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DEPARTMENT OF
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HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS

MUNICIPAL SERVICE DELIVERY PROTESTS WITHIN THE CONTEXT OF DEVELOPMENTAL LOCAL GOVERNANCE IN LIMPOPO PROVINCE

ABSTRACT

The notion of municipal service delivery protests continues to generate debates among policy-makers, civil society and in public administration practice and scholarship throughout in South Africa. The municipal service delivery protests debates stems among other challenges of Unemployment, poverty, corruption and poor governance. It is a matter of concern that municipal service delivery protests have undesirable consequences for the socio-economic development programmes. The paper aims at examining the causes and challenges of service delivery protests and its impacts on socio-economic development in Limpopo Province. To achieve this, the paper relied on relevant data from both primary and secondary sources. Non-probability purposive sampling was adopted to select participants for this study. The paper employed techniques such as observations, interviews and focus group discussions to collect data. To analyze data, narrative analysis was used. Written documents were also relied on. Theoretical framework which includes Local Government Service Delivery Act and other legal documents were used to feed the deeper understanding of the matter. The paper concludes by proposing measures that can be considered in efforts to deal with the challenges confronting the local government sphere. The paper recommends some strategies to be used to solve the matter.

Keywords: Municipality, Service delivery, Protests, Unemployment, Corruption and Developmental local governance.

1. INTRODUCTION

Service delivery has become a common problem in South Africa. From Harrismith in Durban, Phulong in Free State and Diepsloot in Gauteng Province to Bolobedu, Morapalala (Limpopo) and Vuwani -Ngwekhulu in Limpopo Province, endless service delivery protests have been undertaken by communities (Raophala,2013:1). According to the South African state former President (Mbeki, 2000:15), the country still has communities living under abject poverty and inadequate infrastructure, despite efforts to address backlogs. Before the new political dispensation came into being in 1994 communities were grossly deprived of basic services, and this has put a strain and exerted pressure on communities.

This article attempts to advance the idea of developmental local government that aims to strengthen the process of service delivery in the local government sphere, notwithstanding so, the paper will also conceptualise good governance in the South African context as well as the challenges that inhibits local government towards service delivery. The paper will bring into light the historical background of a developmental local government hence to further encapsulate the aim of developmental local government, legislative framework governing local government in South Africa hence to briefly highlight the political and administrative systems in local government.

2. RESEARCH METHODOLOGY

Qualitative research method is a tool of inquiry which helps the researcher to understand a social or human problem from multiple perspectives (Babbie, 2010). It is conducted in a natural setting and involves a process of building a simple and holistic picture of the phenomenon of interest (Creswell, 1994). In this paper, qualitative research method has been used to understand the causes of municipal service delivery protests within the context of developmental local governance .

Research design is a road map used in planning when undertaking research (Tustin et al, 2005). Exploratory research design was used for the purpose of this paper. It is used to define the problem or develop an approach to the problem. It is also used to go deeper into issues of interest and explore tones related to the problem at hand.

The sample for this study comprised of male and female people of the areas that were affected by the protest, including Vuwani in Vhembe District, Limpopo province. Semi

structured interviews were conducted. A non-probability sampling approach was used for the paper.

For the purpose of collecting data, in-depth interviews were used to prompt facts or statements from the interviewees (Holstein and Gubrium, 1995). This technique assists the researcher to gain insight into the "subjective understanding" of those being interviewed through using leading questions and listening. Open-ended interview was used as it was helpful in probing questions on municipal service delivery protests within the context of developmental local governance.

3. LITERATURE REVIEW

3.1. Historical background of a developmental local government

According to Torado (1994), development is a multidimensional concept involving changes in social structures, popular attitudes and national institutions, as well as the acceleration of economic growth, the reduction of inequality, and the eradication of absolute poverty. Development can also generally be regarded as a process of directed change leading to economic growth, political autonomy and a broad basis of social reconstruction. However, the improvement of human conditions is held to be the underlying motivation for development and it can be asserted that development is about people and for people, as a result development should begin with identifying human needs and keeping these as objectives in order to raise the standard of living of the masses. According to Section 40 (1) of the Constitution of the Republic of South Africa,1996, government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. The roles of local government are outlined as the follows; 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 communities and community organisations in matters of local government.

Monakedi (2012) advocates that the State of Local Government Report (SLGR) recognises that local government is in distress and a long way from attaining the aspirations of the Developmental Local Government, nevertheless, the Department of Cooperative Governance and Traditional Affairs (COGTA) launched the Local Government Turnaround Strategy following the findings of the State of Local Government Report (SLGR). To this end, the Local Government Turnaround Strategy (LGTAS) plans to address the shortcomings of Developmental Local Government (DLG) through five strategic objectives, which are to ensure that municipalities meet the basic

services needs of communities; build clean, effective, efficient, responsive and accountable local government; improve performance and professionalism in municipalities; improve national and provincial policy, oversight and support; and strengthen partnerships between local government, communities and civil society.

3.2. Conceptualisation of Developmental Local Governance Good Governance in Local Government Sphere

According to the White Paper on transforming public service delivery, in 1997, developmental local government is that sphere of government that is committed to work with citizens, interest groups and communities to create sustainable human settlements that provide for a decent quality of life and meet the social and economic needs of communities in a holistic way.

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

(a) Structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community and promote the social and economic development of the community.

(b) Participate in national and provincial development programmes. It is evident that developmental local government entails democratising development through public participation and consultation and meeting communities' basic needs in an effective and efficient manner.

The concept as bewildering and largely contested as governance is a challenge to conceptualise, therefore governance can be understood as the government's ability to make and enforce rules, and delivering services regardless of whether it is democratic or not. (Fukuyama, 2013). Governance is the exercise of political and administrative authority at all levels to manage a country's affairs mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences (Wohlmuth, 1998 and Hope, 2005). The concept of good governance has received increasing attention by the end of the 1980s in Africa, notwithstanding so, at government, private and civil society sectors the concept good governance refers to the exercise of authority through political and institutional processes that are transparent and accountable and encourage public administration (Hope, 2005).

UN ESCAP (2012) indicates that governance is the process of decision-making and the process by which decisions are implemented or not, although governance is a relatively new term in the policy arena, the literature on the subject is widespread, furthermore, the term governance refers to a quasi-system wherein the exercise of political,

economic and administrative authority to manage a nation's affairs, however governance is not limited to the state but incudes a variety of non-state actors, such as the private sector, Non-Governmental Organisations (NGOs) and broader civil society.

3.3. Aims of developmental local government

Shaidi (2013) asserts that in order to achieve the objectives of developmental local government, the government should use a number of tools such as the Integrated Development Plans (IDP) of municipalities, aligned to budget provision and community needs, Land Development Plans (LDP), and Spatial Development Frameworks (SDF) seeking to redress the spatial exclusions of apartheid-type designs. The other tools to include is the National Spatial Development Framework (NSDF) and the Provincial Growth and Development Plans (PGDPs), with linkage to the IDPs of the municipalities within a specific province, as well as the application of Batho Pele principles. In terms of the 1997 White Paper on Transforming Public Service Delivery (Government Gazette No. 18340, 1 October 1997:14-15), the concept of Batho Pele was first introduced in October 1997 and the words "Batho Pele" emanate from Sesotho origin meaning "People First", therefore the main aim of the Batho Pele principles is to provide a policy framework and a practical implementation strategy for the transformation of the public sector in order to improve the quality, effectiveness and efficiency of service delivery to the citizenry. However It may be argued that Batho Pele principles is South Africa's way of moving towards a "citizens as valued consumers" approach.

The Constitution of the Republic of South Africa, 1996, envisaged a strong, capacitated developmental local government that would seek to improve the quality of lives of all citizens, irrespective of colour, creed or ethnicity. The process of transforming the institutions of the South African state is premised on the fact that the new democratic state, born in 1994, has a specific mission, namely, that of meeting the new developmental objectives that will assist in creating a better life for all citizens.

Since local government is regarded as the sphere of government closest to the people, the core of all related legislation is to establish ways of ensuring that citizens provide input into the decisions that local municipalities make; hence the promulgation of the Municipal Structures Act 117 of 1998. The intention of the Municipal Structures Act, 1998 is to provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipalities; establish criteria for determining the category of municipality to be established in an area; determine the

types of municipalities that may be established within each category; provide for an appropriate division of functions and powers between categories of municipalities; regulate the internal systems, structures and office-bearers of municipalities; and provide for appropriate electoral systems.

3.4. Nature of Service Delivery in the South African Local Government

Chen et al, (2014) critique that service delivery is a common phase in South Africa used to describe the distribution of basic resources which citizens depend on like; water, electricity, sanitation, infrastructure, land and housing. Service delivery is a customer-based model that offers a reliable and readily accessible system. Moreover service delivery lets customer know what to expect from a service, and it helps them understand a service's scope and how it operates. But South African service delivery process still reflect the legacy of the apartheid government policies, which were founded on a racial separatist ideology and grounded in inequality, as a result main cities in South Africa are given high preference than other residential areas.

A lack of services to those marginalised residential areas and the concentration of the poor on the urban edge, however the biggest task facing the newly democratically elected South African Government. The new regime promised to ensure the transformation of the country as outlined in the Reconstruction and Development Programme (RDP), and the primary objectives in the RDP were to meet the basic needs of the people, build the economy and the nation, develop human resources and entrench the democratisation of the state and society which the government is failing to achieve (Alexander et, 2013:158).

4. FACTORS CONTRIBUTING TO PROTESTS IN SOUTH AFRICA

4.1. Corruption

Most of the participants mentioned the issue of corruption as a serious challenge. According to the participants interviewed high rate of unemployment, poor service delivery and limited resources are the results of corruption. People complained about cadre deployment which disregard skills and knowledge in government institution. The issue of connectivity was also raised as tenders are determined by who you know. Government has gone out of its way to create an environment in which national and

international business feels welcomed and would invest and assist the national economy in achieving the desired rates of, for example, economic growth and job creation, but corruption has taken its toll Mafunisa (2000).

Manyaka and Madzivhandila (2013) advocate that most municipalities in South Africa are gaining reputation of poor service delivery, ineffectiveness, and incompetence and high levels of corruption, although numerous initiatives have been put in place in order to enhance service delivery, challenges relating to service delivery still abound, nonetheless poor interdepartmental cooperation and lack of horizontal integration has hampered effective local development planning and thereby contributed to crippling service deliveries. Webb (2008) maintains that not only corruption impede service delivery, it also has a number of negative consequences inter alia lower levels of investment and growth, the discouraging of foreign direct investment and encouraging business to operate in the unofficial sector in violation of tax and regulatory laws. The existence of corruption in a state is an indication that the management of its public institutions is weak and that tolerating corruption of some kind could lead to the spiraling of malfeasance to a systemic level.

4.2. Poverty and Unemployment inhibiting the developmental local governance

Majority of people, particularly youth are not working. Most of the participants indicated that they have qualifications but they are unemployed. It is unpalatable to have people who qualified late 1990's but still not having a permanent or a proper job. People are angry at the government as they are blaming it in all these ills. The new dispensation to the majority of the people in the country meant the alleviation of poverty, provision of better housing, better health and education facilities, access to adequate water, affordable and reliable electricity and proper sanitation and the overall improvement of life of the majority of the people, notwithstanding so, the excitement that accompanied the new dispensation was short-lived and later replaced by growing signs of despair with government's inability to render the basic services promised to all citizens Mashamaite (2014). Poverty is also crucial factor that causes protests in communities as many people are being required to pay for basic services such as water and electricity even though they do not afford (The Natal Witness, 2003).

4.3. Lack of institutional capacity

Most of the officials in government institutions, especially the municipal entities do not have qualifications for their positions. Most of the officials interviewed have grade 12 as the highest qualification, and some in management positions have diplomas. Government institutions suffer from scarce skills. According to Managa (2012) lack of expertise has left many municipalities inadequately staffed, resulting in deteriorating service delivery over the years, and leaving many communities with inadequate access to basic services, therefore it is unfortunate that skills scarcity has resulted in overwhelming service-delivery backlogs that have prevented the government from addressing the problems effectively and efficiently, as a result it is particularly evident in managerial and technical positions, which remain vacant in most rural municipalities, notwithstanding so, the lack of expertise has led to severe service backlogs that impact on many poor communities that yearn for the provision of basic services for their survival.

However, there are some municipalities that lack adequate funds to carry out their constitutional mandate to improve service delivery, therefore some just resort to underspending the allocated funds due to a lack of leadership skills and this is mainly attributable to a lack of skills in project management and financial management, and has prevented certain projects from being started or completed, in this regard protesters claimed that the cause of service delivery protest is poverty, the high rate of unemployment and maladministration of government resources, such as the misuse or under-use of funds allocated for providing services, as well as a lack of capacity to complete projects that assist the communities Managa (2012). There are many municipalities particularly in Limpopo province that are closed down because of being dysfunctional.

It is clear that developmental local government requires a dynamic political leadership, resulting from a free and fair democratic electoral system. It also requires appropriate political structures and systems to provide the much-needed governing functions and political oversight. The current political infighting occurring in certain municipalities in South Africa should therefore, be viewed as undesirable and retrogressive. In terms of Section F (1) of the White Paper on Local Government, 1998, the process of

amalgamating the old race-based municipal administrations initiated by the Local Government Transition Act 209 of 1993, proceeded very differently in different municipalities" (Shaidi,66:2013).

5. CONCLUDING REMARKS

The need for creating commitment in local government is very pivotal, therefore poverty and unemployment and the continuous municipal service delivery protests that face the Province despite being endowed with mineral resources prompted the researchers to undertake a conceptual study to unearth possible challenges. However it appears that municipal service delivery is in a very precarious state, as a result, many South Africans have little confidence in the efficiency, effectiveness and responsiveness of local government as demonstrated by the protests in various municipalities of the Province, in this regard municipalities underperformance and mismanagement, coupled with corruption have led communities to have little confidence in local government.

In peroration, poverty and unemployment are the major causes that attribute to the non-payment of municipal service fees in South Africa and as a result it also lead to the community engaging in municipal protest because of failing to have access to basic services such as; water and electricity because they do not afford to pay.

6. RECOMMENDATIONS

In order to address the municipal service backlogs in Limpopo Province, this paper suggest that all municipalities in Limpopo Province should strengthen human resource capacity, which enable local government to deliver its constitutional mandate to the public and to strengthen national and provincial oversight and supervision of intervention to take place as well as to make a serious commitment to root out nepotism and corruption in areas such as recruitment for municipal positions and the awarding of tenders for services. Municipalities should come up with strategies that will assist to fast track the programme of service delivery to the communities. Anti-corruption policies should be strictly adhered to.

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