Introduction

Inside the municipality: locating debates on local government

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The rise of African liberation parties to power in the 1960s brought to the fore 'questions about the role and position of the African state' (Doornbos 1990:179, also see Mamdani 1996, Amin 1972). Leaders of newly independent African states looked upon the state as the machinery to drive far-reaching social and economic transformation, following the sustained ravages of colonial rule. As the 'institutionalised expression of political power' (Doornbos 1990:180), the state was to be directed towards confronting the ills and contradictions of the colonial past and foster 'development'. Faith that the state would provide a path towards salvation emerged from both liberal and Marxist ideologies, but for antagonistic reasons. While the former viewed the state as a vehicle to advance capitalism, the latter saw it as means to dismantle it and engender a classless society (Doornbos 1990:182-3). But the enormous expectations about what can be achieved through the state since the heady days of the 1960s have undergone profound rethinking.

Hopes in the African state proved, by many estimations, to be 'ill-founded' (Doornbos 1990:183). The African state has been the subject of acute concern 'about capacity and performance, about styles and orientations of leadership, and about the measure of representativeness and legitimacy which African governments enjoy within the society at large' (Doornbos 1990:179). The Structural Adjustment Programmes of the 1980s were in many senses fuelled by cynicism in the capacity of the African state to deliver change.

By the time South Africa emerged as a democracy in the 1990s, doyens of international development and global finance insisted that belief in the

state as 'prime mover in all development efforts' was 'misplaced' and 'erroneous' (Doornbos 1990:182), and prevailing wisdom insisted on a minimal role of the state to facilitate the conditions for free-market capitalism. The reform and democratisation of state institutions in South Africa was thus undergirded by contradictory imperatives: to address expectations of dramatically expanded development and share the fruits of economic growth beyond the white minority, while at the same time sustaining a minimalist state. The path charted by the South African state since the end of apartheid has fallen somewhere between social democratic welfarism and hard-edged neoliberal reformism with profoundly ambiguous results.

In 2005, Beall, Gelb and Hassim (2005:682) described the character of the South African state as one of 'fragile stability': a stable and sovereign state presided over by a Constitution and robust legal frameworks, yet one facing acute levels of inequality, unemployment and poverty. They described a 'tenuous equilibrium' rendered fragile by the fact that 'appropriate institutions and processes have not yet been established in state and society to resolve – manage and contain – the potentially destabilising impact of social fractures' (2005:683). Ten years later, it was argued that South Africa's 'political order remains standing, but the pressures it faces are significantly more acute' (Robinson, Steinberg and Simon 2016:1). Following the troubled tenure of the administration of Jacob Zuma, marked by growing revelations of 'state capture', renewed focus has been drawn to the nature of the South African state, and the functioning of government institutions has come to attract public interest on what is perhaps an unprecedented scale (see, for instance, Chipkin and Swilling 2018).

This Focus Issue of *Transformation* considers what is often considered the weakest link in the chain of South Africa's intergovernmental system: local government. The post-apartheid regime positioned municipalities as the primary state organs to facilitate community-based decision-making. In a country plagued by the decades-long legacy of discrimination, municipalities were given an enormous developmental mandate to fulfil. As the most direct link between the state and community, this institution is tasked with the responsibility to deliver a range of basic services to communities: electricity, water and sanitation services, and refuse collection (Koelble and Siddle 2014:607, see also van Donk, Swilling, Pieterse and Parnell 2007). Twenty-six years later, South Africa has yet

to address most of these past and present realities of political, social and economic inequalities (see Desai 2017, Alexander 2010, Bond 2000). And the significant 'own powers' given to municipalities have, in some estimations, turned out to be a fatal flaw in these institutions (Koelble and Siddle 2014:616).

Voluminous literature has focused on the symptoms which have led to local government failures, thus an overwhelming analysis on community protests (see, for instance, von Holdt 2012). Scholarship on Public Administration and Political Science that deals with South African municipalities, also has reached something of a dead-end when trying to explain why local government persistently fails to deliver basic services to communities. The literature identifies three factors. The first points to a lack of skills and capacity within these institutions (see Koelble and Siddle 2014, Atkinson 2002). The second factor is said to be competing interests around resources and power – which is blamed on various concepts: clientelism, neopatrimonialism, corruption, rent-seeking, and lately, state capture (see Beresford 2015, Beall 2005, Lodge 1998). And the third cause of failure is placed at the door of the African National Congress (ANC), whose overwhelming majority in most municipalities has politicised the employment of skills even at the lowest levels of administration – an argument which is frequently advanced for failures elsewhere in the state. So-called 'cadre deployment' is said to blur the divide between administration and politics and to have weakened bureaucratic processes (Reddy 2018).

However, Crispian Olver's (2017) book, *How to Steal a City: the battle for Nelson Mandela Bay,* shows that failures at local government are far more complex. Olver reveals how Nelson Mandela Bay municipality is wracked by multiple and divisive political interests, and how the battles for institutional control led the institution to almost grind to a halt. Dispatched by the ANC to help stabilise the municipality, he offers a dystopian account of its inner workings in which avarice manipulated 'normal' bureaucratic processes. In reviewing Olver's book, Atkinson (2019:75-76) describes the decaying nature of the metropolitan municipality as 'a story that seizes the imagination ... [which is] ... rather Shakespearean in its proportions' (Atkinson 2019:76). 'How widespread is this?' she asks, 'How does it subvert democracy within the ANC?' and 'What is this new political culture and its values?' (Atkinson 2019:78).

The features at work in in Olver's account of Nelson Mandela Bay municipality have become institutional norms in many municipalities across the country. Local government, therefore, has become confused and confusing and there is no solution in sight. What is absent within public administration scholarship is an in-depth understanding of the complex array of social forces shaping municipal administration. Local municipalities constitute arenas of intense contest, of a convergence of multiple interests, networks and personalities which compete at some times, and collaborate at others. Positioned close at hand, local government institutions are embedded in communities and draw from local histories. But the dramas that play out within their walls are integrally shaped by the shifting world outside.

This ambitious issue of *Transformation* seeks to open a window into local government, and offer new understandings about what a municipality is, and how it works. Many of these articles showcase exceptional research which was done in two municipalities in Limpopo Province. These municipalities demonstrate the precarious nature in the making of the South African democratic state. State formation from below is extremely fragile and contested which is a reflection of what is happening at national level. Mogalakwena Local Municipality is home to the biggest platinum mine in the world. It is owned by a Canadian company, but some of its shareholders are connected to the governing party. Contestation over ownership, interpretations of the law, access to resources, among other things, are crystallised in this space, and the municipality forms one arena of contestation. The other municipality, Lephalale Local Municipality, hosts Eskom's coal power megaproject, Medupi, and its feeder coal mines. Here, the question of continuity and rupture with past modes of governance is brought into sharp relief. These municipalities, and the Limpopo Province more generally, illustrate how local and provincial politics are shaped by and embedded in national politics.

Contributors to this Focus Issue urge a methodological shift in the study of local government – one that captures the complex environment in which municipalities are entangled. They argue against summary judgments of municipal weakness which end at policy failures, ANC dominance, or a lack of skills. They encourage the reader to consider a different data set from which to draw conclusions about local government in South Africa. They show, for instance, how the biographies of officials, mundane bureaucratic processes like the production of documents, and concepts of

spatiality profoundly shape the trajectories of municipalities. By exploring what daily life inside municipalities looks like – especially during moments of upheaval and contestation – the contributors attempt to theorise uncharted terrains of local government. Above all, contributions wrestle with a series of interrelated questions: why does local government matter? Why should we be concerned about what goes on in these institutions? And what do these developments tell us about the nature of the South African state more broadly?

Current scholarship on local government and its limitations

Koelble and Siddle (2014:607) note that the establishment of post-apartheid local government was driven by the ethos of the 'developmental state', which embraced a decentralised system which gave municipalities significant autonomy from other levels of government. Chapter Seven of the South African Constitution deals with local government, and stipulates that municipalities have executive and legislative authority. A municipality is accorded 'the right to govern, on its own initiative, the local government affairs of its community'. Moreover, national or provincial government is prohibited from compromising or impeding a municipality's 'ability or right' to perform their functions and exercise their powers (see Pieterse 2019:55). Local government is thus, famously, regarded as a 'sphere' rather than a 'tier' of government.

According to Beall (2005:253), the decentralised system that has taken shape has, moreover, created conditions which grounded experience at local government level, an 'ambiguous arena for state-society relations'. She argues that the regime of post-apartheid local government has tended to favour the interests of 'conservative groups' and is especially vulnerable to 'elite capture' by 'competing interests … clustered around power and resources' (2005:253) which excluded certain groups, particularly women. Koelble and Siddle (2014) argue that decentralisation, especially at local level, can only succeed if there is political will and sufficient skills. From a different vantage point, Beall points to the fact that the kind of decentralisation South Africa adopted,

> is accompanied by policies promoting the marketization of public services … this leads to problems of affordability for low-income people, and in turn local government is often deprived of the human or financial resources to cope with the demands made upon it by decentralization. (Beall 2005:255)

Although these authors have opened a debate on the effects of decentralisation, their analyses lack an in-depth institutional study which demonstrates operationally how municipalities function within this system.

In the opening contribution to this special issue, Thoko Chilenga-Butao explores the complexity of the mode of decentralisation undertaken in post-apartheid South Africa, using case studies of two municipalities in Limpopo. She shows 'the unevenness of decentralisation in South Africa's local government', a concept which denotes 'the ability of municipalities to provide services for local residents in certain municipalities but not in others'.

Tracy Ledger goes a step further showing how organs of the central state which impose strict regulatory conditions on local municipalities are out of step with life as it is actually lived within these institutions. She argues that 'institutions such as the National Treasury and AGSA [Auditor General of South Africa] do not appear to have particularly good insight into the underlying reasons for non-compliance, but instead have adopted an instrumentalist approach that all regulation will simply be implemented if it is understood and within the capabilities of the implementing party'. Moreover, with their focus on non-compliance of codified rules, these explanations 'focus on what officials are *not* doing, rather than what they *are* doing'. Indeed, Ledger argues that we consider not just the codified rules that govern municipalities to assess their actions, but also the array of uncodified rules and norms that are brought to bear on the decisions that officials make in their day-to-day working lives. Thus, so-called non-compliance is not always simply a function of corruption or a lack of skills, but a response to other imperatives at play within the institution.

Moreover, formal rules can themselves be harnessed to political strategies, and the invocation of procedure and policy can in some instances work to bring greater dysfunctionality to state institutions. This is demonstrated by Joel Pearson in his consideration of 'the contested flow of documents in the recent history of the conflictual Mogalakwena Local Municipality in Limpopo province of South Africa'. Processes surrounding the production or commissioning of documentation prove to be key sites for generating resources of state power. In the context of a far-reaching battle for institutional control by rival factions in this embattled municipality, documents were produced which sought to cloak political power-plays in the language of 'bureaucratic neutrality, of disinterested rationality, [and] of the "public good"'. Here we also see how

it is not simply corruption that functions to destabilise local government institutions, as many commentators on local government narrowly posit but, indeed, also anti-corruption discourses which produce damaging contestation.

A related line of critique against local government centres on the practice of cadre deployment: as we have noted above, this is a long-espoused official policy of the ANC. Reddy, for instance, argues that local government is in a state of 'distress', and points to the 'politicisation' of recruitment processes in municipalities – that is, the 'substitution of political for merit-based criteria in the selection, retention, promotion and rewards and disciplining of members of the public service' (Reddy 2018:711). As a result, Reddy argues, cadre employment has heightened the

> mismatch between post and skills requirements; low morale, lack of interest and commitment; dysfunctional staff; limited investment in human resources; weak leadership/management/ technical expertise; non-stipulation of basic competencies for strategic positions. (Reddy 2018:719)

Indeed, as the research in this issue has borne out, all senior positions within the municipality are deployment posts. On this issue, however, Thomas Lesaffre shows that it is not necessarily deployment in itself which is producing the most damaging effects in local government, but rather the contestations that have emerged over deployment decisions in the context of splintering party unity. Using Foucault's 'micro-physics' of power, Lesaffre shows how, in the context of a bitter battle between rival factions of the ANC over the position of the municipal manager, ordinary officials were subjected to traumatic intrusions which made it difficult to exercise their daily duties. These included techniques to induce '(i) a regime of visibility, (ii) a regime of exclusion and (iii) a regime of truth' – tools which attempted to instil discipline in the troubled organisation, but which left lasting effects on the morale and performance of bureaucrats.

The poor performance of many municipalities has, in part, put the ANC as the ruling party under great scrutiny. The research presented here took place largely during the presidency of Jacob Zuma. While the latter asserted that 'the ANC will rule till Jesus comes', his own tenure saw ANC support fall to new lows. The 2016 local government elections indicated significant erosion of the ANC's popularity, with the party losing three of its metropolitan municipalities (Desai 2017:31). Competition amongst

internal factions of the ANC during Zuma's rule also led to 'bloodletting' (Desai 2017:31). Part of understanding the bloodshed which occurred in various municipalities across the country requires, as Darracq (2008:429) notes, investigating the ANC's

> … concrete processes, codes and practices; the ways these rules and principles are accommodated, distorted by the relationships of command and the interactions between different organs and groupings competing over different issues.

The thread running through the contributions illustrates how troublesome political disputes inside the ANC have impacted on the daily processes and workplace environments of most municipalities. Although Booysen (2015) highlighted some national level political scandals, there is still, however, inadequate empirical research showing how corrosive ANC factionalism has produced 'perpetual instability' in many municipalities (see Phadi, Pearson and Lesaffre 2017).

Yet factors beyond the ambit of the ANC are also identified as constraints on effective local government in this Focus Issue. Emma Monama reminds us that historical spatial patterns still shape the present realities of municipalities, unpacking the failure of the Lephalale Local Municipality to fundamentally challenge the social geography of apartheid. In a context in which most land in the municipality remains in private hands, following decades of dispossession at the hands of the apartheid state, she emphasises cognisance of 'a knowledge of the history and geography of local government institutions and the public-private interface within which policy strategies operate'.

This issue of *Transformation* demonstrates that municipalities have become 'bloomin', buzzin' confusion' (Reed Jr 1999:176), as they struggle to fulfil their role of delivering basic services to the poor. Although Reed was writing in the context of the United States which has a black minority, his claims resonate with South African experience – the black majority remains in acute poverty. Since 1994 in South Africa, black people began occupying positions in all spheres of government. In many respects, 'they became the old movement's new standard-bearers, upsetting entrenched and powerful interests' (Reed Jr 1999:xi). Yet as a 'new stratum of leadership arose … conditions for most blacks … remained the same' (Reed Jr 1999:xi). The occupation of the state apparatus by the incoming leadership seemed initially to offer the promise of reforming racially segregated realities, but this hope was quickly dashed. The dream that

municipalities would be the primary motors behind change at community level has, it seems, been continually deferred. Activists who were absorbed into these institutions and held posts in 'public officialdom' started to battle out the interpretations of their strategies and how they contributed to the failures of municipalities (Reed Jr 1999:1-7). In the process, the ideals of those who occupied municipal offices – who believed this could serve as a catalyst to enable social life to obtain 'between the state and citizenry' – have been profoundly eroded (Reed Jr 1999:7).

As municipalities play a balancing act between economics and politics, bureaucratised structures and historical legacies of state institutions result in certain groups being disadvantaged, which 'at the same time produces little political' change (Reed Jr 1999:166). The post-apartheid state has had difficulty in forging effective democratic bonds with the community, and the initial idea of local government as serving as a primary interlocuter of state-society relations has become 'difficult to sustain' (Reed Jr 1999:176, also see Terreblanche 2012, Adam, van Zyl Slabbert and Moodley 1998).Yet at the same time, municipalities matter because they have become an important state apparatus in the making of administrative and political processes which enhance and define certain dominant economic interests (Reed Jr 1999). For instance, they provide resources that are channelled back to political party incumbents for sustaining the party in elections and campaigns. Local government has remained at the centre of many political struggles, and municipalities have frequently simmered with chaos, the long-term results of which are still unclear. More importantly, is there still some hope that the decades-old dream of fixing the administration within these institutions will result in a 'just' society?

The Focus Issue, here, was conceptualised three years ago by Mosa Phadi and Ivor Chipkin, who saw the need to draw all of the Public Affairs Research Institute's (PARI) research work on local government together in a single place. These were extraordinary research projects led by a new generation of scholars, who were discovering and amassing an enormous amount of raw data through interviews and documents, revealing insights about these municipalities which have never been published before. Mbongiseni Buthelezi, the current executive director of PARI, approached Peter Hudson to assist these scholars in writing articles for publication. Sadly he did not live to see this project come to fruition. This issue is dedicated to Peter's memory and to his unfailing commitment to encourage young scholars along their path of self-actualisation in the academy.

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