

# A review of local government experience in South Africa

## Successes and failures

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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 which aimed explicitly as serving the public good. The key is narrowing the gap between the institutions of governance and people's needs.*

*However public dissatisfaction and mass protest in the local government sphere continue. 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 at addressing the core grievances of communities. Crucially, political representatives, i.e. 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 local state. Consequently, protest, usually lacking organisation, strategic direction and leadership pervade the local government landscape.*

*Accordingly, the purpose of the article is to examine how and why public policy provisions fail the public. The focus will be on policy provisions in local government legislation and the recent (2007) local government policy review process, which were intended to address, among others, good governance and public participation approaches, thereby enhancing service delivery. Overall, the article will attempt to evaluate policy gaps at the local government sphere.*



## INTRODUCTION

The *Constitution of the Republic of South Africa*, 1996 in Section 152, sets out the objectives for local government as: to provide democratic and accountable government of 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 the matters of local government (South Africa (RSA) 1996:78).

Following immediately from the objectives of local government, Section 153 of the Constitution obliges municipalities to build their capability for delivery. Municipalities are required to manage their administration, budgeting and planning processes to give priority to the needs of the community, and to promote social and economic development of the community, as well as participate in nation 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 financial and administrative capacities, they could be considered as functional, well-performing municipalities (RSA 2009:7).

Notwithstanding the above, 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. Additionally, the Section 139 of the Constitution allows provincial government intervention where municipalities are found to be failing in their responsibilities (RSA 1996:72). Further, the local government sphere has 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 as 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 which are attributable to structural, governance and capacity causes. The report clusters the service delivery and governance problems as the priority areas, consistent with government's developmental challenges, including: service delivery backlogs; poor communication and communication relationships with communities; problems with the 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 inadequate municipal capacity due to lack of skills (RSA 2009:4). The report points 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 various perspectives. Other views, in particular that of civil society and the media, will be highlighted later. On the whole then, this article consolidates the problems and challenges faced by local government 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 local government 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 custodian of public funds. They are tasked with utilising public resources to address the needs of their communities for basic services such as infrastructure, water, electricity and refuse removal, as well as planning towards the spatial development of their localities. The 2008 local government budget and expenditure review points out that investment in local government is not resulting in returns for the national economy. 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 trend is not addressed it might undermine the future sustainability of services (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**

Municipal audit reports, 2007/08 and 2008/09				
	Number		Proportion	
	2007/08	2008/09	2007/08	2008/09
Disclaimer <sup>(a)</sup>	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%
Total	279	247	98.6%	87.3%
Late	4	36	1.4%	12.7%
<b>Total</b>	<b>283</b>	<b>283</b>	<b>100%</b>	<b>100%</b>

(a) A disclaimer is issued when an auditor could not reach a conclusion and consequently refuses to present, an opinion on the financial statements.

Source: SAIRR, 2010:718

The figure shows that only four of a total of 283 municipalities during the period 2007 to 2009 have had unqualified audit reports. The number of municipalities that failed the audit process all together more or less balances off the number of municipalities that received financially unqualified (with other matters) 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 of time.

The notion of failure in the local sphere resulting in the failure in the national economy is elaborated upon by the South Africa Institute of Race Relations (SAIRR), which states that South Africa will remain largely poor and unequal because government is unlikely to amend its poor policy which will result in an economic growth rate of only 3% a year until 2030. The SAIRR argues that a number of *risk factors* would become prominent in the next two decades, including the government's retreat from growth-led development to interventionist and redistributive policy. The risk factors belong to three policy areas including education, the labour market, and affirmative action, where policies have failed (*Business Day* 2009).

The consequence of the poor performance of the national economy is reduced fiscal share to local government. Additionally, since there is an increasing reliance by local government for transfers from national government, and given that local municipalities are limited with regards 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 government sphere is to be found in administrative and institutional capacity. Capacity refers to the availability of and access to tangible resources, including human, financial, and technological, 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 as institutional qualities such as networks of interests, 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 that is responsible for implementing (existing plans) and reforms (RSA 2008:4).

A related issue is that of councillor participation and competencies in the decision-making process. The South African Local Government Association (SALGA) reports that contestation roles and responsibilities have been a major point of contestation in local government since its inception and that this problem is constantly undermining municipalities' 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 guidelines on roles and responsibilities of councillors, political structures and officials called the *Municipal Office Bearers Handbook* (SALGA and GTZ 2008). A codified classification will not only improve governance in municipalities but further assist national and provincial 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 municipalities by provinces, is a major weakness. The Constitution, 1996 stipulates in Section 155 that legislation must be developed for the monitoring of local government (RSA 1996). 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 have responsibilities for supporting local government, is a weak link in the South African institutional and political set up (DED 2008:7).

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 government 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, lessons and experiences over the past 16 years, government has decided to review the system of provincial and local government (RSA 2007:3). Such a review, and particularly of policies and legislation, appears appropriate. 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 Department of Provincial and Local Government (DPLG) (later renamed Department of Cooperative Governance and Traditional Affairs) 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 have since 1994 emphasised localised autonomy for service delivery. From this point onwards, the local government system has been under pressure to effectively organise themselves to implement public services. One form of the pressure was the encountering of hostile and violent public protests by several municipalities across the country.

## COMMUNITY RESPONSE TO MUNICIPAL SERVICE DELIVERY

Service delivery protests were a political phenomenon of the apartheid era: i.e. the protests were geared towards expressing dissatisfaction with the 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 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 Booysen, Alexander proposes from a national survey 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 2008:132). The report states that there exists a dichotomy between government and citizens on service delivery. The public has 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 not 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). Additionally, ward committees appear to have failed as the general claim by communities is that they do not get responses from their local municipalities. People may not be interested in ward committees, as they make no 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. The *Business Day* made the comment 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 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 reported that they have been staying in shacks since 1995; informal settlements were overcrowded; basic facilities such as running water was 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 (HSRC 2008:135). The interesting aspect of the protests is the distribution of the protests across different geographical localities with the objective of protesting, 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 their findings to theoretical formations such as the claim that public protests are part of a social movement in South Africa.

Alexander describes the protests as a *rebellion of the poor*, reflecting disappointment with democracy (2010:37). 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 the authorities, in particular higher authorities, will respond to their demands.

Critically then, government has responded to the demands of the citizenry. Recognising that citizens have the right to expect more responsive, accountable, efficient and better quality of service, a review of the provincial and local government was mandated by the Cabinet in 2007 (RSA 2007:6). A discussion of the review process follows hereunder.

## LOCAL GOVERNMENT POLICY FRAMEWORK

South African local government policy is comprehensive, with the Constitution, 1996 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 delivery of services. Community participation, as developmental instrument is highlighted in each of the documents discussed.

According to section 152 of the Constitution, 1996 the objectives of local government as a developmental sphere of government 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 the matters of local government (RSA 1996).

Section 153 of the Constitution, 1996 then spells out further what the developmental duties of a municipality are: namely, 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).

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 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 critical service delivery issues.

The *Local Government: Municipal Structures Act*, 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 a municipality on local matters (RSA:1998:36).

Section 17 of the *Municipal Systems Act*, 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). In fulfilling the constitutional mandate, the *Municipal Systems Act*, 2000 provides for all municipalities, together with their stakeholders to jointly complete their integrated development plans (IDPs) (RSA 1998). In addition to the community being involved in the IDP process, the community 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).



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 municipal budget process (RSA 2003). With regard to participation, the Act stipulates in Chapter 4, Section 23, that a municipal council must consult the community on the annual tabled budget (RSA 2003).

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).

Finally, the Draft National Policy Framework for Public Participation provides a formal framework for public participation in South Africa. The national policy is seen as building on the commitment of the democratic government to deepen democracy, which is embedded in the Constitution, 1996 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 a nutshell, the developmental process involves a range of functions including creating democratic representative structures (ward committees), assisting those structures to plan at a local level (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 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 so to service delivery and policy (RSA 2005:1).

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

The end to apartheid was achieved in 1996 through the adoption of the first democratic Constitution. Government is constituted as national, provincial and local government as spheres of government, each with distinctive powers and functions (RSA 1996). The Constitution requires the spheres to function as a single system of co-operative government. Co-operative government 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 focus from very early stages of the government of national unity (GNU) (Reddy and 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 to review the Local Government White Paper. The motivation of the resolution includes: a debate within the organisation on changes which is required regarding provincial and local government in order to give effect to the developmental 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 arguments, 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 are being revisited (ANC 2010:3–4).

As a result of the foregoing, co-operative government was incorporated into the 1996 Constitution as contained in Chapter 3 (RSA 1996). Following 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 *Inter-government Fiscal Relations Act, 1997*, and the *Intergovernmental Relations Framework Act, 2005* to formally address issues of co-operative government. Finally, in January 2007, the Cabinet mandated the then 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 the restructuring and renaming of the department to Cooperative Governance and Traditional Affairs after 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 the resolving of 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 of action that is aimed at remedying the identified problem. The main aim is choosing a course of action and ensuring 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, applying implementation theory to practice has been rare. Valid theory can inform and improve practice by offering knowledge that can be tapped by people in the world of action (O'Toole 2004:1). A key observation of policy implementation is that policy implementation has too often been practised as a top-down or governing-elite phenomenon. Rather its practice would be much better served, if its practitioners adopted a more participatory, more direct democratic orientation (deLeon and deLeon 2002:2).



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 so as 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 prior policy decision.

The above definitions however, seem to emphasise the implementation of single policies to address single problems. There is no distinction between single policy types and multi-policy types. Policy formulation and policy 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, *inter alia*, consider: 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 is the environmental impact of the project; how will the project be funded; how will 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 line with the overall social housing policy 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 new unforeseen problems will emerge, which require further decisions (Govender 2001:3).

At a *Democracy Development Conference*, 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. Further, policies in-use were 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 were 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)

Some key policy implementation problems include: context, conflicts and 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 present a serious hindrance to policy implementation; the control and accountability of policy implementation, where there is a leakage 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 experience 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; where authorities that implement policy, lack support, 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, i.e. 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 counter balanced 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 clear 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 are required.

## **CONCLUSION AND RECOMMENDATIONS**

For the current government, the transformation of local government has probably been the largest undertaking within the entire governance transformation project. Government seems to agree that despite progress since 1994, an enormous amount of thinking, effort, resources, and political will still need to go towards making all of the 283 (now 278) municipalities fully functional, efficient, responsive and sustainable. Accordingly, a Turn-Around Strategy for local government has been agreed upon (RSA 2009). Government is hoping that strategy will highlight a problem statement relating to a series of thematic areas which will then allow for appropriate interventions. However, as pointed out earlier, 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 system (RSA 2009:4). Accordingly, government is at pains to restore the confidence of communities in the local government sphere.

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 taking responsibility for service delivery. Rather than directing their common efforts and purpose at people and communities, the political leaders appear to be engaged or distracted by activities such as political survival, corruption, or simply accruing advantages afforded by political processes. Government has recognised that a culture of patronage and nepotism is widespread in many municipalities. The state of affairs has reached extreme proportions to the extent that formal municipal accountability systems are ineffective. Citizens also appear powerless to intervene. Further, the will to maintain oversight over public officials responsible for service delivery is either diminished, or they enter into mutual corrupt arrangements.

The public policy process was shown to be compressive and transformative. There appears to be a continuous roll towards the achievement of the developmental state. However, this process may be taking precedence over other priorities such as day-to-day administrative responsibilities. Accordingly, 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 sphere of government. It is clear that the ANC is focussing on consolidating political power, rather than ensuring the functionality of democracy, i.e. democratic practice *vis-à-vis* public participation where citizens have an equal voice to other local actors; democratic institutions so that all actors have an even and equal space for participation; and democratic accountability where citizens are ensured of 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 article makes the following recommendations: a multi-stakeholder task force, including international bodies such as the United Nations be drawn into the provincial and local government policy process which is currently underway; the Presidential Planning Commission form part of the provincial and local government policy review process; and the process of reform must be strongly informed by policy implementation theory leading to a revised local government model which does not depend solely on developmental rhetoric, but which balances redress, civic virtue, and the politics of participation.

## NOTE

1. Dimitrij Umansky, intern at the Centre for the Advancement of Non-Racialism and Democracy, at the NMMU undertook the secondary desktop research for this article.

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