

# Failing the Public through Public Policy

## A Review of the Local Government Experience in South Africa

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### **ABSTRACT**

*South Africa's public policy approach since 1994 has been robust and forward-looking. The policy process has been stretched over all areas of governance. Many policies have been translated into law, regulations and institutions aimed explicitly as serving the public good. The key is narrowing the gap between the institutions of governance and people's needs. However, despite the good intentions, public dissatisfaction and mass protest in the local government sphere is endemic. Mass public protest consumes public capability and is therefore wasteful and counterproductive. The response of the authorities entering the contested space is usually reactionary and is hardly successful in addressing the core grievances of communities. Crucially, political representatives, that is, ward and proportional representative councillors, are crowded out of resolution processes.*

*Communities argue that mass protest and the appropriation of public space is an essential tactic of gaining the attention of the highest authorities. Most community protests are accompanied by acts of violence. Sometimes, the presence of policing services and/or the media exacerbates the crisis. The concern is that communities are acting outside democratic processes as well as institutional arrangements meant to bridge local delivery issues and intended community beneficiaries. It is possible that communities are either unaware of public policy instruments or that they do not respect them as bona fide channels of engagement with the state. Consequently protest, usually lacking organisation, strategic direction and leadership pervades*

***the local government landscape. Accordingly, the purpose of the article is to examine how and why public policy provisions fail the public. The focus is on policy provisions in local government legislation and the relatively recent (2007) local government policy review process, which was intended to address, among other aspects, good governance and public participation approaches, thereby enhancing service delivery. Overall, the article attempts to evaluate policy gaps at the local government sphere in South Africa.***

## INTRODUCTION

The *Constitution of the Republic of South Africa* (1996, Section 152) sets out the objectives for local government as follows: to provide democratic and accountable government to local communities; to ensure the provision of services to communities in a sustainable manner; to promote social and economic development; to promote a safe and healthy environment; and to encourage the involvement of communities and community organisations in matters of local government (RSA 1996:78). In further reviewing the Constitution, Section 153 obliges municipalities to build their capability for delivery. Municipalities are required to manage their administration, budgeting and planning processes to give priority to the basic needs of the community, and to promote their socio-economic development, as well as participate in national and provincial development programmes (RSA 1996:79). According to the National Treasury, if municipalities achieve the above objectives consistently; provided they do so within their administrative and financial capacities, they could be considered as a functional, well-performing municipality (RSA 2009:7)

In addition, the local government sphere is featured prominently in the Constitution in terms of its developmental role; further expanded upon in the Local Government White Paper; and supported administratively by a comprehensive set of local government legislation. The provincial government can also intervene in terms of Section 139 of the Constitution where municipalities are found to be failing in their responsibilities (RSA 1996:72).

Furthermore, the local government sphere has of late been the recipient of several government initiatives and support programmes (such as the Local Government Strategic Agenda; Integrated Development Planning support programmes; grants including the Municipal Infrastructure Grant; Local Economic Development strategies and support; and Project Consolidate; as well donor supported programmes such as the Consolidated Municipal Transformation Programme (SAGI 2010:1). However, despite the above provisions and support programmes, the 2009 overview report of the state of local government in South Africa discloses a deleterious collection of failures that are attributable to structural, governance and capacity factors. The Report clusters the governance and service delivery problems as the priority areas, consistent with the developmental challenges of government, including: service delivery backlogs; poor communication and communication relationships with local communities; problems with political administrative interface; corruption and fraud; poor financial management; service delivery protests; weak civil society formations; intra- and inter-political party issues affecting governance and delivery; and limited municipal



capacity due to lack of skills (RSA, 2009:4). The Report goes on to point out that many of South Africa’s municipalities are in distress and that negative practices and fault-lines have become deeply rooted in governance (RSA 2009:4).

The performance assessment of local government by national government is only one among other perspectives. Other views, in particular civil society and the media, will be highlighted later. On the whole then, this article attempts to consolidate the problems and challenges faced by municipalities as public policy failure. Since public policy is the agency for institutional, governance and operational measures, local government public policy will be examined for its own fault lines.

The article is structured according to analysis of municipal service delivery issues; response by some communities towards their municipalities; local government policy framework; provincial and local government policy review process; policy processes and implementation problems; and conclusion and recommendations.

## ANALYSIS OF MUNICIPAL SERVICE DELIVERY ISSUES

Municipalities are the custodians of public funds. They are tasked with utilising public resources to address the needs of local communities through the provision of basic services such as infrastructure, water, electricity and refuse removal, and the spatial development of their localities. The 2008 local government budget and expenditure review points out that investment in local government has not impacted positively on the national economy in terms of the required returns. Collectively, poor governance, inappropriate spatial planning, massive service backlogs, and inadequate social infrastructure have resulted in constraints to economic growth and poverty reduction. The report warns that if this worrying trend is not arrested, it could undermine the future sustainability of other key sectors (RSA 2008:2).

The table below shows the state of municipal finances as conducted by the Auditor-General for the period 2008 to 2009:

**Table 1 Municipal Audits for 2007/08 and 2008/09**

	Number		Proportion	
	2007/08	2008/09	2007/08	2008/09
Disclaimer	110	81	38,9%	28,6%
Adverse	11	8	3,9%	2,8%
Qualified	63	47	22,3%	16,6%
Financially unqualified (with other matters)	91	107	32,3%	37,8%
Financially unqualified (clean audit)	4	4	1,4%	1,4%
<b>Total</b>	<b>279</b>	<b>247</b>	<b>98,6%</b>	<b>87,3%</b>
Late	4	36	1,4%	12,7%
<b>Total</b>	<b>283</b>	<b>283</b>	<b>100%</b>	<b>100%</b>

Source: SAIRR 2010:718

The table shows that only four of a total of 283 municipalities had unqualified audit reports during the period 2007 to 2009. The number of municipalities that failed the audit process altogether more or less balances the number of municipalities that received financially unqualified (with other matters) reports for the same period. The late submission to the audit process grew exponentially from four to 36 municipalities during the same period, implying that financial accountability trends by some municipalities have worsened over a very short period.

The notion of failure in the local government sphere resulting in the failure in the national economy is elaborated upon by the South Africa Institute of Race Relations (SAIRR), which argues that South Africa will remain largely poor and unequal, because government is unlikely to amend the pro-poor policy that will result in an economic growth rate of only 3% a year until 2030. The SAIRR states that a number of 'risk factors' would become evident over the next twenty years, notably the government's retreat from growth-led development to an interventionist and redistributive policy. The 'risk factors' highlighted are three key policy areas, namely education, the labour market, and affirmative action, where policies have failed (*Business Day* 2009). The consequence then of the poor performance of the national economy is reduced fiscal share to local government. In addition, since there is an increasing reliance by local government for transfers from national government, and given that local municipalities have constraints relative to raising their own revenues, their ability to deliver on services, alleviate poverty and promote development is severely undermined (RSA 2008:4).

Another feature contributing to public policy failure in the local sphere is to be found in administrative and institutional capacity. Capacity signifies the availability of and access to tangible human, financial and technological resources as well as the knowledge to implement policies and deliver services (Koma 2010:114-115). However, the effective use of the tangible resources requires intangible human qualities such as commitment and leadership, as well institutional qualities such as networks of interest, since service delivery is dependent on a complex demand and supply chain. In order to achieve optimal capacity, the *Local Government Budget and Expenditure Report of 2008*, points out that an important challenge that remains is stabilising the senior management cadre in municipalities tasked with the responsibility for implementing plans and reforms (RSA 2008:4).

A related issue is that of councillor competencies and participation in local decision-making processes. The South African Local Government Association (SALGA) reports that the issue of roles and responsibilities have been a major point of discussion in local government since its inception and that this problem is constantly undermining local government performance (Baatjies 2010:9). This weakness prevails despite the provisions of Section 53 of the Local Government: *Municipal Systems Act*, 32 of 2000 which requires a municipality to define the specific role and area of responsibility of each political structure and office bearer of the municipality and of the municipal manager (RSA 2000:35). Accordingly, SALGA has developed clear guidelines on the key roles and responsibilities of councillors, political structures and officials which are detailed in the Municipal Office bearers Handbook (SALGA and GTZ 2008). A codified classification will not only improve governance in municipalities but further assist the national and provincial spheres of government and local communities to better understand the roles of political office bearers (George 2009:28).

Finally, an important governance imperative – that of monitoring of local government by the provinces – is a major weakness (Steytler in Reddy 2010:78). The Constitution of South Africa stipulates in Section 155 that legislation must be developed for the monitoring

of local government (RSA 1996:79-80). Such provisions are contained in local government and intergovernmental legislation. However, there are no official consolidated government reports covering provincial monitoring of local government. An interim evaluation report of the German Development Service (DED) also identifies the provinces, which has responsibilities for supporting local government, as a weak link in the South African institutional and political set up (DED 2008:7). However, the extent of the role of provinces in local government has been limited to issue based interventions. Certain provinces have intervened in certain municipalities where large scale governance and financial problems have occurred. Examples, among others, include the intervention by the Mpumalanga Provincial Government in the Mbombela Local Municipality in 2008 and the Western Cape Provincial Government intervention in the Beaufort West and Central Karoo District Municipality in 2008 (Parliamentary Monitoring Group 2008:1).

Proceeding from the above challenges, and lessons and experiences over the past 18 years, Government has decided to review the system of provincial and local government (RSA 2007:3). Such a review, and particularly focusing on policies and legislation, appears appropriate given the governance challenges highlighted above. Instituting a policy review process on provincial government is a historical event in the context of South Africa's nascent intergovernmental system (HSRC 2008:8). The key motivation for reviewing provincial government is articulated by the former Department of Provincial and Local Government (DPLG) (now Department of Cooperative Governance) as the absence of a definite policy on provincial government which has generated uncertainty about the role of this sphere in reconstruction and development (HSRC 2008:8).

The Constitution, legislative and policy framework has since 1994 emphasised localised autonomy for service delivery. From this point onwards, the local government system has been under pressure to structure itself efficiently and effectively to provide basic municipal services. One form of pressure exerted was the hostile and violent public protests by local communities against poor service delivery in several municipalities across the country.

## **COMMUNITY RESPONSE TO MUNICIPAL SERVICE DELIVERY**

Service delivery protests were a political phenomenon of the apartheid era: that is, the protests were geared towards expressing dissatisfaction with lack of services as well as targeting apartheid institutions. The overriding aim was the building of social movements to oppose oppressive initiatives of the state.

Alexander (2010:25-26) qualifies service delivery protest as grass-roots protests against the poor quality of service delivery as well as the public's expression of other needs. An accompanying aspect of the protests was the violence that wracked various townships. Quoting Booyen, Alexander proposes from national surveys, data and case studies that the South African local electorate appears to believe that "voting helps and protest works" when it comes to deciding on a form of action to highlight service delivery in communities (Alexander 2010:29).

The Human Sciences Research Council (HSRC) report of 2008 which consolidated public submissions to the policy process on the system of provincial and local government

commented in Section 7 (Public Debate) that the most popular subject matter was service delivery (HSRC 2008:32). The report states that a dichotomy exists between government and citizens on service delivery. The public have become increasingly discouraged and impatient at what they perceive as "lack of service delivery", namely, provision of housing, water supply, refuse collection, eradication of the bucket system, provision of electricity, transport, policing against crime, education, and so on. Many people feel betrayed by the government as promises of delivery have been made for years but have not been fulfilled (HSRC 2008:132-133).

The HSRC report also comments on the role of ward committees. Apparently ward committees do not feature in the public debates. Instead, people want delivery rather than institutions for discussion (HSRC 2008:133). Furthermore, ward committees as local structures for public participation appear to have failed as the general response by local communities is that they do not receive any feedback from their local municipalities. The local communities are not interested in ward committees as they are perceived as not making any difference to their daily lives. This observation may explain the extreme forms of expressing dissatisfaction and frustration where violent protests have resulted in killings, threats, and wanton damage to property.

The media has highlighted the public protests extensively and expressively. *Business Day* concluded that more service delivery protests were expected in parts of Gauteng, Limpopo, Mpumalanga and North West which indicated growing levels of public dissatisfaction with delivery in various municipalities. The newspaper quotes an unknown research survey which further claims that a third of the residents in Gauteng were dissatisfied with service delivery (*Business Day*, in HSRC, 2008:134).

*The Times* reported that Sebokeng went up in flames, and police shot and arrested residents of the Gauteng township during service delivery protests. When asked the reason for their protest, community members responded that they have been living in shacks since 1995; informal settlements were overcrowded; basic facilities, such as running water, were inadequate; and that they have tried the peaceful route by talking to their councillor and Mayor, but to no avail (*The Times*, in HSRC 2008:134).

The HSRC report continues to provide experiences of public protests according to public services issues including: transport; health/ambulance services; refuse collection; crime; eviction from informal settlements; and housing (HSCR 2008:135). The interesting aspect of the protests is the distribution of the protests across different geographical localities by the objective of the protest, namely the divergent issues experienced at a given time. Communities appear to be spontaneous in their protests. However, it is clear that focused research is required to ascertain any trends in the protests and what organisation is put into such protests. The research must also explain what forms of support and leadership constituted the different protests. Finally, the research must link the findings to theoretical formations such as the claim that public protests are part of a social movement in South Africa.

Alexander (2010:37) describes the protests as a *rebellion of the poor*, reflecting disappointment with democracy. However, the question is why do communities resort to such extreme militant actions when a democratic, representative government is in place? While focussed research is required to explain this question, it does appear that local councillors are the main targets during the protest episodes. Ironically, the belief may be that the more violent the protests, the more likely that the public functionaries, in particular higher authorities, will respond to their demands.



It is critical then that government has responded to the demands of the citizenry. The Cabinet in 2007 (RSA 2007:6) mandated a review of provincial and local government after acknowledging that citizens have the right to expect more responsive, accountable, efficient and better quality of services. A discussion of the review process follows hereunder.

## LOCAL GOVERNMENT POLICY FRAMEWORK

South African local government policy is comprehensive, with the Constitution providing a definitive point of departure for other policies and legislation. Below is a summary of the South African local government policy framework with particular focus on functions relating to the delivery of municipal services. Community participation, as a developmental instrument is highlighted in each of the documents discussed.

The objectives of local government as a developmental sphere of government in terms of Section 152 of the Constitution includes: to provide democratic and accountable government for local communities; to ensure the provision of services to communities in a sustainable manner; to promote social and economic development; to promote a safe and healthy environment; and to encourage the involvement of local communities and community organisations in matters of local government (RSA 1996:78).

The developmental duties of a municipality as spelt out in Section 153 of the Constitution are: structure and manage its administration, budgeting and planning processes to give priority to the basic needs of the community; to promote the social and economic development of the community; and participate in national and provincial development programmes (RSA 1996:79).

The *White Paper on Local Government*, 1998, defines developmental local government as local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives (RSA 1998:23). The White Paper then elaborates on the four characteristics of developmental local government: maximising social development and economic growth; integrating and coordinating; democratising development, empowering and redistributing; and leading and learning (RSA 1998:23-26). Crucially, the White Paper obliges municipalities to develop mechanisms to ensure citizen participation in policy initiation, formulation, implementation, monitoring and evaluation of programmes. Each municipality must therefore develop a localised system of participation (RSA 1998:33). Following from the provisions of the White Paper, local government legislation sets out other crucial service delivery issues.

The Local Government: *Municipal Structures Act*, 117 of 1998 requires all municipal councils to develop mechanisms to consult and involve the community and their civil society organisations in local governance. Sections 19(2) (c) and 3 of the Act direct municipalities towards a new culture of governance, that complements representative democracy through participation (RSA 1998:14). Institutionally, the Act provides for the establishment of ward committees which may advise the local municipality on local matters (RSA 1998:36).

Section 17 of the Local Government: *Municipal Systems Act*, 32 of 2000 provides for participation by the local community in the affairs of the municipality through political structures. Chapter 2 of the Act stipulates the encouragement of community participation,

consultation and involvement in the activities and functions of municipalities (RSA 1998:30). In fulfilling the constitutional mandate, the Local Government: Municipal Systems Act, 32 of 2000 provides for all municipalities, together with their stakeholders to jointly complete their integrated development plans (IDPs) (RSA 1998:36). In addition to the community being involved in the IDP process, it has an expanded role to establish, implement and review performance management systems (PMS); prepare the local budget; and make strategic decisions relating to the provision of municipal services (RSA 1998:30).

The Local Government: *Municipal Finance Management Act*, 56 of 2003 provides for the comprehensive reform of finance management systems within local government and aims to regulate the municipal budgeting process, financial accounting, auditing, reporting and borrowing (RSA 2003:23). The Act also describes the responsibilities of municipal mayors and officials with regard to financial management and the municipal budget process (RSA 2003:53). With regard to participation, the Act stipulates in Chapter 4, Section 23, that a municipal council must consult the community on the annual budget (RSA 2003:39).

The Local Government: *Municipal Property Rates Act*, 6 of 2004 provides municipalities with guidelines on how to set rates in a local area. It creates a uniform framework for regulating property rates within the country. The main goal of the Act is to make the methods for valuating properties fair and equitable (RSA 2004:1). This process therefore allows consideration for indigent property owners. With respect to participation, the Act stipulates that the public must participate in decisions relating to municipal property rates (RSA 2000:40).

Finally, the Draft National Policy Framework for Public Participation provides a formal framework for public participation. It is seen as building on the commitment of the democratic government to deepen democracy, which is embedded in the Constitution and, above all, in the concept of local government, as comprising the municipality and the community (RSA 2005: 1). The national policy declares that it is committed to a form of participation which is genuinely empowering, and not token consultation or manipulation.

In summary, the local developmental process involves a range of functions including creating democratic representative structures (ward committees), assisting the structures to plan in a local sphere (community-based planning), to implement and monitor those plans using a range of working groups and community based organisations, supporting community-based services, and to support these local structures through a cadre of community development workers (RSA 2005:1). The national policy also envisages improving the accountability of ward and municipal structures to one another and to the communities they serve, as well as improving the linkages between provincial and national departments to their clients, and to service delivery and policy (RSA 2005:1).

## **PROVINCIAL AND LOCAL GOVERNMENT POLICY REVIEW PROCESS**

The adoption of the first democratic Constitution in 1996 signalled the end of apartheid. Government is constituted as national, provincial and local government as elected spheres of government, each with distinctive powers (RSA 1996:16). The Constitution requires the spheres to function as a single system of cooperative government which means that all political parties and other participants must respect, cherish and promote the existence of





the three spheres of government (De Villiers 2008:4). Accordingly, the underlying meaning to the spheres was the notion of governments, and not administrative entities (Reddy and Govender 2011:2).

The provinces, in particular, came under sharp scrutiny from the very early stages of the Government of National Unity (GNU) (Reddy & Govender 2011:2). The source of criticism of the provinces emanates jointly from Government and the ANC. As the ANC, the Polokwane Resolution: 2007 resolves that government must develop a White Paper on Provincial Government and furthermore to review the Local Government White Paper. The motivation of the resolution includes, *inter alia*, a debate within the organisation on changes required on provincial and local government in order to give effect to the development state; determine the process of review towards the macro organisation of the state; and to open the debate and consider other interests and alternatives, while at the same time alleviating fears and concerns about the future of provinces (ANC 2010:2). Government's key concern is about efficiency and improving services and how the powers and functions of government can be better distributed (DDP 2010:3). Notwithstanding the preceding, since provinces were a compromise in the negotiations post 1990, and since there has never been finality on the provinces, their political and administrative relevance were being revisited (ANC 2010:3-4).

As a result of the foregoing, cooperative government was incorporated into the 1996 Constitution as detailed in Chapter 3 (RSA 1996:15-17). Following the ushering in of the 1996 Constitution, government attempted to review the distribution of powers and functions between provincial and local government (ANC 2010:7). Government then introduced the *Intergovernment Fiscal Relations Act*, 97 of 1997, and the *Intergovernmental Relations Framework Act*, 13 of 2005, to formally address issues of cooperative government. In January 2007, the national Cabinet mandated the former Department of Provincial and Local Government to develop a White Paper on Provincial Government (RSA 2007:2). Interestingly, the review process includes reviewing local government. A white paper on provinces was expected in 2008, but is still awaited. An additional change was restructuring and renaming the national department responsible for provincial and local government to Cooperative Governance following the 2009 national and provincial elections.

## **POLICY PROCESSES AND IMPLEMENTATION PROBLEMS**

The policy analysis methodology can be separated into two frameworks – an upper framework consisting of policy formulation and a lower framework referred to as policy implementation. Policy formulation involves the development and synthesis of alternative solutions for policy problems and it is essentially a conceptual and theoretical activity. The focus is on the nature of problems and has little to do with resolving these problems. The process involves understanding the problem and setting objectives which outline the desired outcomes of a policy intervention (Govender 2001:1).

Policy implementation involves the execution of a policy plan or action that is aimed at remedying the identified problem. The main aim is choosing a course of action and seeing that it is properly followed over a period of time. Policy implementation is about acting on the basis of best choices (Govender 2001:2).

While policy implementation has been practised for a considerable period, the application of an implementation of theory into practice has been rare. Valid theory can inform and improve practice by offering knowledge that can be drawn on by people in the world of action (O'Toole 2004:1). A key observation of policy implementation is that it has too often been practised as a top-down or governing-elite phenomenon. Rather its practise would be much better served were its practitioners to adopt a more participatory and more direct democratic orientation.

According to Pressman and Wildavsky (cited in Cloete and Wissink 2000:166), policies imply theories; policies become programmes when, by authoritative action, the initial conditions are created. Implementation, then, is the ability to forge subsequent links in the causal chain to obtain the desired result. The definition of implementation by Van Meter and Van Horn (cited in Cloete and Wissink 2000:166) is more focussed: policy implementation encompasses those actions by public or private individuals (or groups) that are directed at the achievement of objectives set forth in policy decision.

The above definitions however, seem to emphasise the implementation of single policies to address single problems. There is no distinction between single and multi-policy types. Policy formulation and implementation are indeed complex operations. Most policies cut across multiple disciplines such as the social, economic, political and environmental dimensions. Policy implementation is also aimed at groups and multiple groups of people with differing and even competing interests. For example, the provision of housing for the homeless by a municipality will require a policy approach that is more than simply the building of houses. The approach will have to consider, for instance: who are the most in need; will the housing provided be affordable; where should the site for housing be located; how will integration be encouraged; will the housing project link with other economic activities; what should the level of services be, and are there transportation links to economic areas; should beneficiaries be consulted; what are the environmental impacts of the project; how will the project be funded; how will the cost be recovered? And after consideration of these questions, a decision about the type of housing will have to be made which should be in conformance with the public housing of the municipality. When the housing project is in progress, an evaluation will be necessary to determine whether the assumptions made earlier are correct or not. In most cases, the new unforeseen problems will emerge, which require further decisions (Govender 2001:3).

At a Democracy Development Conference (DDP) held in 2010, policy formulation in South Africa was found to lack both the expertise and theoretical background, thereby casting a shadow on the policy's intended outcomes. Rather, policies in-use represented informal, opportunistic, random, and unsystematic decisions by policy actors at different policy making spaces and levels. Furthermore, the use of policies was legitimised by spin-doctors, government spokespersons and so on (DDP 2010:7). A key assertion at the same Conference was that the capacity by provincial government to formulate and implement coherent and effective policies was weak; that public participation in policy making processes was also weak and limited despite adequate provisions in law and policy documents; and that therefore, the rational-comprehensive model of policy making was impossible in reality (DDP 2010: 4).

The Programme to Support Pro-Poor Policy Development (PSPPD) held a two-day reflective Workshop entitled, "Is Evidence the Answer . . . it Depends" in November 2011.



The knowledge base that is being drawn on and used to inform policy decisions is basically referred to as “evidence”. “Although evidence from research is viewed as being the most authoritative and scientific, a variety of sources of knowledge is used to make decisions, including *inter alia* personal experiences and judgement, informal networks, lobbyists and other purveyors of information” (Zee-Pedra 2011:28). The most accessible and popular source of evidence is the internet; however, the credentials of the author and validity of the information are often unknown. In comparison, “peer-reviewed scientific research, based on rigorous searching of scientific databases, is often the last source of evidence used. This trend needs to be reversed, as a matter of urgency to strengthen the credibility of the evidence used in policymaking” (Zee-Pedra 2011:28).

In summary, some key policy implementation challenges, which include context, conflicts, values, are confronted at the implementation stage rather than at the policy formulation stage, which alters the original content and objectives of policy; the non-availability of resources presents a serious hindrance to policy implementation; the control and accountability of policy implementation, where there is a leakage was caused by lower level bureaucrats; where inter-governmental relations are necessary for effective policy implementation and where such relations are weak, policy implementation becomes difficult if not impossible; policy implementation becomes more complex where policies perform distributive, redistributive, and regulatory functions, where there are winners and losers, thereby causing conflict; unorganised, poor and vulnerable communities tend to benefit least as they lack the capacity to make their demands felt to the authorities; achieving goal consensus is difficult under certain political circumstances, such as when politicians see only the needs in their own constituencies and disregard others where needs may be greater; sometimes implementation goals can be confused by those implementing policy and those evaluating policy, thereby resulting in goals being changed; the authorities that implement policy support is lacking, and where support is lacking, policy implementation can fail; policies emanate from a theoretical basis and must have a causal link with the outcomes of policy implementation; policy implementation must include the participation of all actors, that is, the policy framers or planners, the implementers and the recipients. The cumulative advantages include greater clarity of policy; more morale and reduction in resistance to change (Morah 1996:84).

The policy implementation lessons described above have implications for South Africa’s local government public policy and praxis. Government’s 10 year and 15 year reviews, conducted in 2003 and 2008 respectively, have shown considerable achievements with regard to service delivery policy objectives. However, these achievements are counterbalanced by a set of policy gaps and failures. These gaps and failures include: governance challenges; institutional and administrative weaknesses; inadequate community engagement; political interference; poor oversight; inability to respond to complexity of demands and expectations; and the huge variables in spatial location, skills base and socio-economic legacies (RSA 2009:33).

Accordingly, the article’s concern for public policy failure is justified. While government is attempting to address the challenges it faces, it is quite apparent that government will be unable to successfully turn the situation around by itself. A much more broad based intervention, consisting of social scientists, legal experts; practitioners, politicians, and civil society is required.

## CONCLUSION

The transformation of local government has probably been the single largest undertaking within the entire governance transformation project in South Africa. Government has acknowledged that despite the progress made to date, a great deal of citizen engagement, effort, resources, and political will have to be directed towards making all of the 278 municipalities fully functional, efficient, responsive and sustainable. Consequently, a Turn-Around Strategy for Local Government has been agreed upon (RSA 2009). Government is hoping that the strategy will highlight a problem statement relating to a series of thematic areas which will then allow for appropriate interventions. However, as noted earlier in this article, simplistic approaches do not reveal the underlying complexity and multi-dimensional nature of reforms, development approaches, and day-to-day service delivery issues.

This article has shown that despite a myriad of interventions and support programmes, local government has indeed slipped into distress, and that much of this state of affairs has become deeply rooted within the local governance system (RSA 2009:4). However, government has embarked on some strategic interventions to restore the confidence of local communities in the local sphere of government.

A key deduction from government's approach to the local government sphere is its highly politicised nature. The party political system, combined with the representative system of councillors and ward committees has proved to be problematic and confusing, especially with regard to service delivery. Rather than directing their common effort and purpose at people and communities, the political leadership appears to be engaged or distracted by activities such as political survival, corruption, or simply accruing advantages afforded by political processes. Accordingly, the will to maintain oversight over public officials responsible for service delivery is either diminished, or they enter into mutually corrupt arrangements.

The public policy process was shown to be compressive and transformative. There appears to be a continuous advancement towards the achievement of the developmental state. However, this process may be taking precedence over other priorities such as day-to-day administrative responsibilities. As a result, public officials escape accountability and strict adherence to their public functions.

Notwithstanding the above, the critical debate within the reform, developmental governance, and day-to-day administrative matrix is the ANC's determined will to exert political power in the local government sphere. The ANC seems to be focussing on consolidating political power, rather than ensuring the functionality of democracy, that is, democratic practice vis-à-vis public participation; democratic institutions so that all actors have an even space for participation; and democratic accountability where citizens are ensured their share of the social contract.

Given the complexity of addressing the problems of the local government sphere, and since the ANC has assumed the key role player status, the following recommendations: are major a multi-stakeholder task force be engaged to analyse and suggest a way forward for local government which must form part of the provincial and local government policy process which is currently underway; the ANC government allows for unhindered inputs on the way forward; and that a more flexible and open-ended political view be developed for the local government sphere in South Africa.



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