values and principles embodied in Section 195 (1) of the Constitution. The administration of a municipality must be responsive to the needs of the local community; facilitate a culture of public service and accountability amongst staff; take measures to prevent corruption; establish clear relationships, and facilitate cooperation and communication between it and the local community; give members of the local community full and accurate information about the level and standard of municipal services they are entitled to receive; and inform the local community how the municipality is managed and of the costs involved and the persons in charge.

In terms of Section 83 of the Municipal Structures Act, 1998 (Act 117 of 1998) Subsections (1-3) stipulate that a municipality has the functions and powers assigned to it in terms of Section 156 and 229 of the Constitution. The functions and powers referred to in Subsection (1) must be in the case of a district municipality and the local municipalities within the area of the district municipality, as set out in this Act, 117 of 1998. A district municipality must seek to achieve the integrated, sustainable and equitable social and economic development of its area as a whole, promoting bulk infrastructural development and services for the district as a whole, and building the capacity of local municipalities in its area to ensure appropriate levels of municipal services within the area.

In consideration of status, and their functions, one may conclude that if both political and administrative leaderships are familiar with the contents of the Constitution, the Municipal Structures Act, the Municipal Systems other such regulations, they would able to make municipalities powerful and would be able to deliver goods and services to the communities. On this note, it would be proper and fitting for political and administrative leadership to have a thorough knowledge of local government's legislations so that they (political and administrative leaderships) are enabled to operate in local government administration as expected by the local communities.

3.10. Roles of politicians in local government administration

Molomo and Somelekae (1998:209), states that politicians play a crucial role in the promotion of good governance and democracy in that they confer the mantle of political legitimacy through the charade of the democratic process; they absorb public discontent and channel grievances into the political system. Councillors must, first and foremost, be seen as representatives of the people. They derived their mandate to rule from the people, and therefore must serve them to the best of their ability. Councillors are legislators who not only formulate directives which will become a norm of conduct for others, but at the same time create the instruments by means of which the directives themselves will be followed, and by means of which they will verify their execution. Councillors are, therefore, obliged to promote governance and democracy by conducting the affairs of municipalities in an accountable and transparent manner, free of corruption and illicit behaviour.

Councillors, as representatives of the people, have as one of their principal functions the formulation of by-laws. In democratic practice, the process of by-law making originates at the grass-roots level of the party and is channelled through its various organs until it is adopted in the form of a resolution at the national congress as party policy. In another process of policy formulation, councillors, through various organs of political parties, play a dynamic role in creating platforms and translating those platforms into policy initiatives. It is on the basis of these policies that political parties canvass for support, win elections and form the government (Molomo and Somelekae, 1998:209).

According to Roux, et al. (1999:145-6), the official policy makers are those persons who have the legal authority (power) to formulate public policy. These persons mainly include the legislators and the officials. Each has his own particular task regarding policy making. For study purposes, a distinction can be made between primary and supplementary policy makers. Primary policy makers, for example, the various ministers, have direct constitutional authority to act. The supplementary policy makers derive their authority from the primary policy makers, are partially dependent on the latter, and are also controlled by them. The legislators do not have unlimited power to make council decisions. The role of the legislator will, therefore, vary in accordance

with the problem concerned. It may also occur that the draft legislation is very technical and that the legislator does not know much about it.

In consideration of the roles of politicians in local government administration, it is evident that councillors in local government administration are there to make by-laws and council decisions. Councillors are there in local government to guide and monitor activities of the professional administrators. If councillors adhered to their roles in local government administration, municipalities would be in a better position to operate efficiently and effectively, because professional administrators would be free to execute their day-to-day activities.

3.10.1. Municipal council

According to Cloete (1993:81), an examination of the impressive lists of matters entrusted to local councils shows that no local council, in fact, performs all the functions that it, in terms of the ordinances, may undertake. The majority of municipal councils do, however, perform the following functions entrusted to them by the provincial councils and by Acts of Parliament, namely, construction of drainage works to drain streets; provision of electricity; provision for the naming of streets, provision of meters, control over the construction of buildings in the municipal area; combating contagious and infectious diseases; refuse removal; night soil removal and/or sewerage services also known as sanitary services, licensing of motor vehicles and the enforcement of traffic regulations, provision and maintenance of cemeteries, and the establishment and maintenance of parks and recreation grounds.

In terms of section 151 of the Constitution Act 108 of 1996, Subsections (1-4) stipulate that municipalities must be established for the whole of the territory of the Republic. The executive and legislation authority of a municipality is vested in its municipal council. A municipal council has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation as provided for in the Constitution. The national or provincial government may not compromise or impede a municipality's ability or right to exercise its power or perform its functions.

A municipal council functions in terms of Section 157 of the Constitution of the Republic of South Africa Act 108 of 1996. Subsections (1-8) stipulate that a municipal council makes decisions concerning the exercise of all the powers and the performance of all the functions of the municipality. It is expected to elect its chairperson and may also elect an executive committee and other committees, subject to national legislation. It may employ personnel who are necessary for the effective performance of its function. At the same time, there are certain functions that may not be delegated by municipal councils and are as follows: the passing of by-laws, the approval of budgets, the imposition of rates and other taxes, levies, duties and the raising of loans.

A majority of the members of a municipal council must be present before a vote may be taken on any matter. All questions concerning matters mentioned in Subsection (2) are determined by a decision taken by a municipal council with a supporting vote of a majority of its members. All other questions before a municipal council are decided by majority of the votes cast. It is also clear that no by-law may be passed by a municipal council unless all the members of the council have been given reasonable notice and the proposed by-law has been published for public comment. National legislation may provide criteria for determining the size of a municipal council, and whether a municipal council may elect an executive committee or any other committee. A municipal council may make by-laws which prescribe rules and orders for its internal arrangements, its business and proceedings and the establishment, composition, procedures, powers and functions of its committees (RSA Constitution, Act 108 of 1996:65).

In terms of Section 160 of the Constitution Act 108 of 1996 Subsections (2-3) stipulate that a municipal council must conduct its business in an open manner, and may close its sittings, or those of its committees, only when it is reasonable to do so having regard to the nature of the business being transacted. Members of a municipal council must be able to participate in its proceedings and those of its committees in a manner that allows parties and interests reflected within the council to be fairly represented and consistent with democracy. Such proceedings may be reprinted, and may be regulated by national legislation.

According to Municipal Systems Act, 32 (2000:20) the council of a municipality has the right to govern on its own initiative the local government affairs of the local community, exercise the municipality's executive and legislative authority, and to do so without improper interference and finance the affair of the municipality by charging fees for services and imposing surcharges on fees, rates on property and, to the extent authorised by national legislation, other taxes, levies and duties. The council of municipality, within the municipality's financial and administrative capacity and having regard to practical considerations, has the duty to exercise the municipality's executive and legislative authority and use the resources of the municipality in the best interest of the local community; provide without favour or prejudice, democratic and accountable government encourage the involvement of the local community; strive to ensure that municipal service are provided to the local community in a financially and environmentally sustainable manner; consult the local community about the level, quality, range and impact of municipal services provided by the municipality, either directly or through another. Service provider and the available options for service delivery, give members of the local community equitable access to the municipal services to which they are entitled; promote gender equality in the exercise of the municipality; and contribute, together with other organs of state, to the progressive realization of the fundamental rights contained in sections 24,25,26,27 and 29 of the constitution. In the same breath a municipality must in the exercise of its executive and legislative authority respect the rights of citizen and those of other person protected by the bill of rights.

In noting the discussion under municipal council, it becomes clear that municipal councils have been established in order to serve the local communities. For the municipal councils to succeed in carrying out their obligations, they should use the recourses of the municipalities in the best interest of the local communities; provide without favour or prejudice, democratic and accountable governance; encourage the involvement of the local communities in the activities of the municipalities; strive to ensure that municipal services are provided to the local communities in a financially and environmentally sustainable manner and be impartial in rendering their services to the local communities.

3.10.2. An executive mayor

Craythorne (1992:154) states that the Marais Commission recommended that no change be made to the traditional status of the mayor, pointing out that tradition had decreased the role of ceremonial head for the mayor. The suggestion that the mayor be the coordinator for councils was rejected as being too drastic a change in the traditional role of the mayor. The Slater Commission describes the American strong mayoral system as totally foreign to South African ideas of government, and unacceptable, as this would entail the direct election of the mayor by the electorate. Cloete, (1985:34) states that it is not customary in South Africa to clothe the mayor with administrative powers; in general, the major is the first citizen, responsible for entertaining visitors. On the other hand, Burger, (1978:40) makes the point that a councillor functioning as a mayor operates as an individual, not as a decision making political representative. The mayor is not just a social figure, because he operates at the highest level of public relations in local government.

According to Craythorne (1992:154), there has been some discussion on whether the office of mayor should be converted from its present representative and ceremonial role, to an executive role, something that such a move needs at least to be considered in the development of local government in South Africa. Should any such chance occur, there is likely to be conflict between an executive mayor and the town clerk as chief executive officer, because in public administration there has historically been the development of two separate roles, namely, government and representation by elected representatives and executive and administration by appointed officials. Thus, elected representatives are not required to have certain educational qualifications or managerial skills and such qualifications are not required of a politician. It follows that as the daily management of the public machine grows in complexity and size, skilled administrators are needed to keep it operating, and by interfacing with the elected politicians, to work in administration. Those who lack the knowledge and managerial skills to perform these tasks will probably be ineffective and, under certain circumstances, could place the rendering of municipal services on a footing of political patronage or allow inefficiencies, something which could be a recipe for disaster.

In terms of Section 5.6 of Municipal Structures Act, 117 of 1998, Subsections (1-6), an executive mayor is entitled to receive reports from committees of the municipal council and to forward these reports together with a recommendation to the council when the matter cannot be disposed of by the executive mayor in terms of the executive mayor's delegated powers. The executive mayor must be able to identify the needs of the municipality; recommend to the municipal council strategies, programmes and services to address priority needs through an integrated development plan, and to prepare estimates of revenue and expenditure, taking into account any applicable national and provincial development plans; and recommend or determine the best way, including partnerships and other approaches to deliver those strategies, programmes and services to the maximum benefit of the community. The executive mayor in performing the duties of office must identify and develop criteria in terms of which progress in the implementation of the strategies, programmes, and services referred to in Subsection (2) (c) can be evaluated, including key performance indicators which are specific to the municipality and common to local government in general; he or she should evaluate progress against the key performance indicators; review the performance of the municipality in order to improve the economy, efficiency and effectiveness of the municipality; the efficiency of credit control and revenue and debt collector services and implementation of the municipality's by-laws. The executive mayor should also monitor the management of the municipality's administration in accordance with the direction of the municipal council, oversee the provision of services to communities in the municipality in a sustainable manner, perform such duties and exercise such powers as the council may delegate to the executive mayor in terms of Section 32; annually report on the involvement of communities and community organizations in the affairs of the municipality; and ensure that attention is given to public views and report on the effect of consultation on the decision of the council (Municipal Structures Act, 117 of 1998:46).

In carrying out his/her obligation, an executive mayor must perform a ceremonial role as the municipal council may determine. He/she must report to the municipal council or all decisions taken by the executive mayor. The deputy executive mayor of a municipality executive mayor if the executive mayor is vacant (Municipal Structures Act 117 of 1998:46).

3.10.3 The executive committee

According to Municipal Structures Act, 117 (1998:40) an executive committee is the principal committee of the council of a municipality of a type that is entitled to establish an executive committee, and the committee of a municipal council which receives reports from the other committees of the council and which must forward these reports together with its recommendations to the council when it cannot dispose of the matter in terms of its delegated powers. The Executive Committee must identify the needs in order of priority; recommend to the municipal council strategies; programmes and services to address priority needs through the integrated development plan and estimates of revenue and expenditure, taking into account any applicable national and provincial development plans, and recommend or determine the best methods, including partnerships and other approaches, to deliver those strategies, programmes and services to the maximum benefit of the community.

In performing its duties, the Executive Committee must identify and develop criteria in terms of which progress in the implementation of the strategies and programmes and services referred to in subsection (2) (c) can be evaluated, including key performance indicators which are specific to the municipality and common to local government in general. The Executive Committee must evaluate progress against the key performance indicators; review the performance of the municipality in order to improve the economy, efficiency of credit control and revenue and debt collection services and the implementation of the municipality's by-laws (Municipal Structures Act 117 of 1998:41).

For municipalities to be more effective and efficient in the delivery of service, the Executive Committee must monitor the management of the municipality's administration in accordance with the policy directions of the Municipal Council; oversee the provision of service to communities in the municipality in a sustainable manner, perform such duties and exercise such powers as the Council may delegate to it in terms of Section 32; annually report on the involvement of communities and community organizations in the affairs of the municipality, and ensure that regard is given to public views; and report on the effect of consultation on the decisions of the council. At the same time an Executive Committee must report to the

municipal council on all decisions taken by the committee, (Municipal Structures Act, 117 of 1998:42).

3.10.4 The councillor

According to Craythorne (2003:101), a councillor must perform the functions of the office in good faith, honestly and in a transparent manner and at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised. In effect, councillors are required to behave ethically and to be objective about the best interests of the municipality as opposed to a personal or sectarian interest. Besides these duties, councillors must attend meetings of the Municipal Council and of a committee of which those councillors are members, except when leave of absence has been granted in terms of an applicable law or as determined by the rules and orders of the council, or that councillors are required in terms of this code to withdraw from the meeting.

Cloete (1993:73), points out that councillors have three groups of duties, namely, representing the electorate, committee work and deliberating in council meetings. A councillor is elected to represent the residents of a ward and of a municipality. To perform this task, the representative must ascertain the expectations and needs of the residents. To perform this task, the Councillor must also study the activities undertaken by the Council and its officials. It is unfortunately a fact that municipal affairs and therefore fail to inform their elected representatives about their real needs and to afterwards call the councillors to account for failure to perform effectively.

Generally the town or city council meets monthly. As a rule no significant matter will be placed on the agenda for a full council meeting before a committee has dealt with it. Numerous committee meetings usually take place between full council meetings. A councillor who wants to reach specific objective will therefore have to be fully informed about the activities of the committee dealing with the matter even if he/she is not a member of the committee. Therefore a councillor could possibly devote more time to committee meetings than to council meetings (Cloete, 1993:74).

The Council has the final and decisive authority in the local matters entrusted to it. The overwhelming majority of matters dealt with by a municipal council are introduced by officials and debated by one or more committees before recommendations are made to the Council. Where the Management Committee must consider all matters before submitting them to a full council meeting, according to Cloete (1993:74), it is then expected of councillors to access the recommendations of the officials and committees and, where necessary, to amend or reject the recommendations. Bearing in mind that every council meeting a councillor could be required to study voluminous documents on a number of matters, it is evident that he would be able to make a meaningful contribution on all items. However, steps should be taken to prevent the development amongst councillors of the attitude that they are powerless to change the recommendations of the officials or the committees. The City or Town Council would in such a case, merely rubber stamp official documents, brief council meetings would be held and few members of the public would be interested in meetings held mainly to meet statutory requirements.

In consideration of the discussion under the roles of politicians in local government administration, one is bound to conclude that they (the politicians) are clearly and explicitly defined in the rules and regulations that govern the operation of municipalities in South Africa. It is also clear that if the politicians can adhere to their rules enshrined and contained in the legislative framework for local government administration in South Africa, service delivery to communities can be sped up and meet the needs of community members within their municipalities. Demonstration and strikes by dissatisfied members of the community should be averted at all costs. One other important issue is that the Constitution of South Africa, Act 108 of 1996, Municipal Structures Act 117 of 1998, Municipal systems Act, 32 of 2000 and other sources used in this section have not empowered political figures to interfere in the activities of administrators in local government administration. They are only empowered to monitor the smooth running of the Local Government Administration and the implementation of by-laws made by them. It may also be indicated that such a tendency to interfere in the activities of administrators slows down planned service delivery.

3.11 Roles of administrators in local government administration.

According to Fry (1998:81), the administrators' role is to understand and coordinate public policy and interpret policy directives to the operating services, but with unquestioned loyalty to the deacons of elected officials. The administrator differs from the political executive in that the administrator does not make final decisions on policy; no does he or she advocate policies before the public, and does not succeed or fail on policy positions.

For prospective and present administrators, the study of public administration offers both training in the machines of how to do it and an understanding of the larger context in which they operate. The elements of agency management budgeting, personnel selection, and programme evaluation concern almost all administrators during their careers either as they are affected by the way other administrators practice them. Code of ethical conduct regulations on conflicts of interests, and rules governing political activities come to administrators from legislatures and chief executives. These rules and regulations define how administrators should deal with clients who receive their services, how to do business with firms that sell to the government, and what limits exist for the role that administrators can play in election campaigns. Administrators must also learn much about the methods available for the analysis of social problems and programme options (Sharkansky: 1982: 13).

Alderfer (1968:153) points out that a line administrator can make or order an inspection on the spot to see what needs to be done or what has been done. This inspection may be routine or used periodically whenever more knowledge is deemed essential. It can also be made without warning or by special arrangement. It may be delegated to their agencies, even private ones.

To attain this objective, all public officials must accept one of the central professional values of public administration: the ethos of objective competence. For public officials to be objective, they must be impartial in their dealings with the public and must adhere to the law and must provide equal treatment of equal cases under the law. To be competent is to apply knowledge and skills obtained through training to any problem or situation that has to be considered. The competence, to be objectively exercised, is grounded in a body of public administration

knowledge and skills. Greater competence increases rationality in problem solving (Mafunisa, 2000:90).

The Constitution of South Africa Act, 1996 (Act 108 of 1996) section 195(1) stipulates that public administration must be governed by the democratic values and principles entrenched in the Constitution, including the following principles: a high standard of professional ethics must be promoted and maintained; efficient, economic and effective use of resources must be promoted; public administration must be development –oriented; services must be provided impartially, fairly, equitably and without bias; people's needs must be responded to and the public must be encouraged to participate in policy-making; public administration must be accountable, transparency must be fostered by providing the public with timely, accessible and accurate information, good human resource management and career-development practices; to maximize human potential must be cultivated, and public administration must be broadly representative of the South Africa people; with employment and personnel management practices based on ability objectively, fairness and the need to redress the imbalances of the past to achieve broad representation. The above principles apply to administration in every sphere of government, organs of state and public enterprises.

According to the Municipal Systems Act, 32 of (2000:22), a municipality's administration is governed by the democratic values and principles embodied in Section 195(1) of the Constitution. The administration of a municipality must be responsive to the needs of the local community; facilitate a culture of public services and accountability amongst staff; take measures to prevent corruption, establish clear relationships; and facilitate cooperation and communication between it and the local community. They should, in addition, provide members of the local community with full and accurate information about the level and standard of municipal services they are entitled to receive, and inform the local community how the municipality is managed, of the costs involved and the persons in charge.

Mafunisa (2000:25) argues that public officials should not only strive towards attaining predetermined public service goals, they should also ensure that, in the quest for those goals that have been set, they adhere to ethical values. Ethical values include efficiency and effectiveness.

It is the responsibility of superordinate public officials to also exemplify the ethical values to be followed by newly appointed subordinate officials, which are congruent with those of the public services. It is their duty to try to change unethical values into ethical ones. Ways of ensuring this include the strict enforcement of a code of conduct, the strengthening of political conscience, and ethical education and training in public administration.

Chapman, (1993:18) defines a formal code of conduct as a statement of principles and standards about the right conduct of public officials. It normally contains only a position of a government's rules on public service ethics and is therefore, a narrower term than ethical rules which includes statutes, regulation and guidelines while Rosenew and Rosenthal (1993:360) define a code of conduct as a set of principles adopted by associations or institutions stands. A formal code of conduct makes a specific policy selection of the basic ethics in general society and seeks to use them to determine an institution's definition of its programme of action and what kind of institution –oriented behaviour is acceptable.

According to Hanekom, Rowland and Bain (1987:163), codes of conduct have the following objectives: promoting and maintaining the responsible conduct of public officials; providing guidelines for public officials in their relationships with other public officials elected representatives and members of the public, and providing guidelines for public officials in exercising their discretionary power.

Chapman (1993:18) also remarks that a code of conduct is necessary to promote public trust and confidence in the ethical performance of public official; decrease and, if possible, eliminate unethical practices by discouraging and punishing them; legitimise the imposition of sanctions for unethical behaviour; sensitise both current and aspiring public officials to the ethical and necessary value dimensions of bureaucratic divisions; develop skills in the analysis of ethical and value issues; and assist public officials to resolve ethical and value dilemmas; and finally, to promote moral development.

Adherence to Chapman's principles would ensure that public officials and their political office bearers would benefit from the increased public trust in government that tends to result from the

careful drafting and effective administration of a code of conduct. Such a code provides a means by which political office bears can hold public officials accountable for their activities. In addition, if ethical standards are raised by the existence of a code, the possibility of the government of the day suffering political embarrassment from the ethical misconduct of its public officials is reduced. Members of the public obviously resent poor performance and misconduct by public officials. Taxpayers are assured that public officials on the public payroll are less likely to use their positions for personal gain if these are an accepted code of conduct. Therefore citizens can expect and demand that public officials serve them in an equitable and impartial manner (Kernaghan & Divivedi), 1983:10.

Considering the above discussion on the roles of administrators in local government administration, the researcher claims that administrators in local government should have relevant knowledge and skills to run municipalities effectively and successfully. For municipalities in South Africa to succeed in service delivery, officials in local government or municipalities must be development-oriented; they must provide service impartially, fairly, equitably; and the employment of officials in municipalities must be based on ability and the capability of the candidate. The code of conduct contributes to developing ethics and accountability in municipal officials. The reason for this is that municipal officials will endeavour to perform their duties effectively and efficiently so as not to violate the provisions of the code of conduct and so as to avoid censure.

3.11.1 Municipal manager / town clerk

In term of Section 25 of Act 75 of 1988 as quoted by Craythorne (1992:313), the town clerk is also the chief accounting officer of his or her local authority. The inclusion of this function in Act 75 of 1988 is inevitably going to cause friction between the town clerk and municipal treasurers. By training, a town clerk is not an accountant, yet in his or her general managerial capacity he or she directly supervises the function of municipal treasury department. The root meaning of the term accounting is to give a reckoning of something or an explanation, and on this basis it is submitted that the role of the town clerk as his/her council's chief accounting officer is to ensure that municipal organizations can give an account of the resources they use

or spend. Unfortunately, authors of this act have not made this clause more specific. A wise town clerk should liaise closely with the treasurers, rather than attempt to usurp this function. When the municipal machine or its organizations are not appropriate or are inefficient, the municipal manager is required to act. It is submitted that the legislation outlined earlier places a positive duty on the Town clerk as municipal manager to act where the situation justifies it.

According to Craythorne (1992:313), it goes without saying that every municipal manager is required to show leadership. How each municipal manager will fulfil his or her leadership role depends to some extent on personalities, but where leadership is absent, organizational problems that may occur are idle drifting, hostility between chief officials (heads of departments), inefficiency and opportunism. In his or her leadership role, the municipal manager will need to operate on at least two levels: he or she must demonstrate leadership to the bureaucracy so as to ensure that it has direction; act within the policy framework of the council concerned; and operate efficiently and effectively by ensuring that the council it receives accurate and meaningful policy and strategic advice, to enable the councillors to take decisions based on facts and the best forecasts that can be made available to them.

According to Municipal Systems Act, 32 of (2000:5615) Section 55 (1-2) stipulates that as head of administration the municipal manager of a municipality is subjected to the policy directions of the municipal authority. He or she is responsible and accountable for the formation and the development of an economically effective, efficient and accountable administration equipped to carry out the task of implementing the municipality's integrated development plan in accordance with Chapter Five. The municipal manager must operate in accordance with the municipality's performance management as set out in Chapter Six and must be responsive to the needs of the local community to participate in the affairs of the municipality. The municipal manager is responsible and accountable for the management of the municipality's administration in accordance with this Act and other legislation applicable to the municipality; for the implementation of the municipality's integrated development plan and for monitoring the progress in implementing the plan; for the management of the provision of services to the local community in a sustainable and equitable manner; for the appointment of staff other than those referred to in section 56(a), subject to the Employment Equity Act, 55

of 1998. The management, effective utilisation and training of staff, the maintenance of staff discipline the promotion of sound labour relations and compliance by the municipality with applicable labour legislation are other responsibilities. Yet others include advising the political structures and political office bearer of the municipality; managing communications between the municipality's administration and its political structures and political office bearers; carrying out the decisions of the municipality; the administration and implementation of the municipality's by-laws and other legislation; the exercise of any powers and the performance of any duties delegated by the municipal council, or sub-delegated, by other delegating authorities of the municipality, to the municipal manager in terms of Section 59; facilitating participation by the local community in the affairs of the municipality; developing and maintaining a system whereby community satisfaction with municipal services is assessed; the implementation of national and provincial legislation applicable to the municipality; and the performance of any other functions that may be assigned by the municipal council. As accounting officer of the municipality, the municipal manager is also responsible and accountable for all income and expenditure of the municipality; all assets and the discharge of all liabilities of the municipality; and proper and diligent compliance with applicable municipal finance management legislation.

Craythorne (1992:315) sees the town clerk as a facilitator. A facilitator is someone who makes things easy, or who promotes or helps progress. In the scheme of things, facilitation in the sense of reconciling different views is within the field of politics but the town clerk, by the quality and nature of the advice he or she gives, can assist and support councillors in any reconciliation necessary within the community.

According to Craythorne, (1993: 316) where the town clerk could well play a moral or ethical role is in ensuring that employees behave properly and honestly. Where dishonestly or improper behaviour occurs, the remedy lies in the field of law. However, the town clerk will find it difficult to take disciplinary action against an employee whom he believes has acted immorally or improperly, unless the applicable law provides a remedy. Where policy advice from another official has an immoral base, the town clerk need not put the report concerned to his or her council.

3.11.2 Heads of department chief officials

A head of department is responsible for the efficient management and administration of his or her department including the effective utilisation and training of staff, the maintenance of discipline, the promotion of sound labour relations and the proper use and care of state property (Section 7(3) of the Public Service Act, 1994:07).

Craythorne, (1992:317) notes that the chief officials of a council are the heads of departments but, in the larger cities, they may also be persons in posts controlling groups of functions or departments for example, the deputy town clerk of Johannesburg and Pretoria. The chief officials have a dual role, namely, to manage their departments or functions efficiently and to work with and support the town clerk on wider or corporate issues. This, in turn, gives rise to a special relationship between them and the municipal manager. The town clerk needs to keep contact with the chief officials; while the municipal manager must resist the temptation to meddle in the direct management of the departments. Such meddling draws the town clerk away from his primary chief executive functions and roles, but also angers the heads of departments who are affected. Such interference understandably undermines the discipline in the departments.

Another dimension of the town clerk and heads of departments' relationship is the extent to which the town clerk meets with them and discusses common problems or policy issues with them. Many local authorities have committees or teams of heads of departments which meet on a regular basis and some do not. Whether this happens or not depends to some extent on the personalities involved, but there are committees to filter the flow of information to them. Town clerk and heads will sometimes form a block or cabal which will unite against councillors. One cure for this attitude is to let councillors have copies of the agenda for and minutes of these meetings. Of more importance, however, is the extent to which these meetings can or should influence the functions and roles of the town clerk.

In consideration of the discussion on municipal managers and chief officials, it is clear that the South African public service needs public officials who are competent and loyal in their work.

The main reasons for this are that the factors of production they use are limited and they are paid for using tax payers' money. Therefore, they should use public funds both effectively and efficiently for the benefit of every member of the public. Unfortunately this is not the case in South African municipalities because almost every municipality in South Africa is manned by educators from schools who are not competent to perform their duties accordingly. In addition owing to a lack of the necessary skills and knowledge about municipal affairs work. This is one of the reasons why local community members today are staging demonstrations in the streets to register and display their dissatisfaction regarding service delivery by municipalities. Municipal managers and head of departments are being arrested and expelled from their positions on the grounds that they have misappropriated funds and are corrupt. Positive work ethics and attitudes, such as loyalty to public service goals and values, do not develop automatically. It needs the concerted effort of all interested parties to develop ethical norms and suitably professional behavioural patterns among public officials.

3.12 Roles of partnership in local government administration

According to Wright (1978:8), intergovernmental relations as a concept does not recognize only nation-state and inter-state relations, it also recognises national-local, state-local, national state-local and inter-local relations. In a word, intergovernmental relations encompassed all the permutations and combinations of relations among the units of governmental in our system. Hatting, (1986:7) argues that intergovernmental relations refers to formal government structures and the relations they share as a results of constitutional, legislative and regulatory provisions. It also refers to pragmatic relations between officials in governmental bodied. It covers the whole field of governmental and administration and it can be looked at from a number of approaches, including the constitutional/legal approach; the democratic, the financial and the normative/operational approach.

According to Wright (1978:2), intergovernmental relations are rendered complex by various functions of government which permeate all levels of human activity and necessitate the emergence of many governmental bodies which also become increasingly interdependent as matter of necessity. The distinctive features of this complex and interdependent system of

intergovernmental relations are the number and growth of governmental units; the number and variety of public officials involved in intergovernmental relations; the intensity and regularity of contacts among those officials; the importance of officials' actions and attitudes; and the preoccupation with financial policy issues.

According to the Constitution Act 108 of (1996:21), Section 41 (h i- vi), spheres of government should cooperate with one another in mutual trust and good faith by fostering friendly relations; assisting and supporting each other; informing each other and consulting on matters of common interest; coordinating their actions and legislation; adhering to agreed procedures; and avoiding legal proceedings against each other.

In terms of Section 3 (1-3) of Municipal Systems Act, 32 of (2000:18), municipalities must exercise their executive and legislative authority within the constitutional system of cooperative government encouraged in Section 41 for the Constitution, exercise their executive and legislative authority in a manner that does not compromise or impede a municipality's ability or right to exercise its executive and legislative authority. For the purpose of effective cooperative governance, organized local government must seek to develop common approaches for local government as a district sphere of government; enhance cooperation, mutual assistance and sharing of resources among municipalities; find solutions for problem relating to local government generally; and facilitate compliance with the principles of cooperative government and intergovernmental relations.

According to Atkinson (2000:119), the Constitution makes provision for developmental local government operating within a new system of intergovernmental relations, a system of cooperative governance. In terms of this vision, three spheres of government will be distinctive, interdependent and interrelated. They are meant to function in a mutually supportive fashion, and there is a positive obligation on the national government and provincial governments to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions. In this context, different national and provincial line departments have taken different approaches with regard to municipal involvement in service delivery. The overriding impression is that the departments should engage in meaningful

decentralisation. There have been large variations amongst provinces and amongst departments in their approaches to decentralisation to transitional municipalities. The White Paper on Local Government, 1998 (1998:37) notes that the New Constitution states that government in South Africa is constituted as national, provincial and local spheres of government. As noted above, these three spheres are distinctive interdependent and interrelated. Local government is a sphere of government on its own right, and is no longer a function of national or provincial government. It is an integral component of the democratic state. All spheres of government are obliged to observe the principles of cooperative governance put forward in the Constitution. Cooperative government assumes the integrity of each sphere of government. But it also recognizes the complex nature of government in modern society. No country today can effectively meet its challenges unless the components of government function as a cohesive whole. This involves: collectively harnessing all public resources behind common goals and within a framework of mutual support; developing a cohesive, multi-sectoral perspective on the interests of the country as a whole; and respecting the discipline of national goals, policies and operating principles, coordinating their activities to avoid wasteful competition and costly duplication; listening to human resources effectively; settling disputes constructively without resorting to costly and time-consuming legislation, rationally and clearly deciding the role and responsibilities of government between them, so as to minimise confusion and maximise effectiveness.

Intergovernmental relations are the set of multiple and informal processes, channels, structures and institutional arrangements for bilateral and multilateral interaction within and between spheres of government. In South Africa, a system of intergovernmental relations is emerging to give expression to the concept of cooperative government contained in the constitution. A system of intergovernmental relations has the following purposes: to promote and facilitate cooperative decision-making; to coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors; to ensure a smooth flow of information within government, and between government and communities, with a view to enhancing the implementation of policy and programmes; and the prevention and resolution of conflicts and disputes (White Paper on Local Government, 1998:38).

3.12.1 Factors promoting intergovernmental relations

There are various factors promoting intergovernmental relations. Intergovernmental conflict has inevitably become part of governance as a result of the emergence of increasingly complex multi-sphere political systems. Government has become extremely complex, especially in view of the fact that most functions of any body or organ of state are not actually carried out solely by the body concerned. The problems of intergovernmental relations are political and administrative in nature, as well as constitutional, legal, practical, theoretical, economic, ideological and social. Their combination and interrelation makes it difficult to determine the real scope of the problem. Another problem associated with intergovernmental relations is that many prescribed and other governmental regulations are applied by people in their respective positions of authority, which implies that the quality and success of any rational situation between specific governmental bodies depends also on the behavioural patterns of the person involved. It should thus be taken into account that any relations between governmental bodies of necessity also involve human actions and the influence of such actions on relations (Hatting, 1986:4).

(a) National, provincial and local relations.

According to the Department of Finance (1999:22), Section 100 of the Constitution Act, 108 of 1996 provides for national monitoring of and intervention in provincial affairs when a province cannot or does not fulfil an executive obligation in terms of legislation or the constitution, by taking appropriate steps to ensure the fulfilment of that obligation. Such steps can take the form of issuing directives to the provincial executive or assuming direct responsibilities for the obligation in question. National intervention is permitted so as to maintain national security, economic unity, national norms and standards or to avoid prejudicial activities by any provincial government. Section 100 (1) of the Constitution Act, 108 of 1996 provides for any appropriate steps to make sure provinces fulfil their executive obligations. But this section has so far only been applied to budget and financial management matters, even though the section applies broadly to all executive obligation of provincial governments.

Wetnner (2000:8) argues that some provinces are finding it difficult to carry out the functions assigned to them by the Constitution. In 1998 for example, the pension crisis left thousands of pensioners and their dependants in the Eastern Cape without funds. The collapse of local delivery structures in Butterworth's municipality in the same year also forced the Eastern Cape provincial government to take over the municipality.

Section 139 of the Constitution Act, 108 of 1996, touches on the relations between provincial and local government by placing municipalities under provincial supervision when a municipality cannot or does not fulfil an executive obligation in terms of legislation. In such a case, the relevant provincial executive may intervene by taking any appropriate steps to ensure fulfilment of that obligation. This is the section which enabled the Eastern Cape provincial government to take over Butterworth municipality through the despatch of administrators to take over the functions of the municipality (Wetnner, 2000:10).

The Constitution Act, 108 of 1996, Section 155 enjoins provincial governments to provide for the monitoring and support of local governments in the province and to promote the development of local government capacity so that municipalities can adequately perform their functions and manage their affairs. The section further requires national and provincial governments to see to the effective performance by municipalities of their functions. It is necessary to point out at this point that a province, according to Section 125 of the Constitution Act 108 of 1996 has executive authority only in so far as that province has the administrative capacity to effectively assume the responsibility. The section further states that the national government must assist provinces through legislative or other measures to develop the administrative capacity necessary for the effective exercise of their powers and execution of their functions. A monitoring system has been devised at the local level which may form the basis for a generally applied system of selective intervention to support municipalities that are struggling to cope (Wetnner, 2000:12).

(b) Political consideration

A fundamental political consideration in the reform of urban governance in South Africa concerns the abolition of the racial basis of the local government system. Political consideration also relates to the creation of a system of local government through which members of the local council can be held responsible and accountable for decisions they make. In considering the political aspects of structuring urban governance, therefore, policy makers have the difficult task of choosing an organization for financing and delivering services that is best able to strengthen the political institutions of democracy while enabling markets and fiscal instruments to hold local officials accountable. How this interplay between political institutions, markets, and fiscal instruments evolves will certainly influence the choice between jurisdictional and functional fragmentation form of government for the cities of South Africa (Bennis, 1998:25).

(c) Centralization of intergovernmental relations

Rapo (1999:2) states that the reforms that took place between 1994 and 1996, resulted in a centralised system of intergovernmental relations, which is coordinated at the centre and used as a tool, with the involvement of the province, to achieve a nationally defined and driven policy agenda. The current provincial system is still not satisfied and there is growing clamour for it to be transformed, even after some years since the introduction of a constitutionally dispersed system of government. Even though provinces are responsible for the delivery of health, welfare and educational services, they do not have much influence on some vital standards for determining their actual competence to deliver in these areas (Wetnner, 2000:2). Although the three spheres of government are presented as equal, the Constitution of South Africa is not clear whether all the municipalities including metropolitan municipalities are under provincial regulations or whether municipalities are an independent sphere of government.

(d) Intergovernmental relations forum

The following are the main forums and positions that came into existence in the intergovernmental relations process: the senate; financial and fiscal commissions; intergovernmental forums; a national minister and members of provincial executive committees; the premier's forum; and technical intergovernmental committees. South Africa Year Book (2001:07) asserts that a number of intergovernmental structures have been instituted to promote and facilitate cooperative governance and intergovernmental relations between the respective spheres of government. These include, among others, the following: The President's Coordinating Council comprising the President, the Minister for Provincial and Local Government and the nine Premiers. The President's Coordinating Council replaces the Premiers Forum and the intergovernmental Forum and meets six times a year. Ministerial clusters, Director-General clusters and the forum of South African Directors-General, which promote programme, at national ad provincial level. Ministerial forums between responsible line function ministers at national level and their respective counterparts at provincial government level, which normally meet on a quarterly basis. These forums are supported by technical committees. A number of intergovernmental forums that facilitate cooperative government and intergovernmental relations.

3.12.2. Public participation in local government

A careful analysis of the contemporary situation in South Africa where members of communities throughout the country are demonstrating and registering their concern about the non-delivery of services by municipalities in the country indicates that many local authorities are not consulting and empowering communities to participate effectively in local government processes. The understanding is that municipalities must be people centred, people-driven and people-controlled for development and reconstruction. These demonstrations might have been caused by the incapacity of both politicians and officials of local government to run municipalities and misunderstandings amongst community members about how municipalities should be run. As already stated in earlier contexts, it is important that government develops an effective mechanism to draw in communities, particularly when crucial matters, such as

service delivery and budgets are under discussion. The achievement of this goal will enhance governance in many areas and prevent repetition of the current chaos.

Bekker (1997:73) stresses that democratic local government requires government by the people or, at the very least, with their active involvement in what municipalities do and how they do it. Therefore, on the one hand, it is as much the right of municipalities to expect inhabitants to participate actively in the decisions that may affect their daily lives as it is the right of the community to have a significant say in local public affairs. As much as citizens may demand the commitment by municipalities to democratically govern and manage, municipalities may expect citizens to meet their obligations to participate in local government affairs. Citizen participation, in the simplest of terms, requires a balance between the right of citizens to participate and the obligation to do so. Participation cannot take place successfully without a proper understanding and maintenance of such a balance. In the South African context, these requirements to a certain extent contrast with past practice as well as with contemporary realities.

In areas falling under traditional leaders, the local government should see to it that it draws traditional leaders with their communities into its councils. Traditional leadership should play a role closest to the people, and their role should, therefore, be defined principally in relation to Category (B) municipalities, although larger kingdoms covering an entire district will clearly require similar relationships with district governments. Their role includes attending and participating in meetings of the councils and advising councils on the needs and interests of their communities. In this regard, traditional leaders will have representation on such councils (White Paper on Local Government, (1998:77).

In taking into account the decision under public participation, one may conclude that it is important that there should be a healthy relationship between municipalities and the public to operate and function without insurmountable problems. In this relationship, politicians or councillors should take the initiative to visit their communities, teaching and educating them about how municipalities function and operate. The importance of participation in a municipality's activities should also be explicitly explained. Public participation may be

improved in local government if the following are applied: regular consultation and decision-making; respect for one another; attendance of joint meetings; clear demarcation of lines of authority, using identified channels of communication properly; representation of both communities and having a single vision and common goals. Good relationships between communities and municipalities cannot be over-emphasized. They need each other and should work closely together in local government building and development. This may be demonstrated by active public participation in municipalities. Both municipalities should bring harmony, peace and security in area of their jurisdiction. Municipalities should have good relationships with the communities for the survival of municipalities.

3.12.3 Public-public partnership

Public-public partnership or public joint ventures allow horizontal cooperation between municipalities to exploit economies of sufficient scale. They also allow for vertical cooperation to improve coordination at the point of delivery. Public-public partnerships are common internationally in areas, such as joint purchasing consortia, training initiatives, technical support and information service. Within South Africa, municipalities are beginning to explore innovative partnership agreements, such as partnering with the post office for the collection of municipal revenue. This makes it easier for citizens to pay their municipal bills and decreases the strain which revenue collection places on municipal capacity. Substantial benefits can be derived from public-public partnerships. Municipalities are thus encouraged to explore the option with individual organizations and through organized local government (White Paper on Local Government, 1998:97).

3.12.4 Public-private partnership.

According to Harmse, Jordan & Van Rensburg (2004:388), public-private partnerships are essentially partnerships between public sector organizations (municipalities) and private sector investors for the purpose of designing, planning, financing, constructing and/or operating infrastructure projects. Theoretically, a public-private partnership are not only about the private sector financing capital projects in return for an income stream, but also makes use

of private sector skills and management expertise to deliver and operate public projects more efficiently over their respective lifetimes.

In essence, the focus of public-private partnerships must demonstrate value for money; be affordable; be procured, using transparent and competitive processes; show substantial risk transfer to the private; and be implemented within a sound project management framework (Russel & Bvuma, 2001:248). Although it is not universally accepted that a public-private partnership is necessarily the best option in providing public utilities seems to be a combination that allows for greater efficiency, based on the use of their comparative advantages. However, it would still be imperative to create a working relationship between the two entities in such a manner as to optimize the level of efficiency. A regulating environment with the necessary legislation and control measures should thus be established.

3.12.5. Partnership with community-based organization and non-governmental organizations.

According to the White Paper on Local Government, 1998 (1998:98), partnerships with community-based organization (CBOs) and non-governmental organizations (NGOs) can be effective gaining access to external expertise and experience. These partnerships can also stimulate local economic development. Community-based organizations and non-governmental organizations often have particular skills relating to facilitating development initiatives, developing small, medium and micro enterprises, and capacity building. Another advantage of these partnerships is that community-based organizations often have close link with community groups and can act as effective intermediaries in development initiatives.

Municipalities should also consider including non-governmental organizations and community-based organizations in partnerships with other public or private institutions (White Paper on Local Government, 1998:98). For example, some municipalities have found three ways in which partnerships with public-private community-based organizations can be very effective with respect to maintenance projects, such as sewer rodding. In such partnerships, the municipality provides funding and projects' management capacity; the

private sector contractor provides access to equipment and training; and the community-based organizations provide functions, such as the recruitment and management of local labour and community liaison. This approach enables the transfer of skills, creates employment and provides an effective service without draining municipal capacity.

Taking into account the discussion under public-public partnerships, public-private partnerships and partnerships with community-based organisations, one is compelled to conclude that municipalities should assist one another in order to improve and enhance service delivery. It is believed that the private sector is manned by personnel who have expertise in many fields. Therefore, it would be advisable for municipalities to establish healthy relations with private sectors for municipalities to be able to tap into those skills. This will assist the municipalities in the country to improve their service delivery. The centrality of the relationship between municipalities and community-based organizations cannot be overemphasized. Both groups need each other for the municipalities to succeed in its activities and for the people to benefit from such collaboration.

3.13 Conclusion

To conclude this chapter, the study is compelled to state that for local government in South Africa to tackle poor service delivery, confusion and ambiguity with regard to roles, functions, and powers of various institutions of governance and its officials, it should have leaders with vision and charisma, leaders who are good at strategic planning, are respected domestically and internationally. Leaders require skills in development; they need to be active, outdoor leaders, good communicators with good relationships with the private sector. Local government should uphold the principle of being people-centred, people-driven and people-controlled. This means that people should be afforded an opportunity to actively take part in the activities of local government. The development of communities should involve all stakeholders so that it can take place effectively and successfully.

In Chapter Four, a case study is outlined wherein an investigation was conducted in the Vhembe District Municipality and its four local municipalities, namely, Makhado, Musina, Mutale and Thulamela.

CHAPTER FOUR

CASE STUDY

4.1 Introduction

This chapter is centred on the Vhembe Municipality and its four municipalities, namely, Makhado, Musina, Mutale and Thulamela. From time to time, there are reports in the media of poor service delivery rendered by these municipalities to their communities. These reports are confirmed by the continued demonstrations taking place in municipalities in South Africa. To evaluate whether the service delivery is adequately rendered or not to the communities, the investigator has prepared unstructured questionnaires, which were distributed to these municipalities in order to obtain the required information. The term case study is clearly and explicitly defined in order to shed light on what a case study is. Furthermore, the unit of analysis, which is the Vhembe District Municipality as already indicated above, is discussed.

Case study methodology which indicates procedures to be followed when dealing with case study is also outlined. Designing case studies is dealt with to try to show how the present case study has been designed. The chapter uses with a conclusion followed by a bridging sentence that flows into the next chapter.

4.2 Definition of case study

The term case study pertains to the fact that a limited number of units of analysis, such as an individual, group or institution, are studied intensively, and not to some or other technique which is applied. Studies on the notion of case study are directed at understanding the uniqueness and idiosyncracy of a particular case in all its complexity. Usually, the objective of a case study is to investigate the dynamics of some single bounded system, typically of a social nature, for example, a family, group, community, participants in a project, practice or institution. This is especially so when a group or institution is investigated. Field work is often done when the researcher conducts the investigation on the spot under natural circumstances (Stake, 1998:168).

Feagin, Orum and Sjoberg (1991:5) note that case studies are multi-perspective analyses. This means that the researcher considers not just the voice and perspective of the actors, but also those of the relevant groups of actors and the interaction between them. This one aspect is a salient point in the characteristics that case studies possess. They give a voice to the powerless and voiceless. When sociological studies present many studies of the homeless and powerless, they sometimes do so from the viewpoint of the elite.

Stake (1998:169) argues that three aspects deserve special mention as far as the conducting of case studies is concerned. In the first place, the case should be defined or demarcated, in other words, its boundaries should be determined. In some instances (e.g. if a single individual is involved), this decision is obvious. In other examples, the researcher may, during the course of the study, find it necessary to adjust the boundaries which of necessity have initially been determined arbitrarily. Secondly, whichever technique is used for purposes of data collection, the concern is not merely with a description of what is being observed, but with searching, in an inductive fashion, for recurring patterns and consistent regularities.

It is clear that a case study might be an individual, group of people or an institution or institutions which are under intensive investigation in order to probe the dynamics of some single bounded system or, typically, of a social nature. The case study should also be defined or demarcated, in other words, its boundaries should be determined. The techniques to be employed during the process of research should also be outlined. The following section deals with the unit of analysis, that is, with the Vhembe District Municipality.

4.3 The unit of analysis

According to Tellis, (1997:5), the unit of analysis is a critical factor in the case study. It is typically a system of action rather than an individual or a group of individuals. Case studies tend to be selective, focusing on one or two issues that are fundamental to understanding the system being examined. Stake (1998:169) states that the unit of analysis does not necessarily have to be human, but may also involve personal documents. Whereas the extent of mass material permits the application of content analysis, the small number of personal documents

available for case studies may necessitate an analysis similar to that performed on the data obtained by means of participant observation.

As the unit of analysis for the purposes of this research topic, is the Vhembe District Municipality and its four municipalities namely, Makhado, Musina, Mutale, and Thulamela. Therefore an overview of the Vhembe District Municipality and its four municipalities is outlined below.

4.3.1 Vhembe District Municipality

The Vhembe District Municipality was established in terms of the Municipal Structures Act, 1998 (Act 117 of 1998) which provides for the establishment of municipalities, their categories, competencies, functions and the electoral procedures for office bearers. It is one of the six successors of the now defunct Northern District Council, and comprises four local municipalities, namely, Makhado, Musina, Mutale, and Thulamela. The Vhembe District Municipality, with a population of over 1,1 million living on about 21 407 km² of land, lies in the far north of the Limpopo Province and shares borders with Capricorn, Mopane, Bohlabela district municipalities in the southern, eastern and northern directions respectively (Vhembe Voice, 2004:44).

Thohoyandou (meaning Head of Elephant) is the political capital and hub of economic activities for the Vhembe District Municipality. The other major towns are Makhado, Musina, Tshilamba, Dzanani, Sibasa, Vuwani, Malamulele, Saselamane and Elim. The main languages spoken are Tshivenda, Xitsonga, Sepedi, English and Afrikaans (IDP Review Vhembe, 2005/6:5).

4.3.1.1 Governance

According to Vhembe Voice (2004:4), since the democratization of the Republic of South Africa in 1994, the local government system has undergone some profound changes, which culminated in the municipal elections of 2000 and the inception of 232 local and 46 district

municipalities and six metropolitan cities. The Municipal Structures Act, 1998 (Act 117 of 1998), the Municipal Systems Act and other pieces of legislation are guidelines in the way the Vhembe District and other municipalities are to be governed and administered. The role and function of the district municipality is that of coordination and a strategic catalyst for integrated development. The district links the local municipalities with provincial and national governments and parastatals. Grants, such as the Municipal Infrastructure Support Grant, are channelled through the district.

4.3.1.2 Administration

The Municipal Manager who is assisted by a team of five Departmental Managers leads the administrative component. The Vhembe District Municipality core function departments are: Administration, Human Resources, Finance, Community Services and Technical Services. The integrated development planning unit and planning implementation management support centre play a major role in ensuring the implementation of the integrated development programmes. The planning implementation management support centre serves as a support unit for all the local municipalities.

4.3.1.3 Powers and functions of the district municipality

In terms of the Section 84(1) of the Municipal Structures Act 1998 (Act 117 of 1998), the powers and functions of the district municipality are to integrate district development planning; to supply bulk water and electricity; to provide bulk sewerage purification and sewerage disposal; to manage solid waste disposal sites; to manage roads, passenger transport, airport services, health, fire fighting, and disaster which form an integral part of a road transport system for the area of the district municipality as a whole; to manage fresh produce markets, abattoirs; cemeteries and cremation; to promote local tourism; to distribute municipal grants; to collect regional services council levies and provide support to local municipalities.

4.3.1.4 Legislative and Executive Authority

The Vhembe District Municipality Council is the legislative and executive authority of the District Municipality, and has the power to discharge all its political and executive competencies in accordance with the national legislation.

4.3.1.5 The Council

The District Council consist of 43 councillors of whom 17 were directly elected, 26 elected through a proportional representative system from the four local municipalities and seven traditional leaders who serve as ex-officio members. There are twelve, nine, two an one representative councillors for Thulamela, Makhado, Mutale and Musina local municipalities, respectively. The Council elects amongst its ranks, the Executive Mayor and the Speaker (*Vhembe Voice* 2004:4).

4.3.1.6 Role and functions of Council

The council, being the political and legislative authority of the district, formulates decisions and by-laws and monitors their implementation. It provides political leadership in the development and implementation of the integrated development planning and ensures effective public participation in all matters of local governance.

4.3.1.7 The Speaker

The speaker presides over seatings of the Council and ensures that councillors comply with the codes of conduct and rules of council. He/she also takes care of the welfare of councillors as well as facilitating public consultation and participation on matters of the district. He/she executes his/her political responsibility in consultation with the Executive Mayor (IDP Review Vhembe, 2005:6).

4.3.1.8 The Executive Mayor

The council elects the Executive Mayor. He/she serves as the political leader of the District Municipality and applies, in consultation with the Mayoral Committee, Council and the administrative component of the municipality, his/her prerogative on matters of governance. The Executive Mayor appoints eight councillors amongst the ranks of the Council to serve on his Mayoral Committee. These councillors are each assigned certain responsibilities, in line with the competencies of the District Municipality. The Portfolio Councillors preside over the Standing Committee and present recommendations and findings to the Executive Mayor who, in turn, tables his/her report to the Council for adoption/ratification (Vhembe Voice, 2004:4).

4.3.1.9 Council Committee and portfolio councillors

The establishment of the Council's Standing Committee is guided by the Municipality's political mandate and core-functions. The members of the Mayoral Committee preside over portfolio committees each dealing with a cluster of services linked to the municipality's various departments. These committees deal with matters that need prompt attention, as well as formulating policies, making recommendations and preparing submissions for Council. They serve as advisory and policy formulation structures.

4.3.2 Makhado Municipality

Makhado Municipality is situated at the foot of the densely forested Zoutpansberg mountain range near the Zimbabwean, Botswanan and Mozambiquean borders. The municipal area comprises 754 727 square kilometers (km^2). It is located one hundred (100) kilometers from the border of Zimbabwe on the economically important national road (N1). It is also an integral part of the Maputo sub-corridor with the road link to Maputo branching off thirty (30) kilometers south of Makhado. The town was officially renamed Makhado in 2003 from Louis Trichardt in honour of the Vhavenda leader, King Makhado Tshilwavhusiku Ramabulana who ruled the area before the arrival of the Voortrekkers who gained control of the town in 1898. Makhado is a highly fertile agricultural area. The area's scenic beauty provides opportunities

for hiking, trains, mountain climbing, hunting and photographic safaris. The town is one of Limpopo's main business and tourist destinations (*Vhembe Voice*, 2004:7).

4.3.3 Musina Municipality

Musina Municipality is situated at the northern part of Limpopo close to the Beit Bridge Border Post between South Africa and Zimbabwe. The Musina town developed around the copper mining industry in the area. The word Musina means spoiler. It originated from the local people who in the olden days, discovered copper, and named it Musina, because it was considered to be a copper substitute for iron, which was what they were after. Today coal, iron, magnetic, graphite, asbestos, copper and diamonds are mined in the Musina Municipal area (IDP Review Vhembe, 2005:7)

This area's major economic strengths, except mining, are the many game farms and tourist attraction sites including Musina Nature Reserve and Mapungubwe National Park. The recently declared world heritage site of Mapungubwe, meaning hill of jackals, is one the richest archeological sites in South Africa. Musina is known for being the region of Baobab trees and impala, which are both protected species (*Vhembe Voice*, 2004, 7).

4.3.4 Mutale Municipality

Mutale Municipality was named after the Mutale River which is the main river in this municipal area. The municipality, which is mainly rural, is the successor of the former Mutale/Masisi/Vhutswema Local Transitional Council. The Tshikondeni local mine is located in the north eastern side of Mutale. Mutale is home for many Vhembe District legends and tourist attraction centres, such as Sagole Spa, the biggest baobab tree in the world, Tshavhadinda cave and many others. The majority of the area's inhabitants depend largely on subsistence farming (*Vhembe Voice*, 2004:6).

4.3.5 Thulamela Municipality

Thulamela Municipality, formally known as Greater Thohoyandou-Malamulele, is the largest municipality in the Limpopo province, incorporating areas falling under the now defunct transitional local councils namely, Greater Thohoyandou Transitional Local Council, Matale/Masisi/Vhutswema Transitional Local Council, Greater Nzhelele/Tshipise Transitional Local Council, Levubu Shingwedzi Transitional Local Council and Greater Vuwani/Elim/Levubu/Hlanganani Transitional Local Council. Thulamela is a Karanga word meaning the place of giving birth. The ancient Thulamela settlement, which has been declared a national heritage site, is situated north of the Kruger National Park at the Punda Maria gate. The Vhavenda and Shangaans were the original inhabitants of the area. It was here where they developed strong trade links with traders from the Middle East. The present day Thulamela is a home for people of different racial groups, cultures and traditions. It is a place of many legends with beautiful mountains and vegetation that are compelling for tourists to view. The tea and coffee estates, timber plantations, tropical fruit stalls, art galleries, waterfalls, rural and modern settlements, historical sites, mountains and streams, sacred lakes, forests, and other natural attractions, are what makes this place unique today (*Vhembe Voice*, 2004:6).

Administratively, the local municipalities mentioned above are all headed by municipal managers who are also assisted by a team of departmental managers. The core functions of all local municipalities are administration, human resources, finance, community services and technical services. These four municipalities are also composed of rural areas. The service delivery in these areas is considered to be decidedly poor due to the fact that the villagers do not pay for the services that they are receiving. It is, therefore, suggested that dwellers in the rural areas have to be educated to understand that they have to pay for the services that they are receiving in order to enhance the delivery of services in their areas. No effective services can be delivered to the communities without them being paid for.

4.4 Case study methodology

A fragment criticism of case study methodology is that its dependence on a single case renders it incapable of providing a generalizing conclusion. Yin (1994:43) considers case methodology a microscopic method, because it lacks a sufficient number of cases. In contrast, Hamel et al (1993:50) forcefully argues that the relative size of the sample - whether two, ten, one hundred cases are used - does not transform a multiple case into a macroscopic study. The goal of the study should establish the parameters, and then should be applied to all research. In this way, even a single case could be considered acceptable, provided it meets the established objective.

The literature provides some insight into the acceptance of an experimental prototype to perceive the singularity of the object of study. This ensures the transformation from the local to the global for explanation. Hamel et al (1993:53) characterize such singularity as a concentration of the global in the local. Yin (1994:60) states that general applicability results from the set of methodological qualities of the case, and the rigour with which the case is constructed. Yin (1994: 65) details the procedures that would satisfy the required methodological rigour. He maintains that a case should be seen to satisfy the three tenets of the qualitative method: describing, understanding, and explaining.

The body of literature on case study research is relatively primitive and limited in comparison to that an experimental or quasi-experimental research. The requirements and inflexibility of the latter form of research make case studies the only viable alternative in some instances. It is a fact that case studies do not need to have a minimum number of cases, or to randomly select cases. The researcher is called upon to work with the situation that presents itself in each case (Yin, 1994:61).

There are several examples of the use of case study methodology in the literature. Source Yin (1994:23) lists several examples along with the appropriate research design in each case. There are suggestions for a general approach to designing case studies, and also recommendations for exploratory, explanatory and descriptive case studies. Each of those

three can be either single or multiple-case studies, where multiple-case studies are replicatory, not sampled cases. In exploratory case studies, fieldwork and data collection questions and a hypothesis are standard. This type of study has been considered as a prelude to some social research. Explanatory cases are suitable for conducting causal studies. In very complex and multivariate cases, the analysis can make use of pattern matching techniques. Descriptive cases require that the investigator begins with a descriptive theory, or face the possibility that problems will occur during the project.

For the purposes of the Vhembe District Municipality case study and its four municipalities, a letter of application (to the District Municipal Manager) to secure permission to conduct a research had been submitted. The permission was secured and a letter of introduction was issued to the investigator. Then, the investigator distributed his questionnaires to the Vhembe District Municipality itself to and the other four municipalities, namely, Makhado, Musina, Mutale, and Thulamela. The targeted offices were as follows: Mayoral offices, offices of municipal managers, the department of administration, the community and Technical Services. The respondents were given at least two months to complete the questionnaires. In some municipalities, it was difficult for them to understand the importance and significance of the research and the researcher had to explain clearly and explicitly the main purpose of the research until the municipal officials understood and accepted the questionnaires. After the two months, the researcher had to go and collect the questionnaires from the municipalities. After having collected all those questionnaires, it was found that 92% of the respondents had completed the questionnaires and only 8% failed to complete them. The analysis and interpretation was done without that 8% of the questionnaires.

4.5 Designing Case studies

According to Yin (1994:20), five components of research design are identified that are important for case studies, namely, a study's questions, its propositions, if any, its unit(s) of analysis, and the logic linking of the data to the proportions and the criteria for interpreting the findings. The study's questions are not likely to be 'how' and 'why' questions, and their definition is the first task of the investigator. The study's propositions sometimes derive from

the ‘how’ and ‘why’ questions, and are helpful in focusing the study’s goals. Studies without propositions would at least have to have a stated purpose or set criteria on which success of the project can be judged. The unit of analysis defines what the case is. This could be groups, organizations or countries, but remains the primary unit of analysis. Linking the data to propositions and the criteria for interpreting the findings is the least developed aspect in case studies.

Yin (1994:61) asserts that a case study investigator must be able to operate as a senior investigator during the course of data collection. There should be a period of training which begins with the examination of the definition of the problem and the development of the case study design. If there is only a single investigator, this might not be necessary. The training would cover aspects that the investigator needs to know, such as the reason for the study, the type of evidence being sought, and what variations might be expected. This could take the form of discussion rather than formal lectures.

A case study protocol contains more than the survey instrument; it should also contain procedures and general rules that should be followed in using the instrument. This protocol should preferably be created prior to the data collection phase. This is essential in a multiple-case study, and desirable in a single-case study. The protocol is considered as a major component in asserting the reliability of the case study research. A typical protocol should have the following sections, namely, an overview of the case study project (objectives, issues, topics being investigated); field procedures (credentials and access to sites, source of information); case study questions (specific questions that the investigator must keep in mind during data collection); and a guide for case study report (outline, format for the narrative (Yin, 1994:64).

The overview should communicate to the reader the general topic of inquiry and the purpose of the case study. The field procedures mostly involve data collection issues and must be properly designed. The investigator does not control the data collection environment as in other strategies, hence the procedures become all the more important. During interviews, which by nature are opened, the subject’s schedule must dictate the activity. Gaining access

to the subject organizations, having sufficient resources while in the field, clearly scheduling data collection activities, and providing for unanticipated events, must all be planned for. The guide for the case study reports is often neglected, but case studies do not have the uniform outline, as do their research reports. It is essential to plan this report as the case develops to avoid problems at the end (Tellis, 1997:7).

Stake (1995:35, and Yin (1994:65) identified at least six sources of evidence in case studies, namely, documents, archival records, interviews, direct observation, participant-observation and physical artefacts. Documents could be letters, memoranda, agendas, administrative documents, newspaper articles, or any document that is germane to the investigation. In the interest of triangulation of evidence, the documents serve to corroborate the evidence from other sources. Documents are also useful for making inferences about events. Documents may result in false leads, in the hands of inexperienced researchers, which has been a valid criticism of case study research. Documents are communications between parties in the study, the researcher being a vicarious observer. Keeping this in mind will help the investigator avoid being misled by such documents. Archival documents can be service records, organizational records, lists of names, survey data, and other such records. The investigator has to be careful in evaluating the accuracy of the records before using them. Even if the records are quantitative, they might still not be accurate (Tellis, 1997:8).

Interviews are one of the most important sources of case study information. There are several forms of interviews that are possible, such as open-ended, focused and structured or survey. In an open-ended interview, key respondents are asked to comment on attained events. They may propose solutions or provide insight into events. They may also corroborate evidence obtained from other sources. The researcher must avoid becoming dependent on a single informant, and should seek the same data from other sources to verify its authenticity. The focused interview is used in a situation where the respondent is interviewed for a short period of time, usually answering set questions. This technique is often used to confirm data collected from another source. The structured interview is similar to a survey, and is used to gather data in cases, such as neighbourhood studies. The questions are detailed and developed in advance, much as they are in a survey (Tellis, 1997:8).

Direct observation occurs when a field visit is conducted during the case study. It could be as simple as casual data collection activities, or formal protocols to measure and record behaviours. This technique is useful for providing additional information about the topic being studied. The reliability is enhanced when more than one observer is involved in the task. Participant observation makes the researcher into an active participant in the event being studied. This often occurs in studies of neighbourhoods or groups. The technique provides some unusual opportunities for collecting data, but could engender some major problems as well. Physical artefacts can be tools, instruments, or some other physical evidence that may be collected during the study as part of a field visit. The perspective of the researcher can be broadened as a result of the discovery (Tellis, 1997:8).

For the purpose of this case study unstructured interviews or questionnaires has been employed. Hence, a questionnaire has been developed which is divided into A, B, C Schedules. The Schedule A is for Mayor, Schedule B for the Municipal Manager and while Schedule C is for Directors heading administrative, organizations, community and technical services departments.

4.6 Conclusion

It is important to keep in mind that not all sources are relevant for all case studies, but the investigator should be capable of dealing with them all, should it be necessary, but each case will present different opportunities for data collection. The present study was in a position to proceed with the analysis and interpretation of the data collected because, after the researcher has collected all the questionnaires from the municipalities, it was found that 92% of the respondents completed the questionnaires and only 8% had failed to complete them, as already stated. The researcher was compelled to establish questionnaires which were distributed to the municipalities for the respondents to complete, because the respondents were reluctant to be interviewed face-to-face. Time factor was a contributing factor towards respondents' reluctance to be interviewed face-to-face. In Chapter Five the data analysis and interpretation is presented.

CHAPTER FIVE

DATA ANALYSIS AND INTERPRETATION

5.1 Introduction

The aim of this chapter is the presentation, analysis and interpretation of the data collected. Fact-finding and fact-transferral are not research: research begins when the researcher reads meaning from the accumulated facts and interprets their message from the data (Leedy 1985:7). In other words, interpretation consists of inferences made from the data collected. Drawing the conclusions places the interpreted data in the framework of the literature study (De Wet, et al, 1981:38).

Data analysis and interpretation can be either quantitative or qualitative. In quantitative interpretation, the statistics that are obtained speak for themselves and, in qualitative interpretation, the phenomenon is interpreted against its entire background. Objective deductive and inductive evaluation of data, interpretive experience, and a thorough knowledge of the phenomenon are prerequisites for interpretation (Swanepoel and Mulder, 1989:36-37).

According to Mouton and Marais (1993,:103), in the deductive strategy the researcher embarks upon a research project with a clear conceptual framework in mind. This may be a model, a theory or a typology or a set of explicit hypotheses. A framework of this nature leads to a relatively rigid manner of conceptualization, operationalization, and data collection, and it will ultimately constitute the frame of reference for analysis and interpretation. In the inductive strategy, the researcher would embark upon the project without an explicit conceptual framework, and merely use general and vague hypotheses or quesses to guide the research. Research of this nature is far less structured. Once the data have been generated, the researcher attempts to discover relationships or patterns by means of close scrutiny of the data. The data are analysed and interpreted by means of inductive abstraction and generalization. It should be clear that the inductive strategy is particularly appreciated to hypothesis-generating studies or to studies of an exploratory and descriptive nature.

In this research project, the literature study indicated that the more appropriate leadership for developmental local government should be visionary and charismatic. What is also required is strategic leadership, the capability to build capacity to make policy judgements. Leaders need to be respected, accountable and transparent, to be able to develop leadership, build partnerships and coalitions, proactive able to represent a diversity of interests should ideally have relationships with the private sector, be able to demonstrate value for money, and be an outdoor person and good communicator.

Regarding governance, there are ten ways of governing better, namely, catalytic local government: steering rather than rowing; community-owned local government: empowering rather than serving; competitive local government: injecting competition into service delivery; mission-driven local government: transforming rule-driven organizations; results-oriented local government: funding outcomes not inputs; customer-driven local government: meeting the needs of the customer not the bureaucracy; enterprising local government: earning rather than spending; anticipatory local government: prevention rather than cure; decentralized local government: from hierarchy to participation; and market-oriented local government: leveraging change through the market place.

5.2 Reasoning strategies necessary to analyse data in qualitative research

It is important to take note of these reasoning strategies because they contribute to the logical chain of evidence that supports the researcher's conclusions after data analysis.

5.2.1 Analysis

Analysis is a reasoning strategy with the objective of taking a complex whole and resolving it into its parts. By means of analysis, the constant variables of factors that are relevant to the understanding of a phenomenon or an event are isolated. Analysis is used in coding to identify the properties of identified categories in data (Walker and Avant, 1988:24).

This research report argues that developmental municipalities will need to be guided by strong political and administrative leadership, able to make difficult policy judgements, work with a range of players and guide the actions of the administration to promote the social and economic well-being of local communities in the Vhembe District Municipality. The findings in Vhembe District Municipality show that both political and administrative leadership are incapable of implementing legislations to run and govern municipalities effectively and this has resulted in poor service delivery.

5.2.2 Inductive reasoning

In inductive reasoning, as already discussed one embarks on a research project without an explicit conceptual framework and merely uses general and vague hypotheses or guesses to guide the research. Once the data have been generated, the researcher attempts to discover relationships or patterns through close scrutiny of the data. The data are analysed and interpreted by means of inductive abstraction and interpreted by means of inductive abstraction and generalisation. The eventual outcome is that such a strategy will result in a more systematic explanation or even a conceptual framework (Mouton and Marais, 1990:103).

In this regard, the study should be able to establish and show that there is a relationship between political and administrative leadership, on the one hand, and service delivery to the communities in Vhembe District Municipality, on the other. It is important to note that good leadership will be able to come up with positive approaches to service delivery, such as building on existing capacity, corporatisation, public partnerships, partnerships with community-based organizations and non-governmental organizations, contracting out, public-private partnerships and privatisation. In the Vhembe District Municipality, it has been found that interaction with public by both political and administrative officials is minimal hence poor service.

5.2.3 Synthesis

By means of synthesis, the relationships between variables that are relevant to the understanding of a phenomenon or event are reconstructed to provide an insight into the causal or underlying

factors associated with the events or factors being studied. Synthesis is used in data analysis to identify relationships between concepts and categories (Walker and Avant, 1988:24-25).

A study of available and relevant literature and a survey indicated that political and administrative leadership in local government administration in the Vhembe District Municipality significantly influence the speedy or slow service delivery to the communities.

5.2.4 *Bracketing*

Burns and Grove (1987:80) explain that to bracket, the researcher suspends, or lays aside what is known about the experience being studied. This is similar to the idea of achieving an open context. The researcher gets rid of preconceived ideas and reconstructs his or her thinking. This procedure facilitates seeing all the facets of the phenomenon and the formation of new contracts. In this instance, the emphasis is on the fact that the investigator has to set aside his/her personal interests and preconceived ideas when conducting research into the Vhembe District Municipality. This will free him or her to come up with the scientific information concerning his or her research.

5.2.5 *Intuiting*

Intuiting is the process of actually looking at the phenomenon. During intuiting the researcher focuses all awareness and energy on the subject of interest. This is thought to allow an increase in insight. Intuiting requires absolute concentration and complete absorption with the experience being studied (Burns & Grove, 1987:80).

Regarding the study, the investigator observed that both political and administrative officials were not always found in their offices during his visits at the municipalities. Some were reported to have gone to meetings and some were on leave. Unavailability of both political and administrative leadership in their offices during office hours is believed to have an adverse impact on the service delivery to the communities, because the leadership which is expected to provide the lead on how the services should be provided is not there to do its job.

5.3 Data collected from Mayors, municipal managers and directors / managers

Data was collected by means of interviews through questionnaires in the Vhembe District Municipality and its four municipalities, namely, Makhado, Musina, Mutale and Thulamela. All mayors of both the District Municipality and its local municipalities were targeted for the case study, while managers/directors in administration, community and Technical Services at both District Municipality and local municipality level were also chosen as part of the sample. Their responses of the interviews conducted with regard to Leadership and governance perspectives in local government administration in the Limpopo Province of South Africa.

5.3.1 Mayors

As experience is the best teacher in all spheres of life, the first question posed to mayors was based on their experience in political domain. It is believed that an experienced politician in a particular political party will be fully conversant with the policies of that particular political organization and as such he will be able to deliver the goods and services if his party happens to be in power. The empirical investigation found that mayors' experience in politics both in the District Municipality and its four local municipalities ranges between ten and twenty-five years.

Political involvement in a political party by its members is very important, because it allows members of a particular political organization to know what is expected of them in order to steer their political party in the right direction. The question was posed to mayors which was based on their political involvement in their political organization(s). The study revealed that mayors are actively involved in community services, serving as councillors for the African National Congress and serving on community structures, such as civic organizations.

The mayor is elected by the members of the council from among themselves. Mayors have so far been elected mostly on an annual basis. It is possible for them to be re-elected for additional terms of office. There are always mayoral elections immediately after local government elections. The practice is generally that annual elections for the position of mayor and that of deputy mayor are both held after local government elections (International Republican Institute,

1995:51). The study confirmed that all mayors from the Vhembe District Municipality and its four local municipalities were elected and deployed into their positions.

As a basic principle, the government has adopted the view that all public servants, from the most senior to the most junior, require ongoing training as an integral part of their professional life. The training of workers must be linked to the new emphasis on customer care and service delivery, the development of career paths and the reorganization of grading systems within the public service. To this end, particular attention should be paid to competency-based training as a means of improving the relevance of training to specific work situation (White Paper on the Transformation of the Public Service, 1995:65). Hence, on the issue of orientation of policies and procedures of municipal governance, the empirical investigation revealed that all mayors were orientated extensively through various formal programmes.

The vision and mission of municipalities in South Africa should be formulated in accordance with the objects of the municipalities as stipulated in the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), Section 152 (1) (a-e). The study revealed that the vision and mission of municipalities were formulated as follows: accelerating service delivery to communities; becoming the vehicle of affordable quality service and stability through economic growth, development and collective leadership; becoming a developmental municipality that ensures sustainable, economic growth and equitable service delivery. The provision of basic services and eradication of poverty and promotion of social, political and economical empowerment are also important goals.

According to the White Paper on the Transformation of the Public Service, 1995 (1995:26), performance indicators or measures should be designed and used to obtain an accurate assessment of the progress that is being made towards the achievement of these objectives and targets of municipalities, and to highlight those areas where improvement or corrective action is required. The empirical investigation revealed that the rating of municipalities in terms of their performance ranged between 50% and 65%.

A municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose encourage and create conditions for the local community to participate in the affairs of the municipality (Municipal Systems Act, 2000:30). On the issue of participation of all stakeholders in the activities of municipalities, this will speed up service delivery, because service delivery is regarded as an important issue. The study further revealed that participation of all stakeholders in activities of municipalities will give the community an opportunity to play a role in the decision-making process for the municipality.

According to the White Paper on Local Government, 1998 (1998:15) challenges facing South African municipalities include the following: skewed settlement patterns, which are functionally inefficient and costly, extreme concentration of taxable economic resources in formally white areas demanding redistribution between and within local areas; huge backlogs in service infrastructure in historically underdeveloped areas, requiring municipal expenditure far in excess of the revenue currently able within the local government system; creating viable municipal institutions for dense rural settlements close to the borders of former homeland areas, which have large populations with minimal access to services, and little or no economic base, great spatial separations and disparities among towns, townships and urban sprawl, which increase service provision and transport costs enormously. In this regard, the empirical research revealed that Batho Pele principles are not adhered to, the legacy of selfness on delivery or serving the community is weak, and financial constraints and illiteracy. In addition, water and electricity are the problem areas of the municipality.

Councillors are elected to represent local communities on municipal councils, to ensure that municipalities have structured mechanisms of accountability to local communities, and to meet the priority needs of communities by providing services equitably, effectively and sustainably within the means of the municipality. In fulfilling this role, councillors must be accountable to local communities and report back at least on a quarterly basis to constituencies on council matters (Municipal Systems Act, 2000:106). Thus, the empirical study revealed that the interaction of municipalities with the communities should be done through campaigns, personal visits, ward councillors and ward committees. The study further revealed that interaction of

municipalities with the communities may also be through traditional leaders, integrated development planning forums and budget consultative meetings.

Everyone has the right of access to any information held by the state; and any information that is held by another person and that is required for the exercise or protection of any rights (South African Constitution, 1996:14). In the context of these rights, the empirical research revealed that information may be received by communities from a municipality through structures, ward committees, municipal quarterly newsletters, councillors, Executive council road shows, national meetings and media such as radio.

While public service should in the future be of central importance to the delivery of the service; it will not be the only player. The responsibility must be shared with the private sector, community organizations, trade unions and other key stakeholders and the public at large. Service delivery will therefore be founded on the creation of municipality-community partnerships for effective use of public funds and community resources. Communities should be afforded the opportunity to participate in the decision-making process on issues affecting their welfare and, where feasible, they should be encouraged to contribute to the delivery of services through community-based initiatives (White Paper on the Transformation of the Public Service, 1995: 57). On this note, the empirical study revealed that the effectiveness of community participation in municipality may be done through ward councillors, ward committees, feedback meetings, quarterly report meetings in various villages, business people who are influential in the communities and ensuring that structures, such as mayoral traditional leaders' forums are in place and effective.

Municipalities need not relate to each other through formal associations only. Inter-municipal cooperation may take varied forums, including: exchange of learning experiences; sharing of staff; technology and equipment; joint investment projects; and collective purchasing (White Paper on Local Government, 1998:55). On the issue of enhancement and promotion of cooperation amongst municipalities, the empirical study suggested that it may be done through the employment of principles of intergovernmental relations, mayor's and municipal manager's forums, interdepartmental forums wherein specific and general issues are discussed.

According to the Municipal Systems Act, 2000 (2000:70), a tariff policy must reflect at least the following principles, namely, that users of municipal services should be rated equitably in the application of tariffs; that is, the amount individual users pay for services should generally be in proportion to their use of that service, and tariffs must reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration and replacement cost and interest charges. In relation to the issue of political measures to make residents in rural areas to pay for the services they are receiving, the empirical study revealed that mayors believe that it is important to educate and conscientize traditional leaders and communities through mutual participation and communication.

5.3.2 Municipal Managers

Craythorne (1992:313-316) describes the roles of municipal managers as chief executive officers, accounting officers, leaders, facilitators, planners, communicators and diplomats in their municipalities. Regarding the role of municipal managers in their municipalities, the empirical study confirmed that municipal managers are heads of administration and accounting officers of the municipalities with responsibilities outlined in Section 55 of Municipal Systems Act, 2000, (Act 32 of 2000).

It is important for municipal managers to coordinate the activities of municipalities in order to enhance and promote service delivery to the communities. In this regard, the empirical investigation revealed that the coordination of municipalities may be done through proper planning, continued communication with communities and reporting, the implementation and coordination of a performance management system and integrated development planning, plus regular feedback from municipal managers and by delegating duties to other relevant departments.

Demonstrations by community members in various municipalities in South Africa in the years 2006 and 2007 were rife. It is believed that these demonstrations were sparked by poor services rendered by municipalities in South Africa. The empirical study concerning the root cause of the demonstrations in municipalities in South Africa suggested that demonstrations could be

linked with the open environment the new dispensation has created as well as communities demanding consultation. Demonstrations are undertaken when consultation is lacking and service delivery breaks down. Municipalities might be having service delivery challenges, but the failure to communicate such challenges creates discontent and uncertainties. It is further confirmed that demonstrations are caused by poor prioritisation of community needs. Poor communication strategies on services delivered are among the root causes. Political influence from opposition parties was also considered to be an important contributory factor.

Awarding of tenders is a common practice in South Africa for governmental projects to be completed on time. For this practice to be effective and successful, it needs municipal managers who will be able to control the granting of tenders in their municipalities to avoid incomplete projects which impact negatively on service delivery. The empirical study revealed that tenders are awarded based on the municipality's procurement policies which involve the screening of tenders before award. During the implementation of projects, contract management is implemented to avoid incomplete projects. The study suggests that a point system be employed to evaluate tenders, and the adjudication and evaluation committees are also employed in the selection of tenders.

Appropriate training can assist public servants in developing a better understanding of the needs of the communities which they are serving, as well as the capacity to respond to these needs. Accordingly, training should be used to rapidly develop a new civic consciousness amongst public servants, and to develop new knowledge and skills which can be applied in creating a community-centred municipality. The empirical study revealed that all municipal managers from the District Municipality and its four local municipalities were capacitated in order to cope with their duties and responsibilities.

A projected budget is the financial expression of a plan of action that covers the outcomes and expenditures of the local authority for the coming financial year. A local authority's budget is divided into two main parts, the operating budget and the capital budget. This is because local authorities have to deal with ongoing running or operating expenses as well as capital expenses (International Republican Institute, 1995:138). Regarding the importance of a proper municipal

budget, the empirical study revealed that the budget is a planning tool in municipalities. It is used to supplement the integrated development plan as a strategic plan of the municipalities. The budget involves financial resource planning and is an allocation tool. The study further suggests that the budget helps to coordinate the activities of integrated development plan and local economic development.

Local authorities need money to perform many functions. Their sources of income are varied, yet limited. Because local authorities generally do not have enough money to provide for all needs of the residents of their areas, it is crucial that they actually receive all the money which is due and also that the available money is used wisely and managed correctly. It is also important that the revenues from national government and revenues from communities should be supplemented in one way or another (International Republican Institute, 1995:47). The empirical study revealed that the municipalities from time to time introduce innovations such as tax incentives, to encourage the generation of own revenue. Over and above such innovations, stringent financial measures must be in place to ensure interests are generated on grants to raise capital. The study further suggests that revenue may be supplemented through donations, such as lottery, grants and loans.

Municipalities must treat citizens equitably with regard to the provision of services. In turn, national and provincial government must treat municipalities equitably with regard to IGTs. Local government cannot be solely responsible for redistribution, and national government has a crucial role to play in this regard, particularly with respect to subsidising the provision of basic services. The equitable share of national revenue to which local government is entitled should be directed primarily at this purpose. In addition to targeted subsidies to poor house-holds, funded from the equitable share, municipalities can cross-subsidise between services. The extent of this cross-subsidy is a local choice that needs to be exercised carefully within the framework of the municipal integrated development plan (White Paper on the Transformation of the Public Service, 1995:64). Municipalities should also see to it that funds are distributed equitably amongst the wards within jurisdiction. In this regard, the empirical study suggested that population, poverty, unemployment and settlement data and services backlog are used in

resource allocation and budgeting. The study suggests that the needs of these specific wards are reflected in adherence to an integrated development plan to counteract corruption.

In the context of the above discussion, corruption in general could, therefore, mean the promotion of private gains or selfish interests at the expense of public interest. Corruption is against the overall objectives of the government, especially when it is by whoever is in charge and responsible within the area of work (Mafunisa, 2000:11). The following incident serves to corroborate the occurrence of corruption in South Africa. In Kwazulu-Natal, hardly six months into democracy, female police officers in Ulundi claimed that, for them to be promoted, they had to play sex games with superordinate police officers (*City Press*, 14 August 1994). In trying to prevent corruption in municipalities, the empirical study suggests that anti-fraud and anti-corruption strategies should be implemented. The strategy involves frequent risk assessment and evaluation and the periodic vetting of staff. A local call centre should be open to members of the public for whistle blowing, that is, to report cases of corruption anonymously.

The municipal managers are the chief executive officers of the municipalities. This means that they are the persons who are responsible for ensuring that the administration of the local authorities as a whole function effectively. They are also expected to see to it that by-laws and other legislation are implemented effectively and efficiently (International Republican Institute, 1995:55). Regarding this, the empirical study revealed that quarterly reviews of by-laws and evaluation and auditing of compliance are undertaken. Internal audit information is performed every three months to check on compliance with by-laws and other legislation; feedback reports about departmental implementations are provided to the Municipal Managers.

A municipality must develop its human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way, and for this purpose must comply with the Skills Development Act, 1998 (Act 81 of 1998), and Skills Development Levies Act, 1999 (Act 28 of 1999) (Municipal Systems Act, 2000:66). Regarding the provision of capacity-building to the staff members in municipalities, the empirical study confirmed that it is done annually in line with the Skills Development Act, 1998.

(Act 81 of 1998), the municipalities develop a skills development plan following from performance assessment and evaluation and under performing staff gaps are addressed. Staff development is also undertaken on a monthly basis.

A municipality, through appropriate mechanisms, processes and procedures established in terms of Chapter Four, must involve the local community in the development, implementation and review of the municipality's performance management system and, in particular, allow the community to participate in the setting up of appropriate key performance indicators and performance targets for the municipality (Municipal Systems Act, 2000:48). The empirical study revealed that communities may be involved in activities of municipalities through ward committees, councillors and public participation forums.

It is important that municipalities should be in a position to know whether the communities they are serving are happy or unhappy with the services they are receiving from the municipalities. It is the responsibility of municipalities to ascertain. The empirical study finds that consultative processes are undertaken to ensure that municipalities and communities plan development together; feedback meetings and outreach meetings are held to allow communities to raise their concerns. The study further revealed that suggestion boxes and ward committee meetings are in use.

The discontentment of community members about service delivery may lead to demonstrations that will disrupt the smooth running of municipalities. Therefore, it is important for municipalities through their municipal managers to assess the discontentment of community members about service delivery frequently. The empirical study confirmed that the assessment is conducted with varying frequency: twice per quarter, quarterly, on a daily basis through complaints received, twice per financial year and on a regular ad hoc basis.

Officials of local authorities are responsible for serving the public. Many are full-time employees of local authorities and their jobs are not political in nature. They are employed on the basis of their skills rather than for their political party affiliation. This has to be within the policy guidelines provided by the council and senior management (International Republican

Institute, 1995:53). With reference to this topic, the empirical study revealed that staff members should be provided with a job description, run orientation on job, assess monthly reports, evaluate quarterly performance in line with municipal performance management. The role of every staff member in the municipalities should be outlined clearly and explicitly in the job evaluation.

As stated repeatedly, the Constitution of South Africa, 1996 (Act 108 of 1996) defines the roles and responsibilities of national and provincial government with respect to local government. It obliges all spheres of government to cooperate with one another in mutual trust and good faith through fostering friendly relations, assisting and supporting one another; informing one another of, and consulting one another on, matters of common interest; and coordinating their actions and legislation with one another. The specific roles of national and provincial governments with respect to local government need to be viewed within this context (White Paper on Local Government, 1995:38). The empirical study regarding the importance of cooperative government between the three spheres of government regarding municipalities in South Africa revealed that it integrates development in municipalities and further allows national and provincial governments to assist municipalities with financial revenue. Monitoring of these resources allows the municipalities to enhance capacity and service delivery as part of accounting to the national and provincial fiscal authority.

According to White Paper on Local Government 1995 (1995: 77), during consultations with traditional leaders and their communities, local government and other stakeholders, a number of suggestions have been made about a suitable model for rural local government in those areas falling under traditional leadership. Proposals range from traditional authorities becoming the primary local government in their areas, to a clear and exclusive division of powers and functions between elected local government and traditional authorities. The model being proposed must, however, be in line with the Constitution. The empirical study regarding the importance of relations between municipalities and traditional leaders revealed that it is important for good relations between municipalities and traditional leaders, because traditional leaders are custodians of communal land in rural areas and municipalities have to recognize them as development partners. The study further revealed that the relations between the two is

important to avoid uncoordinated planning and conflict of interest. Unhealthy relations between the two may negatively impact on the service delivery.

A tariff policy must reflect at least the following principles, namely, that users of municipal services should be treated equitably in the application of tariffs; the amount individual users pay for services should generally be in proportion to their use of that service; and tariffs must reflect the costs reasonably associated with rendering the service, including capital operating, maintenance, administration and replacement costs, and interest charges (Municipal Systems Act, 2000:70). The empirical study about the payment of services by residents in rural areas revealed that the municipalities are embarking on community education on services payment and further assisting different interest groups. Prepaid billing systems are also being introduced in some trading services to cater for service payment and implementation of free basic services to the poor.

5.3.3 Managers / Directors: Administration

The objectives of the departments of administration according to the empirical study revealed them as follows: to provide supportive services administrating to the political and administrative components of the municipalities; to provide quality community services, accurate and safe custody of all official documents, files and records; to give legal advice to all departments; to provide human resources related services to council and all its employers; to develop and manage human resource related policies; to administer municipal affairs effectively and efficiently through management and administration of legal, land properties, valuation and administration services; and to coordinate planning for municipalities and sector departments regarding service delivery.

The departments of administration in municipalities have vision and mission statements, which the empirical study found are as follows: to improve the quality of life through balanced development and service excellence; to become an administration that is transparent, responsive and a strategic component central to the municipalities as a public agent; to be a quality support directorate to all internal and external customers; to enable labour relations and provide career

planning and guidance to all employees; to ensure the implementation of all pieces of legislation and provide information to council and management; and to administer municipal affairs in an effective, efficient and developmental and legal way; to concise human resources, land, properties and valuation and administration services; to be the leading municipalities in providing for and serving the human capital needs of the municipalities' workforce so as to attract and retain diverse and skilled employees who deliver value to the communities.

It is important that the departments of administration should see to it that integrated development plan is effectively implemented in their municipalities. It means that the departments should devise ways and means to ensure that it functions effectively in their municipalities. The empirical study revealed that this may be done by ensuring that every departmental operation is informed by an integrated development plan. It may also be linked to the annual budget, the service delivery budget implementation plans and, ultimately, to the performance management system of all directors and senior managers.

The administration of local authorities is carried out by officials. This means that officials are the people who implement the policies and decisions of the councils (International Republican Institute, 1995:52). This effective implementation of decisions of the councils in line with the findings of the empirical study should be done by disseminating resolutions and discussions to relevant departments after each council meeting and monitor their implementation and provide progress report to councils.

Local public administration is governed by the democratic values and principles embodied in Section 195 (1) of the Constitution of South Africa. In administering its affairs, a municipality must strive to achieve the objects of local government set out in Section 152 (1) of the Constitution, and comply with the duties set out in Sections 4(2) and 6 (Municipal Systems Act, 2000:57). The empirical study revealed that the Batho Pele principles and values as informed by Section 195 Subsection 1 of the Constitution of Republic of South Africa may enhance and improve service delivery in municipalities if properly implemented and considered.

5.3.4 Managers / Directors: Technical Services

The vision and mission statements of the departments of Technical Services in municipalities are portrayed by the empirical study as providing sustainable service delivery. They supply effective, safe, reliable and firm energy by means of electricity to all consumers in the licensed distribution areas of municipalities in terms of government policy; maintain and supply constant and reliable as well as cost effective water, sewerage and roads. They also attempt to enhance the local economy as a unit; and to provide effective and affordable services to all consumers.

The departments of technical services in municipalities should see to it that the integrated development plan is promoted and coordinated for service delivery to the communities to be sped up. According to the empirical study, the integrated development plan may be promoted and coordinated through an integrated development plan, representative forums, continual consultation, and by communicating with planning departments, finance departments and the municipal manager's office.

There are certain methods to be employed to ensure the fair and just allocation and distribution of resources amongst the wards in municipalities. In this regard, the empirical study revealed that needs-based services and population size should be taken into account when resources are distributed and allocated amongst the wards in municipalities for the departments of technical services in municipalities to maintain roads and streets effectively. They should have plans in place regarding maintenance of roads and streets in their municipalities. The empirical study further revealed that roads and streets maintenance plan is in place and every five years roads and streets are upgraded. Every year roads and streets are resealed. Roads and streets are maintained according to the programme and on request by community members. Busy roads and streets are maintained four times per year or when the need arises.

For the departments of technical services in municipalities to avoid no problems concerning roads and streets, they should have a long term plan regarding roads and streets in their municipalities. The empirical study suggests that road management system to be centralized in the district municipalities. Old roads and streets should be rebuilt over ten to twenty years.

New routes should be developed and well planned or designed streets built. Road maintenance and construction plans are being implemented by planning and constructing roads with gravel surfaces and tar surfaces depending on the economic viability of the area served by the road infrastructure.

5.3.5 Managers / Directors: Community Services

The vision and mission statement of the departments of community services in municipalities are portrayed by the empirical study as providing quality community services through sustainable development and service excellence to the population. Departments aim to render quality services in terms of Rescue Disaster, Risk Management, Municipal Health Services and community development; to promote basic human rights in a safe and healthy environment committed to the promotion of community participation; to provide accessible and affordable services through a comprehensive and integrated system; to eradicate poverty and promote the social and political empowerment of all people through delivery of quality services, community participation, local economic development and smart administration.

Poor residents in municipalities need to be taken care of by the departments of community services for them to improve the quality of their lives. The empirical study suggested that poor people receive social grants in their municipalities through the Department of Social and Welfare Development. This is done by entering into partnership with the Department of Health and Social Development. People should be assisted to obtain social grants for their daily survival.

The role of the directors regarding disasters in municipalities as testified by the empirical study is done by promoting an integrated and coordinated approach to disaster management in the municipal areas. They should also act as an advisory body on issues concerning disasters. They are responsible for the provision of accommodation in times of natural disasters and must be responsive towards disaster. Their brief is to manage all disasters which threaten communities by assisting them with temporary shelters, food parcels, blankets, clothes and clean water.

For the directors of the departments of community services to succeed in their duties and responsibilities, they should have the ways and means to interact with the community-based structures. The empirical study suggested that the directors should interact with the community-based structures through councillors, ward committees, different development forums, chiefs, different departments and other stakeholders.

Directors of the departments of community services sometimes encounter challenges when trying to interact with the communities in their municipalities. The empirical study revealed the challenges to be as follows: the vastness of the municipal areas, ward committees coordination, and information distribution to communities. Cooperation from other stakeholders is not effective owing to lack of understanding as to the role of the municipalities.

5.4 Analysis of the questionnaires from the mayors, municipal managers and directors.

The analysis is about data or information collected from mayors, municipal managers, and three directors or managers for departments of administration, technical and community services. These respondents were all chosen from the Vhembe District Municipality and its four local municipalities, namely, Makhado, Musina, Mutale and Thulamela. Out of 100% of the questionnaires, only 8% were not brought back. It means that 92% of the questionnaires were completed and brought back to the researcher.

5.4.1 Analysis of the questionnaires from the mayors

Mayors are appointed according to their political experience, because the majority of them have experience which ranges from between ten and twenty years. Fifty percent of the respondents is directly involved with the community, yet 50% is directly involved with political organizations. This leads to the conclusion that the mayors appointed are the people who know what is expected of them concerning service delivery to the communities because of their political experience and their involvement with the communities and political organizations.

It was also found that all of the mayors had been politically deployed by their political organization. The requirements of this post (mayoral position) are not considered. As long as you are an active member of the political party (ruling party), you are deployed or appointed to the position. It is surprising to note that even though mayors are attending workshops, they are still not very capable because they seem not to be fully conversant with the policies and procedures of municipalities such as financial management which results in poor service delivery.

When it comes to the vision and the mission of municipalities, it was realized that all municipalities have good vision and mission statements on paper, but practically all the mayors in the sample seem to be unable to implement this vision and mission effectively and efficiently. Hence, this is inevitably poor service delivery. The poor service delivery is confirmed by some municipalities which are receiving the assistance of the extended programmes initiated by the National Government, such as the consolidate project.

Stakeholders are actively involved in the planning of municipal programmes and submission of the projects to be attended to or which have been identified in the communities, but the implementation of the plan is poor owing to lack of commitment and capacity. It has also been found that all mayors seem to be encountering the same challenges of financial constraints which result in the poor management and running of the municipalities. This might be a cause of the poor service delivery to the communities.

According to government policy, mayors are required to interact with the communities personally and through councillors, ward committees, civic structures and traditional leaders, but the actual situation is that the councillors and ward committee members rarely meet the people. This is exacerbated by the poor attendance at their meetings. Hence, there is a poor flow of information from the municipalities to the people, which aggravates poor community participation in the activities of the municipalities, and so too poor service delivery.

It has been found that forums are held regularly in all municipalities, but the implementation of the discussions and resolutions taken is poor. Therefore, service delivery is poor too. Measures

have been formulated to make sure that residents in rural areas are paying for the services they are receiving but no implementation of measures, hence poor service delivery particularly in the rural areas.

5.4.2 Analysis for municipal managers

According to government policy, municipal managers are appointed to manage, administer and account for the municipalities' activities, but generally there is poor expertise and skills to run municipalities effectively and efficiently which results in poor service delivery. Even though all managers know how to coordinate their municipalities in order to avoid poor service delivery, monitoring and implementation is poor.

All municipal managers seem to agree that the root causes of demonstrations in South Africa are poor consultation, poor service and poor prioritisation of community needs. However, there is nothing tangible which is done to improve the situation, because demonstrations are still prevalent in municipalities. These are sparked by poor service delivery. However, the policies to guide the awarding of tenders and projects are in place, but the problem is that implementation and monitoring again is poor.

All municipal managers have been capacitated but the level of execution of their duties is below par and this impact negatively on the service delivery. When it comes to budgeting all municipal managers seem to have knowledge about the importance of the budget in their municipalities, but they seem to lack the financial skills and ethical sense to avoid misappropriation of public funds. Municipal managers also know what to do in order to supplement municipal income from national government funds and revenue from communities, but they seem to lack the implementation and monitoring instruments. It is also found that the policies to guide municipal managers to distribute funds equally amongst wards are in place, but the wards are not contributing equally towards the municipalities and therefore the service delivery is in accordance to the contribution made by each ward.

The policies and strategies to prevent corruption in municipalities are in place, but the implementation and monitoring are poor, because corruption is still riddling municipalities in South Africa. Furthermore, municipal managers seem not to be doing anything to ensure the implementation of the municipalities by-laws and other legislation, so the exercise seems not to be either effective or efficient. The same applies to the skills development plans which are in place in all municipalities, but these plans are not adequately implemented.

The policy requires municipal managers to have public forums at which community members can participate and advance their views with regard to service delivery, but such forums are not held on a large enough scale. During these forums, municipal managers would have time to assess the degree of satisfaction and dissatisfaction of community members about service delivery but the scheduling of forums is not communicated to the communities so the people cannot attend.

All municipal managers understand the importance of corporate governance among the three spheres of government, but they lack the coordination skills which, if they had, would impact positively on the service delivery. They also fully agree that there should be a healthy relationship between municipalities and traditional leaders, but there is conflict, because traditional leaders are considered to be observers rather than participants in council meetings. This may result in poor service delivery, because, traditional leaders were the people who brought development in their villages.

Municipal managers all agree that rural communities have to pay for the services rendered, but there is a lack of education, campaigns and outreach programmes to urge or encourage communities to pay. Rural communities will remain as they are when it comes to development because they are not contributing anything towards the small amount of development they are receiving.

5.4.3 Analysis for directors/managers

(i) Directors for administration

All directors for administration know the objectives of their departments, but there is insufficient monitoring and a lack of implementation of these objectives. In addition, these departments for administration have good vision and mission statements, but there is a lack of quality service delivery emanating from these statements. The rules and regulations to regulate the effective functioning of the integrated development plan are in place, but there is lack of expertise on the part of directors to implement these rules and regulations successfully. However, all directors for administration have implementation strategies and knowledge of the basic values and principles of governing local public administration, but the commitment and capacity to implement them is lacking. Hence there is poor service delivery to the communities.

(ii) Directors for technical services

Directors for technical services have well formulated mission and vision statements for sustainable development, but there is a lack of expertise and experience in working with the communities for the communities to receive the expected service delivery. To supplement the vision and mission statements of the departments, directors do have the measures to promote and coordinate the integrated development plan programmes in place, but there are financial challenges to implement these programmes. When it comes to allocation and distribution of resources, directors for technical services know the methods to be employed for the resources to be allocated and distributed fairly and equitably, but some councillors and ward committee members are not supplying the necessary information for such fair distribution to take place. In addition, to that the maintenance plans are in place, but there is a shortage of resources to maintain roads and streets, and that is why some roads and streets are attended to once or twice per year. This is an indication that the service delivery is poorly or unevenly delivered.

(iii) Directors for community services

In spite of the vision and mission statement in place, there is still a lack of basic quality service delivery which is aggravated by the incapacity of directors to adhere to these mission and vision guidelines. Even though directors have the knowledge of what to do to make sure that poor people receive social grants in their municipalities, some councillors and ward committee members are not providing the necessary information to the Department of Community Services. In addition, directors have disaster committees in place, but the challenge is the line of communication which is too long and the coordination which has to be provided by the councillors. This delays and interferes with the delivery of services. The interaction is ineffective owing to the lack of forums, mass-meetings, cluster and sector meetings. Some councillors do not interact with their villages. This is confirmed by the directors themselves when they emphasize the fact that there is a lack of service delivery accruing from the lack of a proper link between the communities and the municipalities.

5.5

Conclusion

The analysis was conducted and it was found that mayors in the Vhembe District Municipality and its local municipalities are aware of what is expected of them in terms of delivering services to the communities; and the policies and procedures to guide them in carrying out their obligations is also in place, but the challenge is the implementation and monitoring aspect of it. After having analysed the information supplied by the municipal manager, it is clear that they know what to do in order to facilitate delivery of services to the communities. They also displayed knowledge of the policies and procedures that guide them to see to it that services are rendered to the communities. However, observing these rules and regulations to the letter is a challenge. Ultimately, the crux of the problem is the failure to implement the policies and procedures at their disposal. The directors of municipalities also displayed the same tendency of knowing the policies and procedures to guide them in speeding up service delivery to the communities, but they tend to fail to

implement these rules and regulations according to the expectation of the municipalities and the community at large.

In Chapter Six conclusions and recommendations are outlined. The recommendations attempt to suggest tentative solutions to the problem under investigation in this thesis.

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This study has analysed the following questions: What should be done in order to promote and enhance service delivery by local government administration? How can the interference of both political and administrative officials in local government administration be minimized? And, what is the importance of cooperative governance in local government administration? Against this background, the research examined the present state of service delivery by the South African municipalities by studying four municipalities under the Vhembe District Municipality, namely, Makhado, Musina, Mutale and Thulamela. Service delivery by South African municipalities is influenced by many factors, such as the knowledge and skills of both political and administrative officials in running municipalities and the degree to which community participation in municipal activities is being exercised. However, the inequalities of service delivery between the previous white and black municipalities have been reduced drastically.

6.2 Conclusions

In **Chapter One**, the discussion is centred on the background on the historical process of local government in South Africa. This chapter began by looking at the parliamentary committee system which allows room for public participation and is therefore one of the hallmarks of South Africa's relatively young democracy. These committees are increasingly playing a key role in ensuring that local government administration is by and for the people.

The obligation for local government is encapsulated in the South African Constitution, 1996 (Act 108 of 1996) which provides a framework for local government activities. The Constitution is an overriding component of legislation which necessarily informs the local government legislation. While it is widely acknowledged that the Local Government

Transition Act, 1996 (Act 97 of 1996) rationalisation of local government, it is also widely agreed that it did not bring about fundamental transformation. This posed challenges to local government proponents and practitioners. A series of Acts emerged from this framework. These Acts direct municipalities in the new dispensation and form the final phase of transition for local government. Legislation flowing from the White Paper on Local Government (March 1998) are the following: the Municipal Demarcation's Act, the Municipal Structures Act, the Municipal Systems Act; the Financial Management Act and the Municipal Property Rates Act.

The newly demarcated municipal boundaries are intended to make a substantial difference in ensuring that municipalities become financially viable and creditworthy and have the necessary capacity to provide services in an equitable and sustainable manner, in the redrawing of rural areas into viable local authorities and in promoting developmental local government. The debates between traditional leaders and government have provided critical input to the Municipal Structures Act, 1998 (Act 117 of 1998). Both the Minister and the President of the country are committed to ensuring that the roles, powers and functions of traditional leaders in local government are clarified. The Municipal System Act, 2000 (Act 32 of 2000) extends the definition of a municipality to include residents and communities with the municipal area, working in partnership with the municipality's political and administrative structures. The Municipal Finance Management Act provides a foundation for orderly and sound financial management principles and practices in the local sphere of government. It is critical for councillors to understand these principles and practices and keep them in mind when carrying out their role to ensure the attainment of a developmental vision for local government. The Municipal Property Rates Act, 2004 (Act 6 of 2004) itself raises many challenges to local government practitioners, councillors and consumers. The administration aspects of the system, the equalisation of the areas that are intended to be levied, levying of areas falling under the jurisdiction of traditional authorities, farms and so on, all pose major challenges and the commitment of all stakeholders will be needed to make the implementation of the provisions set out in this Act a reality.

In Chapter Two, the statement of the problem has been formulated as follows: this research intends to survey service delivery in certain selected municipalities in the Limpopo Province. Since most of the municipalities in the Limpopo Province are manned by educators from schools, there is confusion and ambiguity in South Africa. This results in the failure of leadership and governance in local government administration to speed up service delivery to the communities. The following questions were derived from the problem, namely:

- What should be done in order to promote and enhance service delivery by local government administration?
- How can the interference of both politicians and officials in local government administration be minimized?
- What is the importance of cooperative governance in local government administration?

In trying to find answers to the above research questions and to come to a valid conclusions the research was structured as follows: Chapter One is centred on the background on the historical process of local government in South Africa which unfolds the transformation process of local government in South Africa. Chapter Two focuses on the research methodology which outlines how the research has been conducted. Chapter Three outlines theoretical perspectives on leadership and government in local government administration which are appropriate for speedy service delivery by municipalities in South Africa. Chapter Four outlines the case study in the Vhembe District Municipality where the empirical research was conducted. Chapter Five focuses on analysis and interpretation of the findings from the Vhembe District Municipality and its four local municipalities, namely, Makhado, Musina, Mutale and Thulamela. Chapter Six outlines conclusions and recommendations based on the findings from the Vhembe District Municipality.

It is necessary to note that leaders are ultimately accountable for the performance and conduct of those who serve under them. As leadership and governance perspectives underpin the delivery of an ethical public service for the health of the economy and for government to increase and improve service, the implications for leadership are enormous. The right kind of leadership can transform local government administration in South Africa while the wrong

kind can cause local government administration in a country to stagnate and cause its people to lose faith in the powers of local government administration.

It is also clear that governance is a way of governing. It takes the views and interests of those affected by government more seriously than in the past. The governed refers to the community at large. This includes individuals, community organizations and businesses, trade unions and NGOs. Political leaders have realized that they need to involve the community and all their constituent parts in the functioning of government. Relationships, partnerships and alliances have therefore become more important in local government administration than in the past. Local government is government which is closer to the people and, as such, it is responsible for the provision of services to the communities within its jurisdiction.

In **Chapter Three**, the study is compelled to conclude that for government in South Africa to tackle poor service delivery, confusion and ambiguity with regard to roles, functions, powers of various institutions of governance and officials, it should have leaders with vision and charisma; leaders who are good at strategic planning, are respected leaders domestically and internationally, and leaders with skills in development. They should be leaders of action, proactive leaders, good communicators and leaders with good relationships with private sectors. The local government of the day should uphold the principle that the local government should be people-centred, people-driven and people-controlled. This means that people should be afforded an opportunity to actively take part in the activities of the local government. The development of the communities should involve all stakeholders so that it can take place effectively and successfully.

The study suggests that administrators in local government should have the relevant knowledge and skills to run municipalities successfully. For municipalities in South Africa to succeed in service delivery, officials in local government or municipalities must be development-oriented; they must provide service impartially, and equitably without bias, and the employment of officials in municipalities must be based on the ability and capability of the candidate. The code of conduct contributes towards developing ethics and accountability

among municipal officials. The reason for this is that municipal officials will endeavour to perform their duties effectively and efficiently for them not to violate the provision of the code of conduct and be called to account for such violation.

In **Chapter Four**, the unit of analysis is the Vhembe District Municipality which was established in terms of the Municipal Structures Act, 1998 (Act 117 of 1998) which provides for the establishment of municipalities, their categories, competencies, functions and electoral procedures for office bearers. It is one of the six successors of the now defunct Northern District Council, and comprises four local municipalities, namely, Makhado, Musina, Mutale, and Thulamela. The Vhembe District Municipality, with a population of over 1,1 million living on about 21407 km² of land, is in the far North of Limpopo Province and shares borders with Capricorn, Mopane and Bohlabela District Municipalities in the southern, eastern and northern directions, respectively.

Thohoyandou (Meaning Head of Elephant) is the political capital and hub of economic activities for the Vhembe District Municipality. (The Vhembe District Municipality derives from the Vhembe River which divides South Africa and Zimbabwe and the *Vhembe Voice* a newsletter issued by the Vhembe District Municipality quarterly.) The other major towns are Makhado, Musina, Thulamela, Dzanani, Sibasa, Vuwani, Malamulele, Saselamane and Elim. The main languages spoken are Tshivenda, Xitsonga, Sepedi, English and Afrikaans.

To conduct the research in the Vhembe District Municipality, permission was applied for from the Vhembe District Municipality's Manager. The Vhembe District Municipality's Manager approved the application and issued the letter of introduction that would be used by the researcher when visiting these other four municipalities, namely Makhado, Musina, Mutale and Thulamela. The letter was addressed to the local municipalities' managers and the researcher used it when distributing five questionnaires to each municipality. The first two questionnaires were meant for municipal mayors and municipal managers. The last three were meant for three departments in each municipality including the district municipality. The targeted departments were the Department of Administration, Community and Technical

services. The three departments were chosen because they were considered to be core departments in terms of service delivery to the communities.

6.3 Recommendations

The study suggests that more appropriate leadership for developmental local government should be a visionary and charismatic leader, one with strategic leadership, a builder of capacity and able to make policy judgements. He or she should be a respected, accountable and transparent leader, able also to develop leadership and build partnerships and coalitions, a leader of action, able to represent the diversity of interests, a leader with relationships with the private sector, one who can demonstrate value for money, proactive person and a good communicator.

Regarding governance, there are ten ways of governing better, namely, catalytic local government; steering rather than rowing, community-owned local government: empowering rather than serving; competitive local government: injecting competition into service delivery; mission-driven local government: transforming rule-driven organizations; results-oriented local government: funding outcomes not inputs; customer-driven local government: meeting the needs of the customer not the bureaucracy; enterprising local government: earning rather than spending; anticipatory local government: prevention rather than cure; decentralized local government forming a hierarchy to participation; and market-oriented local government: leveraging change through the market place.

A number of recommendations follow to address the problems accruing from the findings of the case study in this research project.

6.3.1 Establishment of the White Paper on the Implementation of Governmental Policies and Acts.

During the empirical research, it was established that both political and administrative leadership agreed that legislation to effectively run and govern municipalities is in place, but the implementation thereof is often ignored or neglected. Hence, the study recommends that

the National Government should establish a White Paper on the Implementation of Governmental Policies and Acts. It is believed and hoped that this will force both political and administrative officials to see to it that governmental policies and Acts are implemented effectively and successfully. It is also hoped that in this manner service delivery to the communities will be enhanced and promoted.

6.3.2 *Political appointment of both political and administrative officials to the positions of municipalities.*

Affirmative action can be defined as laws, programmes or activities designed to redress past imbalances and to ameliorate the conditions of individuals and groups who have been disadvantaged on the grounds of race, colour, gender or disability (White Paper on the transformation of Public Service, 1995:53). Therefore the principle of affirmative action encourages both public and private sectors to consider historically disadvantaged communities when it comes to the appointment of people to the positions which are vacant in both sectors. This practice indirectly undermines the capacity of an incumbent and the skills required for particular positions. This practice amounts to political appointment, because it also undermines the requirements of the post and the capacity and relevant skills required by the particular post. This study suggests that this may be one of the reasons why the municipalities in South Africa are unable to deliver goods and services as expected by the communities. Thus, the study recommends that the practice of political appointees should be immediately terminated because it undermines the requirements of the post and the capability and relevant skills required by the particular post.

6.3.3 *A minimum qualification requirement (Grade 12) for the appointment of councillors*

According to Section 68 Subsection of Municipal Systems Act, 2000 (Act No. 32 of 2000), a municipality must develop its human resource capacity to a level that enables it to perform its powers in an economically effective, efficient and accountable way and, for this purpose, must comply with the Skills Development Act, 1998 (Act no. 81 of 1998), and the Skills Development Services Act, 1999 (Act No. 28 of 1999). Hence a minimum qualification

requirement should be set (Grade 12) for the appointment of councillors to their positions, because this Grade 12 qualification will allow councillors to study and fully comprehend municipal by-laws and legislation. This will make them more effective in carrying out their duties and responsibilities.

6.3.4 Interaction of councillors with the communities in which they are working

Councillors are elected to represent local communities on municipal councils to ensure that municipalities have structured mechanisms of accountability to local communities, and to meet the priority needs of communities by providing service equitably, effectively and sustainably within the means of the municipality. In fulfilling this role councillors must be accountable to local communities and report back at least on a quarterly basis to constituencies on council matters, including the performance of the municipality in terms of established indicators. In order to ensure that councillors fulfil their obligations to their communities, and support the achievement by the municipality of its objectives set out in Section 9 of the Municipal Structures Act, 1998 (Act 117 of 1998), councillors should have a personal itinerary to enable them to visit the villages in their wards accordingly. During their visits, it is further recommended that they should talk about general issues, such as the operation of municipalities with members of the communities. It is important that members of the communities know exactly how the municipalities operate. This may reduce the demonstrations that are taking place in South African municipalities.

6.3.5 Community participation

According to Section 16 (1) the Municipal Systems Act 2000 (Act 32 of 2000) a municipality must develop formal representative government with a system of participatory governance, and must for this purpose encourage, and create conditions for, the local community to participate in the affairs of the municipality. It is, therefore, imperative that municipalities in South Africa adhere to this rule of community participation to the best of their ability in order to construct healthy relations with their communities. Thus, the study suggests that community involvement in municipal activities should not appear only on paper, but be

practically and effectively implemented. Members of the communities should be actively involved in all municipal activities so that they are kept abreast of what is happening in their municipalities.

6.3.6 Councillors' accountability to their political organizations

Councillors are being deployed by their political parties to their positions as councillors. Therefore every councillor should be accountable for his/her duties and responsibilities to his/her political organization. For this reason, the study recommends that political organisations/parties should strengthen their branches by electing dedicated and committed members to the executive positions of their branches and that the councillors should have people to whom to account for their duties and responsibilities.

6.3.7 Relinquishing their executive positions in their branches when appointed councillors

Since councillors are expected to report on the activities of municipalities to their branches, the study suggests that councillors who have been holding executive positions in their branches before their appointment as councillors should relinquish their positions, because they cannot be players and referees at the same time

6.3.8 Payment of services by rural residents

According to Section 74(2) of the Municipal Systems Act 2000 (Act 32 of 2000), a tariff policy must at least have the following principles, namely, that users of municipal services should be treated equitably in the application of tariffs; the amount individual users pay for services should generally be in proportion to their use of that service, and tariffs must reflect the cost reasonably associated with rendering the service; including capital, operating, maintenance administration and replacement of costs and interest charges. The study, therefore, recommends that the residents in rural areas should be made to understand by their councillors that it is essential to pay for the services that they are receiving, because no services will be rendered to the people who are not contributing anything to the

municipalities. Some residents in the rural areas are working and they qualify to pay for the services rendered by the municipalities.

6.3.9 *Recommendation for further research on capacity building*

Capacity building of both political and administrative officials in municipalities, according to the White Paper on the Transformation of the Public Service, 1995 (1995:63) is the training, teaching and educating of both political and administrative officials in order to assist them in understanding their role in municipalities. The study also recommends further research on the effective capacity building of both political and administrative officials to show how this capacity building should best be carried out in an effort to improve and enhance service delivery in municipalities in South Africa.

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UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

ANNEXURE 1

**QUESTIONNAIRE ON LEADERSHIP GOVERNANCE PERSPECTIVES IN LOCAL
GOVERNMENT ADMINISTRATION**

**INFORMATION WITH REGARD TO: LEADERSHIP AND GOVERNANCE PERSPECTIVE
IN LOCAL GOVERNANCE ADMINISTRATION IN SOUTH AFRICA: LIMPOPO
PROVINCE**

A. INTERVIEW SCHEDULED FOR MAYOR

(h) PERSONAL INFORMATION

1. Gender male or female

2. Age

Between 30 and 40
Between 41 and 50
51 and above

3. Educational qualifications

Grade 12
Diploma
Degree
Honours
Masters and above

4. The area of situation / Grading of municipality

Rural	1
Peri-urban	2
Urban	3

5. Population / statistics of villages

Between 5000 and 10000
Between 11000 and 15000
Between 16000 and 20000
21000 and above

6. Does the municipality have a major? Y / N

7. Does the municipality have a municipal manager? Y / N
8. Does the municipality have directors / managers heading the Departments? Y/N

9. How long have you been in political domain?

Between 5 and 10 yrs.

Between 11 and 20 yrs.

21 and above

10. What was your political involvement?

.....
.....

11. How did you occupy this position?

.....
.....

12. Were you orientated with the policies and procedures of municipality governance?

.....
.....

13. What is the vision and mission of your municipality?

.....
.....

14. If you were to rate your municipality which rating will you go for In terms of service delivery?

.....
.....

15. Participation of all stakeholders in the activities of municipalities is believed to be a vehicle for speedy service delivery. What is your opinion on that?

.....
.....

16. What are the challenges that lead your municipality to be ineffective regarding transformation?

.....
.....

17. How do you interact with the communities within your municipality?

.....
.....

18. As a political head of the municipality how do you make sure that local community within your municipality receive the necessary information about the activities of the municipality?

.....
.....

19. What are the measures in place to ensure that community participation is effective within your municipality?

.....
.....

20. How do you enhance and promote cooperation, mutual assistance and sharing of resources among municipalities?

.....
.....

21. What are the political measures in place to make sure that residents in rural areas are also paying for the services that they are receiving?
-
-

B INTERVIEW SCHEDULES FOR MUNICIPAL MANAGERS

(i) PERSONAL INFORMATION

1. Gender Male / Female

2. Age

Between 30 and 40

Between 41 and 50

51 and above

3. Educational qualifications

Grade 12

Diploma

Degree

Honours

Masters and above

4. What is your role as a municipal manager?

.....
.....

5. How do you coordinate the municipality to avoid poor service Delivery?

.....
.....

6. In your view what is the root cause of the continued demonstrations in municipalities in South Africa in general?

.....
.....

7. How do you control the awards of tenders in your municipality to avoid incomplete projects which negatively impact on service delivery?

.....
.....

8. How do you control the awards of tenders in your municipality to avoid incomplete projects which negatively impact on service delivery?
-
.....

9. Have you been capacitated in financial management?
-
.....

10. What is the importance of budget in your municipality?
-
.....

11. How do you supplement the income that you receive from National Government and revenues from the communities?
-
.....

12. How do you ensure equity distribution of these funds to your Different wards to enhance service delivery?
-
.....

13. How do you prevent corruption in your municipality?
-
.....

14. How do you ensure the implementation of municipality's by-laws and other legislation?
-
.....

15. How often does your staff receive capacity building?

.....
.....

16. How do you make sure that community members within your municipality are actively involved in the activities of the municipality?

.....
.....

17. What mechanism do you have in place to assess content and discontent of community members about service delivery?

.....
.....

18. How often do you assess content and discontent of community members about service delivery?

.....
.....

19. What do you do to ensure that every staff member within your municipality knows exactly what his/ her role is?

.....
.....

20. In our view what is the importance of cooperative governance between three tiers of government regarding municipalities in South Africa?

.....
.....



21. In your opinion is it important for municipalities in rural areas to forge healthy relationship with traditional leaders?
-
.....

22. As an administrative head of the municipality what are you currently doing to make sure that residents in rural areas are paying for the services that they are receiving?
-
.....

C. INTERVIEW SCHEDULES FOR DIRECTORS HEADING THE FOLLOWING DEPARTMENTS: ADMINISTRATION, COMMUNITY SERVICES AND TECHNICAL SERVICES.

Department : Administration

(i) PERSONAL INFORMATION

1. Gender Male / Female

2. Age

Between 30 and 40

Between 40 -50

52 and above

3. Educational qualifications

Grade 12

Diploma

Degree

Honours

Masters and above

4. What is the objective of your department?

.....
.....

5. What is the vision and mission of your department?

.....
.....

6. How do you make sure that integrated development planning is Effectively implemented in your municipality?

.....
.....

7. What do you do to ensure that council decisions are implemented officially and effectively in your municipality?

.....
.....

8. What are the basic values and principles governing local public administration that you think may enhance and improve service delivery in your municipality if properly implemented?
-
.....

Department: Community services

(i) PERSONAL INFORMATION

9. Gender Male / Female

10. Age

Between 30 and 40

Between 40 -50

53 and above

11. Educational qualifications

Grade 12

Diploma

Degree

Honours

Masters and above

12. What is the vision and mission of your department?

.....
.....

13. What do you ensure that poor people receive social grants in your municipality?

.....
.....

14. What is your role regarding disasters in your municipality?

.....

.....

15. How do you interact with the community based structures?

.....

.....

16. What are your challenges experienced in interacting with the communities within your municipality?

.....

.....

Department : Technical services

(i) Personal Information

17. Gender Male or Female

18. Age

Between 30 and 40

Betwen 40 – 50

51 and above

19. Educational qualifications

Grade 12

Diploma

Degree

Honours

Masters and above

20. What is the vision and mission of your department?

.....

.....

22. How do you promote integrated development planning and the proper coordination and integration of development initiatives in the municipality?

.....
.....

23. Which method do you employ to ensure the faire and just allocation and distribution of resources within the municipality?

.....
.....

24. How do you maintain roads and streets which impact on service delivery?

.....
.....

25. What is your long term plan regarding roads and street in your municipality?

.....
.....

ANNEXURE 2

APPLICATION TO CONDUCT RESEARCH IN VHEMBE DISTRICT MUNICIPALITY

P.O. BOX 148

Masia

0944

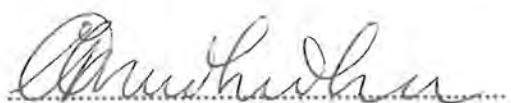
21 May 2006

Municipal Manager
Vhembe District Municipality
Private Bag X 5006
0950

Re: Application for conducting empirical research in VHEMBE District Municipality, and its four Municipalities namely Makhado, Musina, Mutale and Thulamela

1. The above matter refers.
2. I kindly request your office to allow me to conduct empirical research as indicated above on the following topic: Leadership and governance perspectives in Local government administration in South Africa: Limpopo Province. The purpose of the research is for educational purposes.
3. Hoping that my request will receive your prompt and positive consideration

Yours faithfully



E. MAVHIVHA



ANNEXURE 3

PERMISSION TO CONDUCT RESEARCH IN VHEMBE DISTRICT MUNICIPALITY



VHEMBE DISTRICT MUNICIPALITY

IMPROVING THE QUALITY OF LIFE THROUGH SUSTAINABLE
DEVELOPMENT AND SERVICE EXCELLENCE



Ref:
Enq: Mulovhedi S.P.

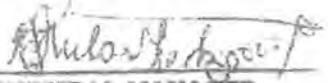
PRIVATE BAG X 500,
THOHYANDOU
0950
TEL: 015 962 1828
015 962 1196
FAX: 015 962 1017

29 June 2006

Mr Mavhivha E.
MASIA

APPROVAL TO CONDUCT RESEARCH IN VHEMBE DISTRICT MUNICIPALITY

1. This matter has reference to your letter of request to be assisted by Vhembe District Municipality pertaining to your research studies in municipalities in Vhembe District.
2. Kindly note our acknowledgement of receipt of your letter and further note that this Office has approved your request to conduct the said research in Vhembe District Municipality and Mr. M. Mudau at Planning Section will be your contact person. His contacts are 082 453 6178.
3. Finally we also regret to inform you that we did not get formal permission from local municipalities in Vhembe District, but are prepared to provide you with a letter of introduction to such institutions as to us the said research is considered.
4. Hope you will find this in order.


MUNICIPAL MANAGER
VHEMBE DISTRICT MUNICIPALITY



VHEMBE DISTRICT MUNICIPALITY

IMPROVING THE QUALITY OF LIFE THROUGH SUSTAINABLE
DEVELOPMENT AND SERVICE EXCELLENCE



Ref:
Enq: Mulovhedzi S.P.

PRIVATE BAG X 501
THOHOYANDOU
0950
TEL: 015 962 1828
015 962 1196
FAX: 015 962 1011

29 June 2006

The Municipal Manager
Thulamela Municipality
Mutale Municipality
Makhado Municipality
Musina Municipality

LETTER OF INTRODUCTION – MR E. MAVHIVHA TO CONDUCT RESEARCH IN LOCAL GOVERNANCE

1. This matter has reference.
2. Kindly note that Vhembe District Municipality has been approached by the above mentioned person with intention of conducting educational research in governance.
3. Further note that this municipality considers the said research to be value adding to local government and thus request your good selves to assist him..
4. Your co-operation and assistance to him will be highly appreciated.

Rhonda & the B.C. P.F.
MUNICIPAL MANAGER
VHEMBE DISTRICT MUNICIPALITY



MAKHADO MUNICIPALITY



Tel: (015) 519 3000
Fax: (015) 516 1195
Private Bag X 2596
Makhado
0920

Ref: 11/1, 5/3/1 & 5/4/2
Enq: T. Manebaneba

2006 11 15

Mr E. Mavhivha
P.O. Box 148
MASIA
0944

Sir

PERSONNEL: REQUEST FOR PERMISSION TO UNDERTAKE RESEARCH IN LOCAL GOVERNANCE: COUNCIL RESOLUTION B. 128.14.09.06: S.P MULAUDZI IN RESPECT OF MR E. MAVHIVHA

It is pleasure to inform you that Council has at its meeting held on 14 September 2006 resolved as follows:

"RESOLVED B.128.14.09.06

1. *THAT Mr E.Mavhivha be authorized to access Council's Information on Local Government for partial fulfilment of his education in governance.*
2. *THAT authorization per paragraph 1 above be in line with provision of access to information legislation and approved by the relevant Head of Department (HOD) with regard to the classification of information.*
3. *THAT the applicant's authorization must not interfere with the normal operation of the Council's daily administration.*
4. *THAT approval of the application is granted, subject to the further following conditions:*
 - 4.1. *Applicant must furnish Council with a copy of the research once completed.*
 - 4.2. *Applicant must indemnify Council against any claims which may result directly or indirectly from the research activity.*
 - 4.3. *Research information may not be used for any form of public media but only for the academic purpose."*

On this background you are kindly requested to come to Makhado Local Municipality, corner of Erasmus and Krogh Street, Civic Centre, Corporate Service Department, Human Resources Division, office number A002, basement floor, on or before 30 November 2006 to complete the necessary forms.

Thank you.

MR. V VILJOEN
DIRECTOR CORPORATE SERVICES
Research.