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EDITORIAL

WHAT DO THE 2019 GENERAL ELECTIONS OUTCOMES HOLD FOR SOUTH AFRICA?

Kedibone Phago
Deputy Editor

South Africa's highly anticipated general elections will be taking place on 8 May 2019. This is a necessary milestone in order for the country to consolidate its democratic mandate and maintain its constitutional order. However, there are serious moral and political questions that remain a puzzle for many South Africans. Some of these problems are playing themselves out at the Commission of Inquiry into State Capture as it continues to unravel the misgovernance of the Zuma administration.

There are many issues that remain and will need to be addressed soon after the elections. These include the country's sovereign debt and liquidity, which are under the constant scrutiny of rating agencies, and the sustainability of the state-owned enterprises such as DENEL, Eskom, SAA and SABC. Other issues are related to unemployment, the increasing cost of living as the VAT increase to 15% is felt mostly by the poor, as well as the skills shortage in respect of the demands of the fourth industrial revolution. Therefore, the 2019 general election outcomes will serve as an important determinant of how these

issues highlighted above will be addressed to bring about the necessary stability in the economic and political landscape of the country.

The March 2019 issue of the *Journal of Public Administration* provides articles that address a wide range of scholarly discourses necessary for the country and the continent. Latib's article considers the issues of legalism and their impact on public management discretion and governance in South Africa. The author seeks to undertake a critical analysis of governance consequences pertaining to cases that have generated some public interest. Naidoo and Naidoo's article addresses corporate social investment (CSI) by focusing on block chain technology. The discussion highlights the fact that CSI is used by many corporates to fulfil their social responsibilities to create shared value within communities. The article of Matshabaphala considers the metabletics of leadership and public ethics in the digital age. The article examines how leadership and public ethics could be maintained during the digital period as a demonstration of agility.

Hanabe and Malinzi's article provides an analysis of party coalitions as a model to govern municipalities in South Africa. This article intends to explicate the situation in local government where political parties are increasingly struggling to obtain an outright majority to form governments on their own. The article of Niyambira and Mazhivhandila provides an analysis of socio-democratic factors influencing youth employment in South Africa. The effect of the various factors in the focus of three municipalities in Mpumalanga province are considered. An Afrocentric narrative of the chieftaincy disputes of Mametja and Malepe Traditional Councils is postulated in the article by Shai. This approach used to argue that proper historical and continental context are essential lenses through which to understand such disputes.

Maleka and Siziba's article focuses on the barriers experienced in the course of implementing employment equity in government. This empirical study highlights the fact that the moratorium and skills shortages are critical barriers in government and need to be addressed. The challenges to addressing health sector inequities in Ghana are

examined in the article by Jonaha and Mayb. This report on an empirical study undertaken to consider the need for decentralisation and the funding of to deal with inequities, which are viewed to be perpetuating inequities in Ghana. Jili and Maloka's article tackles issues of accountability, responsiveness and openness with a focus on Esidimeni Arbitration and Black Sash/Sassa litigation. The article raises issues regarding public officials and their functionaries who are often at variance with critical constitutional norms as provided for in the article.

Manzini, Lubbe, Klopper and Meyer's article considers the need to improve infrastructure delivery through effective supply chain management. The article argues that supply chain management processes could be critical success factors for the North West Provincial Department of Public Works and Roads, and should not be replaced by other structures within the system. Assessment of the eco-health and well-being of the Bekkersdal informal settlement is the subject of Diedericks and van Eeden's article. They gauged the levels of poverty and unemployment in the context of the associated complex social and economic challenges.

LEGALISM AND THE IMPACT ON PUBLIC MANAGEMENT DISCRETION AND GOVERNANCE IN SOUTH AFRICA

Salib Latib
Sol Plaatjie University

ABSTRACT

There has been a steady shift towards 'legalism' within public institutions and an affinity to refer accountability and service delivery concerns to courts and the broader legal community for resolution. The current legalistic trajectory in South Africa creates a separation imbalance between the rule of law, the need for accountability, and the reality of effective service delivery. Rather than facilitate substantive development transformation, numerous cases of public interest litigation have ostensibly done little more than contribute to broader jurisprudence and rights awareness. A legalist approach towards the work of public officials constrains appreciation of the complex dynamics of delivery and the contextual factors that shape decision making and actions within public institutions. A critical analysis is provided of the broader governance consequences of specific public interest litigation cases, together with instances of legally driven assessment of the performance of public officials. Drawing from the exploration, it is advanced that the shift towards legalism creates a governance imbalance and a problematic pathway for society. It is concluded that securing deeper and less legalistic forms of state-society engagements

and less legalism in the management of public institutions is essential for the creative resolution of socio-economic challenges.

Keywords: Governance, litigation, discretion, legality and accountability.

INTRODUCTION

Public interest litigation is considered good for society, as it builds accountability, service delivery and the rule of law. It has shown to be useful for shaping public policy and in providing a voice to vulnerable individuals and communities (Cote & Van Garderen, 2011:182). Over the past few years, a number of civil society organisations have emerged with a mandate to secure rights and accountability through, among others, active engagement with judicial processes (Gastrow, 2017; Gumede, 2018). The general orientation is that without such organisations 'our democracy and our country could truly be captured' (Gastrow, 2017) and that they represent the 'last line of defence' against corruption (Gumede, 2018). The use of legal action as a vehicle for change is not always celebrated, and there are different perspectives among activists and scholars. Some advocate that the influence of law on social

interactions can advance transformation over the long-term (Liebenberg, 2006:36). Others are more sceptical and point out that human rights and social litigation can reinforce inequalities and may not contribute to lasting change (Albiston, 1999:870). Human rights and social litigation may also be perceived as elitist and as usurping the role of representational structures of accountability. Litigation that seeks to drive change when social norms have not transformed may also be counterproductive (Fritz, 2014).

To overcome some of the identified weaknesses embedded in public interest litigation, the recent orientation has been to propagate the idea of 'strategic litigation', a form of targeted litigation that unfolds through broader 'social movements' and is exercised as a partnership between civil society organisations (Fritz, 2014). No matter the framing, the overall orientation is that litigation facilitates creative jurisprudence and strengthens governance (Stewart, 2010). In addition to direct public interest litigation, there is also a strong push towards legality as a driving value within public institutions. Legality, as Klaaren (2011:129) reasons, should be 'negotiated and engaged' with as it makes for healthy dialogue between the legal community and those who exercise executive authority. There is equally also a propensity in government towards establishing legally oriented investigative structures to review the performance of individual or institutions. The appointment of retired judge Robert Nugent to head an inquiry into the South African Revenue Service (SARS) is added illustration of this approach to performance (Khumalo, 2018).

Even if legal recourse is perceived as a channel of last resort, we still have to reflect

carefully on the context within which it unfolds and the impact on overall governance. To cognise the impact of public interest litigation and broader legalism in society, the exploration begins with a theoretical overview of governance and the imbalance among different governance elements. This is followed by an analysis of the impact of social litigation and legality on the agency of public officials. Use is made of specific litigation cases and instances of legally driven performance investigations for the analysis. A brief country-based comparative analysis is provided to explain the consequences of the over-emphasis on legality.

THE GOVERNANCE IMBALANCE

Governance encompasses the rule of law, accountability and state capacity (Latib, 2016:79). Traditional liberal perspectives advance these as the three constitutional branches with their doctrines, values, instruments and procedures. The legislative branch centres on politics and policy making, with an emphasis on the values of representation and responsiveness. The judicial branch focuses on legality, with an emphasis on constitutionality, coupled with procedural and substantive protection of individuals. The executive branch centres on bureaucratic implementation, with the emphasis on effectiveness and efficiency (Rosenbloom, 2013:382). The liberal characterisation leans towards a focus on structures and separation of powers and not on the substantive governance content and broader set of institutions implied by the rule of law, accountability and state capacity. It also tends to diminish analysis on the manner in which the three elements of governance unfold within a society, the influence of dominating practices,

and the interrelationships. The miracle of modern society is the three institutional elements fully serving their purpose in a balanced manner (Fukuyama, 2011; 2014). Political contestation and societal dynamics serve to create and recreate the balance on an ongoing basis. An analysis of each institutional element of governance points to the possibility of falling into a cycle of imbalance or decay, from which it is difficult to emerge without, among others, direct forms of deliberative agency within society.

The rule of law establishes the principle that all persons and actions are subject to the law. It further embodies rights and responsibilities, and the modalities for mutual coexistence and public engagement. It is predicated on the existence of a constitution that sets out rights and obligations, including the framework within which these are exercised and affirmed. It provides for the equality of all people and the right of access to courts to secure justice. It rests on the foundation that there is acceptance of the rules within society, which includes respect for the courts of law and the judiciary in general (Kibet & Fombad, 2017). A vital element of the system is appreciation within society that rights are respected at all levels and are not just a matter for the courts, but a matter that defines how we interact with each other at multiple levels (Fombad, 2011). Its success is predicated on state sovereignty, the capacity to implement laws, and the responsible development of public policies.

Accountability encompasses the idea that those who exercise public power do so on the basis of the will of the people (Fukuyama, 2011, 2014). While associated with democracy and electoral processes, accountability

is much broader and embodies the notion of substantive deliberative engagements within society on actions within all spheres of mutual coexistence (Warren & Gastil, 2015). Accountability incorporates the idea that public perspectives and concerns will be included as decisions are made on the use of public authority and resources. It is hence founded on the notion of ongoing engagements and a willingness to listen to all voices, even if these are contrary to dominating perspectives at particular points in time. Accountability success is grounded in the capacity to implement collective decisions and on legal guidance where bureaucratic actions or inactions impact on rights.

The third element is about state sovereignty and the capacity of public institutions to deliver in an accountable manner and within the framework of the rule of law. Sovereignty and capacity embody the idea that jointly established institutions have the authority to act in accordance with the collective will. No competing administrative authority can contest or usurp the sovereign status of the state (Fukuyama, 2014). It presupposes that the administrative and delivery authority has the required capacity to do as is required. Such capacity is contingent both on the ability to innovatively deliver and to exercise a level of discretionary judgment in the delivery process (Fukuyama, 2013). Success is predicated on the extent to which delivery is a reflection of what is in the public interest, as derived through accountability arrangements, the capacity to demand compliance and the respect of rights through a functional legal system.

The three governance elements cannot be delinked from each other. Weaknesses in one

area of governance impact on others. The separation of powers is not absolute, and stability within and between the elements is not static, but a continuous process of adjustment and rebalance (Ngang, 2014). Weaknesses in accountability systems and state capacity impact on the rule of law and hence on the legal community. Shifting responsibility for accountability and delivery challenges to courts creates a downward cycle as it weakens the principle of non-intrusion within the legal sector (O'Regan, 2005:14). While courts may play a more proactive role, they cannot be the primary terrain for accountability to the society. Courts cannot also fully determine the rationality that should permeate innovation and discretionary-based delivery of public services. To appreciate the imbalance and related consequences, it is useful to look at some instances of delivery- and accountability-related litigation before interrogating the impact of legalism on the performance of public officials.

DELIVERY AND ACCOUNTABILITY LITIGATION

A desire for social change and related commitment to champion the cause of the marginalised and vulnerable drives public interest litigation from civil society organisations (Cote & Van Garderen, 2011:182). This is celebrated as it is seemingly good for a society that organisations and individuals are prepared to take up the issue of securing rights through courts of law (Gastrow, 2017; Gumede, 2018). There are nevertheless many cases that, while won by litigants, have not made a substantive difference to the realities of those affected and may, in fact, have had unintended negative consequences for

governance and society as a whole. There are instances where substantive litigation may be perceived as negatively impacting on governance and setting society back. To illustrate, a brief analysis is provided of three such cases.

The case of the Government of the Republic of South Africa versus Grootboom is considered a landmark case in international jurisprudence, as it is the first time in any country that a court enforced the constitutionality of a socio-economic right, giving legitimacy to the second-generation of citizen rights (Williams, 2005). The Court concluded that it was unreasonable for government to make plans for housing that did not make provision for the neediest of all. While some provide a more circumspect reading of the rights to shelter that the court affirmed and the practical value of the judgment (Cameron, 2014:260-261), the reality in this instance is that the case did not make a substantive difference to the litigant herself or those struggling for access to housing in urban areas. While commentators (Liebenberg, 2006; Sachs, 2007; Cameron, 2014; Ellmann, 2016) have defended the Court's ruling and related limits, none engage with the actual content of housing programmes and, in particular, matters related to access to land for housing purposes by people in need. Research conducted in the aftermath revealed that more than two years after the order was granted, there has not been full implementation by any government agency (Davis, 2008:701). Although the case is perceived as a landmark judgment on socio-economic rights, the consequence for practice is perhaps less than anticipated and it may have closed the door for deeper levels of innovation in delivery and broader engagements

on incrementalism in housing delivery as a strategy towards fulfilling the right to appropriate shelter. The case is a reminder that politics, including public engagements and state capacity for innovation, are the primary means for securing different forms of distributional decisions for the vulnerable within society (Davis, 2008:711; Chenwi, 2015). Legality has a tendency to establish a compliance culture and a deleterious cautiousness in public institutions when there is a substantive need for open engagements, partnership and creativity when responding to needs within society. Uncertainty around the implementation of court orders may also be driven by a fear of transgressing other legislation dealing with delivery by public institutions (HSRC, 2015:22).

In June 2015 the Southern Africa Litigation Centre (SALC) made an urgent application requesting a court order for the arrest of President Omar Al-Bashir of Sudan. The order was granted and directed to Government to arrest the President, who was attending an African Union (AU) Summit (Tladi, 2015). While the Sudanese President departed without enforcement of the order, he is still subject to arrest on the basis of the warrant issued by the International Criminal Court (ICC) in connection with allegations of genocide, war crimes and crimes against humanity committed in Darfur, Sudan. Although South Africa had an obligation around the treaty governing the ICC, Government struggled with the matter of balancing this with the imperative of diplomacy and its engagements within AU processes (De Wet, 2015; Ventura, 2015). Although the litigants may have won the case, President Bashir remains free, and there is hardly any policy discourse around the complex challenges that unfold as South

Africa engages on matters of peace-building on the continent and the trade-offs that unfold as diplomats seek to uphold shared values and a commitment to human rights. Diplomacy and peace through dialogue as an expressed foreign policy invariably create value affirmation challenges (Habib, 2009, 2013). The Court pronouncement and related difficulties have had the consequence of pushing some towards political considerations and a withdrawal from the ICC (Stone, 2017). Deliberative engagements between government and civil society groupings can contribute to more in-depth dialogue within society on the commitment to human rights in Africa and how these are infused in peace building and related diplomatic efforts (Habib, 2013).

The third case relates to the implementation of e-tolls in the Gauteng Province of South Africa. The High Court in Pretoria granted the Opposition to Urban Tolling Alliance (OUTA) an interdict against e-tolling, which was scheduled to begin on some Gauteng highways on 30 April, 2012. The Constitutional Court subsequently overturned the Order of the High Court. In delivering the judgement, Deputy Chief Justice Dikgang Moseneke held that the High Court failed to give effect to the imperative of the separation of powers. He also concluded that the decision to halt e-tolling would negatively affect the economy (Swart & Coggin, 2014). The initial High Court decision has had a substantive governance impact. A momentum towards e-toll payment defiance had been established at a point where it may have been possible to secure some level of compliance. The non-payment of e-tolls is considered by some as an act of civil disobedience, but it is criminal and brings into question responsible citizenship

and the broader democratic culture in the country. Electoral processes embody risk of poor choices and the inevitability that the government of the day may make mistakes or decisions that an individual might not like. Correcting this requires confidence with electoral processes unless these are abandoned in favour of direct democracy over all decisions and innovations in delivery. Aside from moral and political perspectives on the payment of e-tolls and related costs, the initial court order has had a lasting impact on governance and may even deepen a propensity in society to ignore legal obligation and electoral choices, for other forms of undemocratic civic actions.

In addition to these cases, there are reportedly numerous other instances where court decisions have not resulted in the implementation anticipated. Some have gone so far as to suggest that courts could become more interventionist by, for instance, adopting innovative remedies such as structural interdicts and engagement that enable judicial supervision to make certain that government departments implement these remedies (HSRC, 2015:17). The easy way out of the current situation is to place added pressure on those entrusted with public authority and implementation responsibility. The more difficult and sustainable path for change is to go beyond the theoretical notion of reasonableness and hence broaden perspectives on day-to-day implementation realities and constraints. Outside of such a push, there would be continuing pressure on the legal system to resolve matters of difficulty pertaining to state capacity and accountability. The current model of litigation and the demand for more judicial activism creates a downward governance cycle where legal success does nothing more than further diminish

accountability, innovation in delivery and the rule of law. Accountability does not reside in the proliferation of court judgements or formal accountability mechanisms. No set rules can be adequate, and all delivery processes require a level of citizen trust and a willingness to ensure a level of responsiveness among public officials (Fukuyama, 2014:522).

LEGALITY AND THE EXERCISE OF DISCRETION

While litigators have been cautious about the link between the rule of law and accountability, they often fail to engage with the veracities of capacity for delivery and hence contextual realities that shape decisions and implementation actions. Instead of learning the lesson that arises from social and human-rights litigation, there appears to be a determination to sustain a legalistic culture in solving accountability and delivery challenges. The most significant implication of the orientation is that all actions in government must be 'rational' (Ellmann, 2016:70). The idea of 'rationally', as applied to public officials, suggests that actions should not be arbitrary, with ulterior or improper purpose and must not ignore relevant considerations (Price, 2013). Every exercise of power is subject to compelling justification and review (Mureinik, 1994). Outside of some engagements around constitutional principles that, on occasion, pull in different directions when it comes to implementation or administrative actions (Freund & Price, 2017), there is a limited appreciation of the over-infusion of the 'doctrine of legality' into complex and dynamic public service delivery processes. An overly legalistic view on rationality leads to simplistic conclusions on performance and on the manner in which individual public

officials exercise agency. Three specific instances are analysed to demonstrate the consequences that arises from government-established legally dominated structures on the performance of public officials.

The first instance relates to the Ginwala Commission inquiry into the fitness of Advocate Vusi Pikoli to hold the office of the National Director of Public Prosecutions. The Ginwala commission of inquiry largely exonerated Pikoli, but he was never reinstated in office and eventually negotiated an amicable departure from his position as National Director (Wolf, 2015:45). There were two specific areas where the Ginwala Commission criticised the exercise of discretion by Advocate Pikoli. The first relates to the pending arrest of the then Commissioner of Police, Jackie Selebi. It was found that Pikoli did not take seriously the security concerns and the President's assessment at the time that would be needed to manage the situation (Chikane, 2013:167). The second area relates to information Pikoli received on a plot to assassinate the President of Malawi. In this instance, he was found to have not acted appropriately for not immediately reporting the matter to the Minister of Justice (Ginwala, 2008:210; Pikoli & Wiener, 2013). The criticism of Advocate Pikoli was contradictory, as on the one hand, it called for discretion to accommodate the President's concerns and, on the other hand, suggested no discretion when it comes reporting the assassination plot to the Minister. The Ginwala Commission report appears to put forward a 'legalistic' pronouncement on the use of discretionary authority as being purely responsive to political authorities. The overall consequence is that it reduces the agency of public officials and creates substantive uncertainty on discretionary powers.

In the case of Riah Phiyega, the conclusions of the Claassen Board of Inquiry, chaired by Judge Cornelis Claassen, on her fitness to hold office served as the basis for her dismissal as Commissioner of Police. The findings of the Claassen Board were that she should have exercised better authority and judgement when it comes to decisions around strike actions in Marikana and the related massacre of miners by police (Claassen, 2016). The conclusions of the Claassen Board have not been a subject of substantive debate, and one can only speculate about the reasons for this, including perhaps that Riah Phiyega herself might not fit conventional blinkered views of authority and experience in a male-dominated terrain of work. Hoffman (2018), in the *Daily Maverick* referred to her as 'Riah Phiyega of Marikana mendacity infamy'. In the face of such harsh media criticism, Phiyega responded by indicating that 'accusation of mendacity and infamy without supporting facts and evidence is tantamount to a deliberate and sustained process to destroy my credibility and reputation' (Phiyega, 2018). There is nothing in the public space that substantively reflects on her overall performance as Commissioner of Police or any reflection on the context within which events unfolded and the agency exercised by a range of individuals and actors when it came to the events leading to the Marikana massacre. Phiyega embarked on an ambitious project of decentralising authority within the South African Police Services (SAPS), at the same time as making substantive improvements in governance compliance within SAPS (Ntshiea, 2015). The more substantial consequence of the Claassen Board's report is that it served to ignore the realities of collective agency in public institutions. It furthermore served to affirm the notion that it is possible to exercise

full controlling authority over a multiplicity of engagements and discrete actions within public institutions.

Of all the cases that bring forth a sense of dismay and the need for accountability is that relating to the death of over a 140 patients after being transferred from Life Esidimeni, a private mental health care provider, into the care of ill-prepared community-based nongovernmental organisations (Capri, Watermeyer *et al.*, 2018). Retired Deputy Chief Justice Dikgang Moseneke made damning observations in his arbitration award on the sheer lack of official accountability for the tragedy. The report concluded that senior officials lied' played victim' abused power, and knowingly violated the rights of the mentally ill patients and their families (Dhai, 2018). The number of lives lost in this instance drove forward an overwhelming sense of failure on the part of government and a related desire to ensure that the responsible Member of the Executive Committee (MEC) in the Gauteng Provincial Government, Ms Qedani Mahlangu, be held personally liable for what unfolded. One consequence of the emotive nature of the arbitration process itself, including the levels of representation from families, is that it did not render possible open dialogue on what unfolded and larger contextual realities. Officials and political representatives were driven to either blame each other or limit the time they had to face families who lost their loved ones directly. As there is no evidence that corrupt self-interest drove public officials, the consequence for public delivery is that no matter the context, public officials should avoid situations of collective agency that might implicate them when delivery goes wrong. Less legalistic responsibility assignment engagement may well have facilitated a

more in-depth dialogue on the policy environment, dynamic delivery imperatives, the agency of families in the care process and how power, authority and responsibility are distributed in public institutions. The notion that Ms Qedani Mahlangu issued all instructions and that officials were scared of her is rather simplistic. Further engagements may well reveal that she resigned as an honourable act of affirmation that she could have done more. Ms Mahlangu's protestation was that 'when a policy decision is taken, you don't know how it will unfold and what is going to happen' is mostly dismissed (Dhai, 2017).

While a legal approach to performance challenges might not seem problematic in itself, the reality is that it embodies a tendency to approach circumstantial and related discretionary realities narrowly. As a legal approach is predicated on assigning individual responsibility, it also shifts focus away from the dynamics of day-to-day interactions in the delivery process and related contextual factors. The resolve to hold particular individuals responsible and related populist influences can drive forward a level of legal determinism. The idea of multiple agency for particular realities does not fit the public discourse. Furthermore, there is a low level of acceptance that when people are appointed to positions of authority, it is expected that they would exercise discretion on a day-to-day basis, and this might not always give optimal results, but might have been the best they could do under the circumstances. Even as all decisions of public institutions are subject to legal review, it cannot be that we hold individuals responsible in a manner that is subjective and not accommodative of the realities of

what it means to lead and manage within public institutions.

LEGALITY AND CONSEQUENCES FOR SOCIETY

While legality and adherence to the rule of law are central to governance, the imbalances that arise when legal processes are overly used to resolve accountability and state capacity challenges have broader and longer-term consequences for society. Assertions that public interest litigation is the last line of defence and over-emphasis on the doctrine of legality are, in part, informed by selective analysis of African post-colonial experiences. To many, African experiences point to the importance of ensuring that constitutionalism and the rule of law are sustained as the last available channel for preventing a slide into authoritarian modes of governance (Fombad, 2011; Fombad, 2016; Kibet & Fombad, 2017; Gumede, 2018). What is often missed in such analysis is that accountability and state capacity weaknesses often serve to drive those who exercise authority towards actions that weaken rule of law institutions as a defence mode. Political leaders would become more determined to challenge the power of courts (Ellmann, 2016:86). To avoid such push-back, we have to develop more profound forms of analysis to see how agency can be exercised to avoid a cycle of deepening incapacity that arises from an imbalance between accountability, rule of law and state capacity.

The United States (US) stands as an example where the rule of law and related litigations have emerged as the primary terrain for accountability and the rational delivery of public services. The US culture of litigation emerges from a history of opposition

to authoritarian rule, initially reflected by the actions of people who ran away from authoritarian systems in Europe and who were bent on keeping the state away from encroaching on their lives (Fukuyama, 2014). This orientation eventually transmuted into a persistent history of litigation and the use of courts to contest public development initiatives. Fukuyama (2014:470) describes the story '... as one of the steady increasing judicialization of functions ... leading to an explosion of costly litigation, slowness in decision-making, and highly inconsistent enforcement of laws'. Rather than pre-empt litigation through active engagements, public officials live with the reality that implementation will be stalled for a few years. One consequence of this is the rise of populism and a related backlash against the judiciary in the United States (Chemerinsky, 2018).

The perceptive that litigation and lawyers should be an integral part of accountability and public service delivery is not a view shared in other parts of the globe (Fukuyama, 2014:487). Some countries in Europe and Asia, such as Germany, Netherlands, Japan and South Korea, have been able to sustain trust in government, hence rendering service delivery less adversarial (Fukuyama, 2014). This engaged approach serves to shift the balance of responsibility to the broader public space and public institutions. Such governance systems are open to more profound forms of public engagements, where courts are not overly eager to encroach on the space of public deliberations. A balance is achieved through deeper forms of substantive accountability, high levels of state capacity and a general reluctance to engage courts in solving, what are inherently political and implementation challenges within society.

CONCLUSION

It is vital to appreciate that the idea that strict rules should control public officials and they be stripped of discretion, runs contrary to the complaint that government is too rule-bound and rigid (Fukuyama, 2014:508). There is an inherent tension between legalism and managerialism in the way public institutions function. A legalistic approach relies on law-based priorities to balance discretion, innovation and accountability. A managerialist approach relies on innovation and efficiency for the same purpose (Christensen, Goerdel & Nicholson-Crotty, 2011). Finding a balanced pathway is essential for the future as global experiences suggest that the best public institutions and officials are those that have the independence to use judgments to make decisions, take risks, and innovate. The worst institutions are those that mechanically carry out detailed rules written by other people (Fukuyama, 2014:533).

The need for balanced governance becomes even more imperative as we look to the future and recognise that government will be required to assume even more responsibilities for service delivery, in a difficult, uncertain and ever-changing context (Foster, 1981). The only way to prevent further decline is to appreciate that we have some agency to change the overall trajectory. Courts cannot compensate for accountability weakness or be used to determine responsibility in ways that undermine deeper discourse and more deliberative forms of engagements in broader society. Legalistic approaches cannot also be used to determine rationality in terrains where the exercise of discretion and the need for innovation are fundamental for effective delivery. Discretion is inherently subjective and the reasons why we seek to appoint capable people into senior positions in state institutions. As part of social agency for a future, it is prudent for there to be a push back from the extensive legalism in the current governance trajectory in South Africa.

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REINVIGORATING CORPORATE SOCIAL INVESTMENT (CSI) WITH BLOCKCHAIN TECHNOLOGY

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ABSTRACT

The advent of the Fourth Industrial Revolution brings with it several technologies. These include nanotechnology, artificial intelligence, robotics, biotechnology and blockchain. The benefits of these technologies are endless. Corporate Social Investment (CSI) is the main arm through which the corporates are required to fulfil their social responsibilities to the communities in which they operate. During the 2015/2016 financial year in South Africa, this investment totalled R8.6 billion. Through the provision of much needed resources, CSI enables corporates to strategically partner with and invest in Non-Profit Organisation (NPO) initiatives that create shared value by enhancing their competitiveness while simultaneously contributing to the advancement, welfare and wellbeing of society. However, given the sheer size of funding in circulation, the lack of NPO financial transparency and measurement, and the inherent problems that still exist in society, some sceptics state that the current model of social investment is broken, and they question how much funding actually

ends up helping the people NPOs claim to assist. A data-driven revolution to build trust, deliver greater, more transparent impact, and drive systematic change in society is long overdue, and blockchain, the latest buzzword in the world of data and technology, could hold the key. This article is derived from a study conducted to explore CSI decision making and control mechanisms, current challenges faced in South Africa due to the lack of measurement and accountability, and potential opportunities to enhance the impact of NPOs and CSI in order to craft a tailor-made solution that harnesses the power of blockchain technology to reinvigate CSI in South Africa. A qualitative research design was chosen to conduct this study among JSE listed companies in South Africa. Some of the key findings highlight that when corporates assess a prospective NPO partner, their strategic fit and the feasibility of undertaking a CSI project need to be considered. It is also essential that NPOs are more accountable and transparent in their actions, which could increase the likelihood of potential CSI sustainable partnerships that both corporate organisations and NPOs

should also intensify collaborative sharing of and learning from each other's lessons and efficiencies to benefit society more effectively.

Keywords: Blockchain, fourth industrial revolution, corporate social investment, nano-technology, artificial intelligence, robotics, biotechnology.

INTRODUCTION

Non-Profit Organisations (NPOs) play a crucial role in strengthening the social fabric of society, nurturing South Africa's rainbow nation and effecting transformative social change within local communities (Trialogue, 2013). To survive, build capacity, maintain operational costs and sustain themselves, NPOs often require a constant stream of revenue, which has predominantly been sourced through external funding from the government, corporate citizens, foreign and local philanthropic foundations, and individual donors (Department of Social Development, 2016).

Corporate Social Investment (CSI) is an important section of the corporate institutions that are responsible for fulfilling their social responsibilities to the communities in which they operate (Wood & Jones, 1995). It is important to bear in mind that the largest source of NPO revenue in South Africa totalled R8.6 billion for the 2015/2016 financial year (Trialogue, 2016). Through the provision of much needed resources, CSI enables corporates to strategically partner with and invest in NPO initiatives that create shared value by enhancing their competitiveness while simultaneously contributing to the advancement, welfare and wellbeing of society (Porter & Kramer, 2006; Strassburg, 2011).

The question of harnessing the power of blockchain technology as a potential mechanism to reinvigorate CSI in South Africa by exploring the effects of malpractice and the lack of accountability on the continued support of CSI in NPOs needs attention. For this reason, this article focuses on the nature of the problem to undertake an empirical study to properly underscore the notion of CSI within the context of blockchain. The literature review, qualitative research methods used for data collection, as well as the main findings of the study are outlined.

PROBLEM STATEMENT

The notion of CSI has thus far played a vital role in helping many countries make substantial progress against the United Nations' Sustainable Development Goals (SDGs). These SDGs range from eradicating poverty to promoting equality and providing universal education. However, similar to most African countries, South Africa has lagged behind in achieving the majority of its targets (Trialogue, 2016). South Africa also faces problems of measurement of its progress against targets, resulting in less prosperous performance than what may have been achieved in reality (Trialogue, 2016). Further, given the sheer size of funding in circulation, the lack of NPO financial transparency and measurement, and the inherent problems that still exist in society, some sceptics view the current model of social investment as dysfunctional (Manos, 2015) and question how much funding actually ends up helping the local communities NPOs claim to assist (Sproull, 2016). According to a United Kingdom's 2016 Charity Commission survey (May, 2016), Trust in UK, NPOs fell to their lowest recorded level in ten years

due to distrust in how donations were spent; a lack of knowledge about where donations actually went; and whether supported NPOs were actually making a difference. The Commission is an independent, non-ministerial government department accountable to Parliament. They register and regulate charities in England and Wales, to ensure that the public can support charities with confidence (May, 2016). This is serious and requires the South African government to determine modalities to regularise NPO impact on communities and on issues of transparency and accountability. The rising trend of donor funding abuses has been confirmed by the Association of Certified Fraud Examiners (ACFE) to stem as far back as 2006 (Pillay, 2015). In its 2016 Global Fraud Study, the ACFE estimated that organisations lost 5% of revenues as a result of fraud in a given year (ACFE, 2016). Applying this average to revenues received from CSI suggests that approximately R430 million could have been lost to fraudulent activities in South African's non-profit sector during 2016. These are key funds that could otherwise have gone toward improving the prosperity of citizens and delivering services to communities in need. The misappropriation and misuse of donor funds at the Nelson Mandela Foundation and Nelson Mandela Children's Fund (Smith, 2013), and the lack of compliance, reporting and accountability at NPOs linked to President Jacob Zuma's immediate family (Wicks & Khoza, 2015) are examples of violations rife across the South African non-profit sector, contributing to a growing reluctance of corporates and other donors to review their contributions to NPOs and consider directing their social investment elsewhere (Greenlee, 2000). In addition, the Department of Social

Development (2016) revealed that of the 153 667 registered NPOs in South Africa, 56% or 86 768 of them were non-compliant. This issue of non-compliance is essential and requires the necessary interventions to maximise CSI impact. The intervention has become more compelling during the age of the Fourth Industrial Revolution where the use of technology has been normalised. This study sought to focus on harnessing the power of blockchain technology as a potential mechanism to reinvigorate CSI in South Africa. This approach is undertaken by exploring the effects of malpractice and the lack of accountability in the continued support of CSI in NPOs.

LITERATURE REVIEW

Promoting greater accountability, transparency, measurement and information sharing is vital in ensuring social investment reaches its intended recipients, and reduces the likelihood and impact of malpractice and fraud. If not effectively dealt with, malpractice and fraud can have devastating effects on the poorest of citizens, communities in need, as well as the reputation of NPOs (Pillay, 2015). The concepts of fraud committed by NPOs, the need for accountability and the opportunities presented by blockchain technology pertaining to social investment in the non-profit sector are considered in the article.

NPO Fraud

Kranacher, Riley and Wells (2011) and Wells (2013) define fraud as an act of theft by deception usually done for personal enrichment through the misapplication and misuse of institutional resources. The focus of this

section of the article is on fraud within the NPO sector which includes aspects such as the misappropriation and misuse of funds or other assets to benefit oneself or others; and fraud by the NPO against its stakeholders, such as the misreporting and manipulation of financial statements. Therefore there is a need to adopt a blockchain technology solution to improve the records, which would serve to minimise potential fraudulent activities. The ACFE (2016) analysed several thousands of fraud cases from around the world over a period of two decades to compile a comprehensive "fraud tree" classification system that details various types of fraud. Greenlee, Fischer, Gordon and Keating (2007) argue that prior research has conjectured that perpetrating fraud in an NPO may be just as easy, if not easier, than other institutional configurations such as government and private entities. A number of contributory factors to this claim are outlined by Douglas and Mills (2000) as including some of the following key factors: weaker and less stringent internal controls; limited financial backgrounds and the lack of general business expertise; the atmosphere of trust; the low levels of active detection, monitoring activities and supervision; high board and staff member turnover; and the uncertainty of regular funding and the inability of verifying certain revenue streams. The ACFE (2016) notes that although asset misappropriation was by far the highest occurring form of fraud at more than 83% of global cases, financial statement fraud, which occurred in less than 10% of cases, generates the largest losses for organisations who are victims of fraud. Krishnan, Yetman and Yetman (2006) found that of its sample of 101 NPOs that received charitable contributions from both individuals and corporates,

38 reported an average of two thirds less funds raised on their income tax form compared to their audited financial statements. These researchers further highlight that this misrepresentation can also deceive donors and regulators who regularly refer to these tax forms to understand NPO programme expense ratios when making decisions about which needy charity to donate to.

Larché (1999) points out that many NPOs are reluctant to openly discuss malpractice and fraud occurring within the non-profit sector due to fears of potentially irreversible consequences that may undermine their reputation and credibility, and discourage future funding. A 2011 global study on fraud trends conducted by KPMG revealed that 77% of fraud investigations did not reach the public domain. Sandbrook (2015) cautions that unless action is taken to manage and expose the insidious nature of malpractice and fraud in the non-profit sector, the moral authority that NPOs currently enjoy may soon tarnish, resulting in an erosion of the trust the sector is built on.

NPO Accountability

In the context of public service, Salleh and Iqbal (1995) define accountability as an NPO's obligation to provide explanations about their activities and performance to their stakeholders, the public, and the communities who are empowered by their programmes. Academic interest in the area of NPO accountability can be traced from the development of civil society after the end of the Cold War (Hielscher, Winkin, Crack & Pies, 2017). In their establishment, the NPO sector began to assume a more prominent role by publicly criticising the accountability

of corporate and political institutions on neglected social and environmental issues (Hortsch, 2010). In doing so, NPOs rendered themselves vulnerable to similar levels of criticism of their questionable practices, mismanagement and misleading the public, resulting in joint calls from their donors and the media for increased levels of accountability in the non-profit sector (Hammer, Rooney & Warren, 2010).

The establishment of accountability global charters and frameworks, such as the Sphere Project in 1997 and Accountable Now in 2008, signalled an agreement among NPOs that principles of accountability should encompass responsibility, answerability, transparency and participation (Hielscher *et al.*, 2017). Locally aligned to this, the Codes of Good Practice for South African NPOs, developed as an extension to the Non-Profit Organisations Act (No. 71 of 1997), and the King IV Report.

A report on Corporate Governance presents a shared vision of recommended practices and good governance principles for NPOs to ultimately contribute to the advancement of the South African non-profit sector as a whole (Department of Social Development, 2001; Institute of Directors in Southern Africa, 2016). Dong (2015), Lehtonen (2005) and Morra Imas and Rist (2009) highlight that effective measurement practices are essential components of accountability, and provide vital information to both corporates and NPOs that enables better decision making and helps deliver continuous improvement. Guerrero O and Wilkins (2016) add that by being accountable, NPOs stand to gain accreditation; good management practice; improved programme effectiveness; and

further funding potential. Some scholars have argued that frameworks such as accountability agendas can hold donors, NPOs and beneficiaries to a standard of conduct and performance to prevent potential wrongdoing and abuses of power, and ensure trustworthiness in NPOs (Dóchas, 2014). However, accountability practice is also not without its critics. Gent, Crescenzi, Menninga and Reid (2015), and Murtaza (2012) argue that these models increase the pressure on NPOs to act more like for-profit organisations; do not recognise the context within which NPOs operate; prevent NPOs from reporting on problems outside of the set agenda; and could potentially lead to NPOs drawing focus away from goals aligned to their long-term objectives. Stoecker (2007) and Williams (2010) highlight that with the additional human resource and financial cost required, NPOs can also often find themselves overstretched with the limited resources they have to satisfy their funders. McGregor-Lowndes and Ryan (2009) caution that funders should aim to reduce this administrative burden on NPOs. Keating and Thrandardottir (2017) motivate for a rationalist model of accountability, where the amount of information available about an NPO could increase the prospect of a donor identifying trustworthy NPOs to support or partner with. Coleman (1990) proposes that gathering new, accurate information plays a central role in the decision of trust. To further help identify trustworthiness in NPOs, Hardin (2002) recommends looking to other sources of information outside of interactions, even before they take place. While it is still possible for donors to misidentify NPOs as trustworthy and thus misplace trust in a rationalist model framework, Kydd (2005) suggests that there is a greater likelihood

of convergence on righteous beliefs than incorrect ones. Despite steps made in the right direction, the number of non-profit mismanagement scandals around the world has been growing, threatening the integrity and 'moral capital' of the sector, and further undermining the role of NPOs as trustworthy and benign advocates of social causes (Crack, 2013). Ebrahim (2003) concurs and notes that although only a minority of NPOs are involved in these scandals, this misconduct is enough to cause significant reputational damage for non-involved NPOs, affecting the credibility and reputation of the non-profit sector as a whole. Keating and Thrandardottir (2017) state that the issue of trustworthiness is extremely important for NPOs since the large majority are highly dependent on donors for financial assistance. Greenlee (2000) further suggests that a "Gresham's Law" phenomenon may come into effect, where defamatory scandals and an increased perception of NPO untrustworthiness could result in an unwillingness of corporates and other donors to give to any NPO and so to invest their resources elsewhere. Guerrero Olivos and Wilkins (2016) thus motivate for emphasis to be placed on the need for greater and more enhanced accountability in the non-profit sector.

Confino (2012) adds that the social challenges of today are so large and complex that they cannot be dealt with by an individual institution in isolation, and require effective collaboration and partnerships across both corporates and NPOs to improve measurement and accountability. Hamann and Acutt (2003) and Ramlall (2012) concur and appeal for more industry-wide partnerships among corporates, NPOs and government, further proclaiming that if resources and

capabilities were pooled together and coordinated well, effective collaboration could significantly improve accountability in the non-profit sector. Stengel (2013) finds that the end result of a strong collaborative alliance between corporates and NPOs is that both parties become closer and stronger partners, expand their value propositions, improve measurement and operational efficiencies, and amplify their impact in moving the non-profit sector forward and driving transformative social change. The Donor Committee for Enterprise Development (DCEd) (2017) and the Inter-Agency Network for Education in Emergencies (INEE) (2003) assert that in assessing prospective NPO partners, corporates consider a wide spectrum of input signals at different levels of priority that contribute towards final selection. These inputs are of pivotal importance to the NPO selection process as corporates want to ensure they commit to the right NPO partner for the duration of the CSI initiative, to build trust and ensure a fruitful outcome, and in certain cases, unite to form a long-term partnership (Persica, 2016).

Blockchain Technology

Blockchain is being considered as the emergent distributed ledger technology and is used by a growing number of both public and private sectors to hold the potential to drive major economic, political and social transformative change (Kshetri, 2017). PricewaterhouseCoopers (PwC) (2016) touts blockchain as the biggest disrupting innovation since the Internet, while the World Economic Forum (2016) considers it as one of the six megatrends that will shape society over the next decade. Currently best known as the cornerstone of Bitcoin, a type of digital

currency, blockchain technology, according to Coleman (2015), presents opportunities for far broader applications of integrating the physical and digital worlds by providing a way for any form of value, be it cash, music, title deeds, intellectual property and even votes to be securely shared and endorsed. Aligned to this, Davies (2015b) proposes that '[blockchain] is to Bitcoin, what the Internet is to email. A big electronic system, on top of which you can build applications. Currency is just one.'

According to Newman (2017), a public blockchain can be described as a transparent, cryptographically secured paper trail that anyone can view and access without tampering with it. Tapscott and Tapscott (2016) add that as there are no central authorities or intermediaries such as governments, banks or financial institutions to settle transactions on public blockchains, trust and validation are established through consensus and smart contracts that self-execute in accordance with predefined conditions, ensuring trust and integrity between parties. While any party can validate transactions on a public blockchain, Houser (2018) notes that only authorised parties can do so on a permissioned blockchain, providing an additional layer of control.

Thompson (2016) asserts that hacking attacks that often impact centralised intermediaries such as banks would be near impossible to carry out on a blockchain. Duncan (2017) explains that if an attacker wanted to hack into a certain data block on a blockchain, they would not only need to hack into that specific data block, but all the preceding blocks going back the complete history of the blockchain on every ledger in the network, which could

sometimes be in the millions, simultaneously. Due to these features that present the potential to eliminate violations of malpractice and fraud, and liberate legacy systems from the confines of traditional approaches, McKinsey and Company (2016) call blockchain the platform for truth and trust.

Hernandez (2017) believes that by blockchain technology combatting malpractice and fraud in NPOs, blockchain can empower donors by ensuring donations are being spent as intended, provide unprecedented transparency into the use of donated funds, and crack down on misappropriated funds. Sproull (2016) points out that as there is no middleman involved, blockchain can also reduce inefficiencies, administrative and operation costs, and financial leakage; and eliminate wasteful practices that diminish the positive impact NPOs set out to make. In light of near-real time accountability, donors will be encouraged about supporting NPOs that are willing to engage and share more information (Shin, 2016). The author further suggests that blockchain will enable NPOs to serve communities more effectively and drive a greater impact, which in turn will motivate more social giving. Gallippi (2016) predicts that blockchain will help set a new gold standard for the non-profit sector as a whole to improve its accountability and effectiveness, ultimately improving more people's lives and driving transformative social change within local communities. Although blockchain does have to overcome expected teething problems associated with adoption (Umeh, 2016), Davies (2015a) contends that it will almost certainly play a pivotal role in society in the future, and donors and NPOs who seek to effect transformative social change in this new world

would thus do well to embrace the technology and think through its game-changing implications today.

RESEARCH APPROACH

Given the exploratory nature of this study, interpretivism was deemed a suitable approach due to its underlying premise of gaining knowledge by studying people in a way that allows them to describe and share their own view of the world (Wellard & Ordin, 2011). This approach is considered more effective when trying to gain an in-depth understanding of complex social issues (Marshall, 1996; Welman & Kruger, 2001), and its broad and open-ended characteristics further allow for the probing of values and assumptions at the root of issues (Choy, 2014). Semi-structured, face-to-face interviews were deemed the most suitable data collection method as they empower participants to provide in-depth responses and be more active in the research process (Barriball & While, 1994; Tracy, 2013). They also allow for both structure and an element of flexibility in interviews (Neuman, 2005), as well as for responses to be probed to gain clarification (Barriball & While, 1994), while still maintaining consistency of the questions asked (Bowen, 2005). Thematic analysis was considered a suitable method of analysis for this study as it enables the identification of repeated patterns of meaning or themes embedded within the data (Braun & Clarke, 2006).

The total population of interest for this study consists of managers and heads of CSI divisions of the most prominent Johannesburg Stock Exchange (JSE) listed corporates in South Africa. Although the exact size of this

population is not known, the JSE provides some guidance with respect to the minimum bound, currently listing 376 member corporates on its website (JSE, 2017). In this case, a non-probability, purposeful sampling approach was adopted to allow for the deliberate selection of information-rich research participants who are aligned to the purpose of this article (Patton, 1990). Eight participants for this study were selected using the 2016 Trialogue CSI Handbook (Triologue, 2016) to identify the names and contact details of South African CSI division heads, and for guidance in terms of prioritising the Financial and Information and Communications Technology (ICT) corporates due to their large shares of CSI activity in South Africa.

DISCUSSION AND ANALYSIS OF FINDINGS

This section of the article presents and thematically analyses findings of the empirical study conducted. The following themes are provided:

Creating Opportunities Through Blockchain Technology

Findings reveal that the opportunities created by blockchain can be far reaching. An urgency exists for transforming from the current measurement practices to that of blockchain technology for both Company and NPO environments. A better understanding and frequent use of the technology will create opportunities for better and protected use of information. Data storage and distribution is also enhanced, thus promoting alignment between CSI funding and NPO accountability. The accountability on the

use of donor funds is also enhanced, resulting in limited opportunities to misuse them. Coleman (2015) shares in these views by suggesting that blockchain technology presents opportunities for far broader applications of integrating the physical and digital worlds by providing a way for any form of value, be it cash, music, title deeds, intellectual property and even votes to be securely shared and endorsed.

CSI Decision-Making and Control Mechanisms

Findings reveal that when corporates assess a prospective NPO partner, their strategic fit and the feasibility of undertaking a CSI project, inputs ranging from the NPO's registration and compliance with the Department of Social Development's national NPO database, past project and operational history, financial statements and annual reports, the competency the NPO has in the space, its capacity to successfully complete the project objectives, and whether the NPO has effective management and governance structures in place are all considered. These findings are consistent with suggestions from the Donor Committee for Enterprise Development (DCED) (2017) and the Inter-Agency Network for Education in Emergencies (INEE) (2003) alluded to in the discussion on NPOs above.

Current Challenges Due to the Lack of Measurement and Accountability

Finding reveals that effective measurement and tracking of CSI initiatives is a greater need now than ever, allowing corporates to review past projects, their successes and failures; current project progress and milestone achievements; how funding is

being used once received; and how initiatives can be enhanced to be more effective going forward. These findings are aligned to assertions made by Dong (2015), Guerrero Olivos and Wilkins (2016), Lehtonen (2005), and Morra Imas and Rist (2009) that effective measurement practices are essential components of accountability, and provide vital information to both corporates and NPOs that enable better decision making and help deliver continuous improvement. However, findings also reveal that effective measurement and tracking practices can sometimes carry a high human resource and financial cost, and be unfeasible, given limited budgets. The ease of conducting the measurement exercise, the time required to fulfil the task per project, the inflexibility of current service providers when adjustments need to be made, and the infrequency of reflection exercises were also considered by corporates to be large roadblocks still in the way of better measurement and tracking practice. Additionally, findings reveal that not all NPOs have the same level of resources to conduct proper and regular reporting, and no online platform or other solution currently exists for the non-profit sector that levels the playing field and provides access to vital information to both companies and NPOs to make the management and execution of CSI initiatives easier to conduct. NPOs can thus feel overwhelmed with the administrative and resource commitment needed to produce the plethora of reports required, diminishing the valuable time they have available to fulfil their core purpose or focus on their long-term objectives. These findings are in line with concerns raised by Gent, Crescenzi, Menninga and Reid (2015), Stoecker (2007) and Williams (2010) that although reporting is important for better measurement

and accountability, NPOs can often find themselves overstretched with the limited resources they have, which can further attract focus away from achieving their long-term goals in order to satisfy the needs of their funding companies. McGregor-Lowndes and Ryan (2009) stated that corporates should aim to reduce the administrative burden on NPOs and not contribute to it.

Opportunities to Enhance the Impact of NPOs and CSI

Findings reveal that knowing NPOs are more accountable and transparent in their actions will increase the likelihood of potential CSI partnerships in the future, as well as corporate trust and continued support of them. These findings are consistent with assertions made by Keating and Thrandardottir (2017) and Shin (2016) that donors will be encouraged to support NPOs that are willing to engage and share more information. Findings reveal that corporates need to create a safe space that enables NPOs to be more accountable and transparent, and lay the foundation where trust and a true partnership can be built. Larché (1999) supports this statement, noting that many NPOs have been reluctant to openly discuss issues of malpractice and fraud occurring within the non-profit sector due to fears of potentially irreversible consequences that may undermine their reputation and credibility, and discourage future funding. Findings also reveal that improving accountability, measurement and reporting across the non-profit sector does not only fall on the shoulders of NPOs but is the joint responsibility of both corporates and NPOs. This finding is in line with statements made by Confino (2012) that the social challenges of today are so large

and complex that they cannot be dealt with by an individual institution in isolation, and require effective collaboration and partnerships across both companies and NPOs to improve measurement and accountability.

Findings reveal that corporates and NPOs should also intensify collaborative sharing of, and learning from, each others' lessons and efficiencies, to benefit society more effectively. Additionally, with greater and ongoing awareness of what other corporates and NPOs are doing in the space, overlap and duplication of initiatives can be avoided. Guerrero Olivos and Wilkins (2016) and Stengel (2013) concur, emphasising that if corporates and NPOs are focused, the end result of their strong collaborative alliance is that both organisations become stronger, expand their value propositions, improve efficiencies, and amplify their impact in moving the non-profit sector forward. Furthermore, corporates willing to collaborate with each other in CSI should look for opportunities that could result in initiatives carried out in a more feasible and effective manner than if a corporate were to conduct the initiative by themselves.

Some of the most prominent corporates in South Africa are already members of industry bodies that present another opportunity to engage in unified and focused efforts to more effectively drive forward initiatives that secure the transformative changes needed in society. These findings are aligned to appeals made by Hamann and Acutt (2003) and Ramlall (2012) for more industry-wide partnerships among companies, NPOs and government, proclaiming that if resources and capabilities were pooled and coordinated well, effective collaboration could potentially yield significant impact.

CONCLUSIONS AND RECOMMENDATIONS

This section presents conclusions based on the key findings of this study and integrates recommendations into a tailor-made solution that harnesses the power of blockchain technology to reinvigorate CSI in South Africa. Areas of further academic research are then proposed, followed by possible unintended consequences and critical uncertainties of the study. While this article does not take for granted or fail to acknowledge the notable strides already made by corporates and NPOs in moving CSI and the non-profit sector forward in South Africa, given the sheer size of CSI funding in circulation and the inherent problems that still exist in society, and with the measurement and tracking of CSI initiatives, it can be said that the current model of social investment is in need of an overhaul (Manos, 2015) to incorporate blockchain technology. Aligned to the main objectives of this study, there is significant evidence presented in the literature and revealed in participant responses that suggest that a considerable number of opportunities exist to enhance the impact of NPOs and CSI by improving the way corporates engage in and track the impact of social investment initiatives, and eliminate violations of malpractice and fraud in the non-profit sector; and the way NPOs address societal challenges to drive transformative and lasting social change (Boesen, 2016).

CSI Decision-Making and Control Mechanisms

This article concludes that in assessing prospective NPO partners, corporates consider a wide spectrum of input signals, at different levels of priority, that contribute towards final

selection, such as whether a potential NPO partner is one of the 86 768 non-compliant NPOs in South Africa (Department of Social Development, 2016); NPO past project and operational history, financial statements and annual reports; or the NPO's capacity to deliver on project objectives (DCED, 2017; INEE, 2003). These inputs are of pivotal importance to the NPO selection process as corporates want to ensure they commit to the right NPO partner for the duration of the CSI initiative, and in some cases, unite to form a long-term partnership (Persica, 2016).

Recommendations

In order to be useful and relevant to corporate CSI initiatives when assessing prospective NPO partners, a great opportunity exists to make this much needed information available to all corporates engaging in CSI. It will be important to engage with South Africa's most prominent corporates across industries to understand and organise their individual spectrums of input signals used, into a coherent and structured format to be made easily accessible and searchable all in one place. Once this master list has been defined, data can start to be collected for each input signal from various sources and stored on a permissioned blockchain technology to control access. The blockchain technology solution could also avail the functionality of smart contracts that can self-execute to automatically transfer additional funding to an NPO when certain milestones are achieved.

Current Challenges Due to the Lack of Measurement and Accountability

Another conclusion reached by the empirical research for this article is that effective measurement and tracking practices can

sometimes carry a high human resource and financial cost, and NPOs can often find themselves overstretched with the limited resources they have (Stoecker, 2007; Williams, 2010). The ease of conducting the measurement exercise, the time required to fulfil the task per project, the inflexibility of current service providers, and the infrequency of reflection exercises were also considered by corporates to be large bottlenecks still in the way of better measurement and tracking practice.

Recommendations

Given that not all NPOs have the same level of resources to conduct proper and regular reporting, a number of opportunities exist to develop an online platform and mobile app solution built on top of blockchain technology that levels the playing field for both corporates and NPOs across the non-profit sector to make the management and execution of CSI initiatives easier, faster and more affordable to conduct. Furthermore, a blockchain solution can empower donors by ensuring donations are being spent as intended, provide unprecedented transparency into the use of donated funds, crack down on misappropriated funds and financial leakage, and thereby eliminate violations of malpractice and fraud in the non-profit sector. The solution will also cater to the needs of near real-time data sharing, and flexibility and frequency when adjustments and corrections need to be made, to allow for speedier reactions and reflections. Ultimately, by increasing efficiencies, this blockchain technology solution can reduce the administrative burden on NPOs, and free up time and resources that enable NPOs to serve communities more effectively and drive a greater impact, which in turn will motivate more social giving.

Opportunities to Enhance the Impact of NPOs and CSI

This research also concludes that knowing NPOs are more accountable and transparent in their actions and willing to more openly share information will increase the likelihood of potential CSI partnerships in the future, as well as corporates' trust and continued support of them (Keating & Thrandardottir, 2017; Shin, 2016). In order to alleviate feelings of reluctance by an NPO (Larché, 1999) and lay a foundation where trust and a true partnership can be built, corporates should aim to create a safe space that enables NPOs to be more accountable and transparent.

Another conclusion of this study is that improving accountability, measurement and reporting across the non-profit sector cannot be dealt with by an individual institution in isolation (Confino, 2012), but remains the joint responsibility of corporates and NPOs. Corporates and NPOs should aim to form more collaborative alliances (Guerrero Olivos & Wilkins, 2016; Stengel, 2013), do more collaborative sharing of, and learning from, each others' lessons to improve efficiencies and benefit society more effectively. And with greater and ongoing awareness of what other corporates and NPOs are doing in the space, overlap and duplication of initiatives can be avoided. Furthermore, an opportunity exists for the corporate sector to engage in more unified and focused efforts to more effectively drive forward CSI initiatives at an industry level.

Recommendations

A great opportunity exists to create and grant a new accreditation credential to NPOs who are taking strides towards sharing more

information, and being more accountable and transparent in their actions. This credential will allow corporates and other donors to easily identify NPOs who meet certain criteria, and further, as recipients of the credential, allow NPOs to keep abreast of the latest accountability and transparency developments, potentially increasing their chances of future funding.

In order to craft a solution that can be part of the foundation of a safe space, it will also be important to consult with corporates and NPOs jointly to better understand which accountability and transparency metrics matter to them, to ensure an assistive experience is provided to both parties.

Lastly, a tremendous opportunity exists to connect the experiences related to the awareness of CSI initiatives and the sharing of lessons learnt by corporates and NPOs into one online platform and app. The blockchain technology solution will also provide a matchmaking or strengths-finder component to allow the corporate sector to identify potential collaboration and partnership opportunities that could result in CSI initiatives being carried out in a more feasible and effective manner. In order to drive industry-wide adoption, it will be essential to engage with existing industry boards to present the blockchain technology solution and ignite the conversation on coordinating partnerships and collaborations among corporates, NPOs and government to pool together CSI resources and capabilities in order to drive CSI initiatives forward more effectively.

FINAL CONCLUSION

Given the key attributes of trust, provenance, resilience and irreversibility, a blockchain

technology-powered solution could set a new gold standard for the non-profit sector, and play a revolutionary role in realising all the opportunities identified in this article to enhance the impact of NPOs and CSI by improving the way corporates engage in and by tracking the impact of social investment initiatives, and eliminating violations of malpractice and fraud in the non-profit sector; and the way NPOs address societal challenges to drive transformative and lasting social change.

AREAS OF FURTHER ACADEMIC RESEARCH

Several market- and technology-related critical uncertainties exist. These include the timelines for development of the blockchain technology solution; the adoption rate of blockchain technology across corporate and NPO sectors; whether the solution will work as intended; the relative advantage over existing solutions currently used in CSI and by NPOs; the compatibility and integration with legacy systems and reports; the degree of complexity users perceive the blockchain solution to have; and when blockchain technology will become obsolete.

The impact of a blockchain technology solution on instances of malpractice and fraud in the non-profit sector also need attention. Another area of further research is to understand blockchain technology solution as an alternative to current measurement and tracking practices in CSI, from the perspectives of both corporates and NPOs before and after they have implemented a blockchain technology solution. Further research should be conducted into the technical components and implementation of a blockchain technology solution in both companies and NPOs.

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THE METABLETICS OF LEADERSHIP AND PUBLIC ETHICS IN THE DIGITAL AGE

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ABSTRACT

The concept of Metabletics refers to a theory of change, more especially a theory that looks at the changing nature of humanity's psychological life. Metabletics focuses on the new moments in different epochs in human history. For the purpose of this article, the researcher focuses on the impact of the next society or digital age, as captured through the lenses of Metabletics, on leadership and public ethics in the public service. This article postulates a recalibration of leadership and public ethics paradigms so that they are in resonance with the psychology of the evolving digital age. Leadership and public ethics in the digital age have to resonate with the ethos and psychology of a digitally connected society. Events in the world and in the public service universe are moving so fast that leaders and governments are being left behind. Communities, the private sector and other stakeholders are marching into the future at an unprecedented pace, transforming and re-defining the landscape of humanity's endeavours. The emerging landscape is beckoning for agile leadership that is in step with the psychology of the digital age. This article further recommends a shift from the closed systems public ethics approaches to

open systems ways of handling relationships with the stakeholder communities.

Keywords: Metabletics, leadership, public ethics, digital age, connected leadership, the new citizen, the new society.

INTRODUCTION

For years on end attempts have been made for a better understanding of the changing nature of the fundamentals of the human estate from a multiplicity of epistemological frontiers. Savants of this initiative fanned out in directions that either drifted or gravitated towards the exact sciences as in biology, physiology and other sciences, that focused on the human anatomy. Others found traction in the human and or social sciences as in psychology, sociology, anthropology, politics and public administration. All of these efforts were carried out throughout the history of mankind for a better understanding of how humanity relates to fellowman, the material or physical world and the supernatural. These developments in the domain of epistemology morphed into the philosophical concept of the two structures of things. These two structures are commonly referred to as the world of science and the everyday life

world. The concept of Metabletics in the project of epistemology is located in the everyday life world space. This is the world that is found to be changing and continually bringing new challenges for the concepts of leadership and public ethics. In research methodology speak, Metabletics belongs to the family of qualitative research (Mook, 2009:26). The concept Metabletics is a tool of epistemology that focuses largely on the changing nature of humanity's psychological life in different epochs in human history. This article takes on the Metabletics of leadership and public ethics as manifested in the public service in different periods in human history. For Sipiora (2008), Metabletics is a phenomenology that grapples with the efforts of understanding the radical shifts in humanity's relationships with fellowmen and other components of the community and family of life.

A metabletical take on the concepts of leadership and public ethics in ancient times reveals leadership that was informed and predicated on the impulses of mythology, as some of the grand narratives of that period were largely mythological in content and character. This is evidenced in the political philosophies of the pre-Socratic era, Socrates, Plato, Aristotle and also the general body politic of the ancients.

With the passage of time, the medieval grand narrative gradually replaced the ancient grand narrative and also re-defined humanity's concept of leadership and public ethics. The understanding of the concepts of leadership and public ethics was steeped in the psychology of medievalism, as evidenced in the influence of the church and other religious institutions on people's general

worldviews, public leadership and public institutions (Stumpf, 1988:31).

The advent of modernity with the industrial and scientific revolutions ushered in a transformation of the metaphysics and epistemological landscapes and also society's concept of leadership, as articulated in the political philosophies of the modern age. This is with reference to the leadership and ethics ideas of the likes of John Locke, Jean-Jacques Rousseau, Immanuel Kant, Karl Marx, and several other prominent thinkers of the modern age who came after them.

CONTEMPORARY PERIOD AND METABLETICS

The contemporary era heralded philosophies such as phenomenology, existentialism and Metabletics. Phenomenology is regarded as a reconstitutive epistemology that is geared at the reconstruction of a reality that had been de-totalised by the modernity epistemological project of reductionism (Sipiora, 2008:430). In phenomenology, attempts are made to reconstitute reality and engage with it in its totality. This approach in phenomenology is also being applied in the human and social sciences. In this approach, it is established that human reality is a constantly changing reality. On the frontier of existentialism, we come across philosophers like Jean-Paul Sartre presenting human beings as beings-in-the-world and also presenting the attributes of a quest for freedom and no longer as mere objects of epistemological curiosity. In existentialism we come across human beings engaged in a search for the meaning of life through affirmation of their being. With the various protests in the world, we see a disposition in communities that

is suggestive of people who can no longer continue to be treated as objects of political expediency. Their affirmation of their being as meaning-giving subjectivities is heralding a new psychology that is of interest to the Metabletics project (Duggan, 2016:13).

Metabletics, as conceptualised and pioneered by Van den Berg, is generally and broadly viewed as a theory of change. It is a theory that is geared at the understanding of the psychology of people, members of the public and public officials in different epochs in history. For the purpose of this article, interest is in the changing nature of a people's psychological life in relation to their understanding of the concepts of leadership and public ethics. As a theory of change, Metabletics is defined by its theoretical and practical principles. Its theoretical principles resonate with those of phenomenology as in the principles of non-interference, reality and mutability. These principles capture for us a world that is changing and a world that is of interest to the Metabletics project. For the purpose of this article, we have a metabletic reflection on the changing nature of the psychological life of the South African populace, the public service and other communities further afield going through change. The changing nature of society's psychological life also impacts the way leadership is provided and the articulation of public ethics. This article, through the lenses of Metabletics, looks at society's concept of leadership and public ethics in a rapidly changing world (Mook, 2009:28).

The practical principles of Metabletics, such as simultaneity, unique events and emphasis, capture numerous unique events that are taking place simultaneously in different parts

of the world, presenting new leadership and public ethics challenges. For instance, the world is today beset with the rising tide of populism that is a major challenge to leadership and public ethics in the public service. Contemporaneous with populism is the phenomenon of coalition governments that are taking over the business of government all over the world. This phenomenon is also taking root in South Africa, as evidenced in the 2016 local government elections. A number of municipalities in South Africa now have a coalition dispensation in place. The new leadership has to come to grips with the challenge of having to provide leadership in a coalition governance arrangement. The project of Metabletics is to present an understanding of the radical shifts that humanity is going through and how these shifts impact society's concept of leadership and public ethics (Mook, 2009:26).

THE DIGITAL AGE

Developments in human experience, especially on the technology front, have produced a new kind of citizen that has to be served by the public service. These developments have also led to the transformation of the way governments go about their business (Mukonza, 2014:499). Through developments in technology, especially the information and communications infrastructure, many people are connected or becoming connected. The advantages of these developments for the public service are that the government and public services have become more accessible. But then again, with these developments, leadership and public ethics are also being re-defined, especially with the new psychological orientations and addictions that have been heralded by the digital age. With

Metabletics concerned with the psychology of the new era, we notice that in public ethics, members of the public are becoming more fearless, especially with the advent of social media. Today, members of the public are freely expressing themselves, as they take advantage of the multiple social media platforms at their disposal. Through these platforms people are able to raise their concerns whenever they are aggrieved by the manner in which services are delivered to them. For those charged with the responsibility of leadership, it is emerging that they can no longer provide leadership in the orthodox and conventional way, as transformation of the public service landscape is under way. Instead of being passive recipients of services, members of the public are gradually becoming the regulators of those in the offices of responsibility (Drucker, 2010:2). In this regard, leadership is gradually becoming shared leadership as opposed to its being about control and the preserve of a few.

The events in the world are taking place at an amazingly fast pace, so much so that governments and public service institutions are being outpaced. Contemporaneous with these developments is the growing militancy of the public. Members of the public have generally become more empowered and they can no longer be taken for granted. They form issues-based structures and confront the establishment for the non-delivery of the services in question. Communities are today able to coordinate campaigns to express their displeasure online through use of social media platforms. The recent past executive orders by the president of the United States of America were met with disapproval and protests by the connected people on the home front and their compatriots further

afield in several parts of the world (Nelson & Bonifaz, 2017:1).

Some governments are warming up to the idea that with the passage of time, services will have to be delivered online, and that, with the growing and widespread use of technology, there also will be a consolidation of good governance. People in the public service today are afraid of being exposed through social media for unethical conduct in their work stations. Members of the public are resorting to the use of technology and related social media platforms to capture the behaviours that they notice in the public service. The mere awareness of these instruments by public officials tends to have a positive and transformative effect on the psychology and public ethics in the public service. As Metabletics would have it, people all over the world are simultaneously demanding change to the way the matters and affairs that affect their lives are handled. Inevitably, this demand is inextricably bound with the demand for change in the way leadership is provided and the broader public ethics infrastructure (Goldstuck, 2015:28).

THE DIGITAL IMMIGRANTS

Despite the ubiquity and impact of the digital age on leadership and public ethics in society in general and the public service in particular, we still have people who stick to the traditional and conventional ways in the delivery of services. The digital immigrants or the old-world settlers are found to be comfortable with the old ways of delivering services. Even though they are gradually adapting to the inevitability of what Peter Drucker (2010) refers to as the next society, they still retain their identity, association and affinity

with the past traditions. In demographic terms, the digital immigrants are found to be at a stage where they are about to exit the public service system on retirement. They are gradually coming to grips with the new cultures and the new language that is in use in the next society. In the parlance of Metabletics, we are looking at a people whose psychology is still predicated on the impulses of the old closed systems order and ways of doing things in the face of a rapidly changing world. The digital immigrants' understanding of the concept of leadership is inspired by the past and their values, more especially in public ethics based on old order traditionalism. Some in the populism movement and narrative in several parts of the world are campaigning for a return to the traditional ways in terms of how services can better be delivered to society. This is found to be a psychology that is out of kilter with the ethos of the new society. The new or next society finds the digital immigrants' understanding of leadership to be outdated and in need of a recalibration.

THE DIGITAL NATIVES

On other end of the generational divide, we have the digital natives in society and in the public service that are commonly referred to as the millennials. Employers in both the private and the public sectors are showing an interest in understanding the ontology and psychology of the millennials as both clients and employees of the future. The digital natives or the millennials, in the age range of between eighteen and thirty-five, are already adding their signatures to socio-economic and political developments in their communities (Alter, 2016:40). Some of them are already being introduced to the universe

of public service through internships in most of the departments in the public service. They come across as distrustful of traditional and social institutions. They present a psychology that is of interest to the studies in Metabletics, as Metabletics is the study of the always new, more especially the new and evolving psychology. Through what seems to be rebellious behaviours, the digital natives are re-defining society's concept and understanding of the concepts of leadership and public ethics (Prensky, 2001:2).

The millennials are known for being techno-savvy and being comfortable with the universe of technology. Their lives mainly revolve around the world of technology. They are the clients and consumers of public services and they are also seen as the new knowledge workers who are making an entry into the public service (Tulgan, 2013:1). They are, in the digital age parlance, plugged in or connected to cyberspace and cyber highways. On the leadership front, they are comfortable with the open systems type of leadership and ethics and have a dislike for rigid organisational designs and systems. The millennials prefer flexible work environments and institutions that are caring for both their clients and their workforce (Hayward, 2016:25). This suggests that the millennials prefer an agile leadership that adapts easily to the changes that are sweeping through human experience.

LEADERSHIP IN THE DIGITAL AGE

Recent literature on leadership suggests that leadership is about making the world a better place, the handling of relationships with teams and clients, and the ability to make other people feel special. For some,

leadership is about fearlessness to confront negative situations and people for the realisation of organisational goals. Looking at the concept of leadership from a three-dimensional lens, we notice that there is organisational leadership, where people provide leadership in the organisation to the team. Although traditionally this role is associated with people in senior positions, today it is expected that everybody in the organisation can and has to play a leadership role. The new environment is dictating that leadership has become everybody's business in the organisation (Kouzes & Posner, 2011:11). There is also the dimension of public leadership where public servants interact with members of the public. Society today demands that the leadership that serves them has to easily connect with them. Technology is there to assist in ensuring that the leaders are connected to and with the people they are leading.

As society, through technological innovations, marches into the future some institutions and leaders are being left behind and rendered irrelevant and out of touch with reality. The concept of leadership in the past years used to be associated with how a leader successfully achieves or realises compliance through command and control. A person was regarded as a good and successful leader when he or she was in control of the organisation and the people in the organisation. This line of thinking in leadership is gradually losing its reality value. From the 1970s through to the 1990s, transformational theory of leadership became fashionable as it still is today in some parts of the world, as it alludes to and accentuates the virtues of charismatic leadership (Hayward, 2016:6). We still have charismatic leaders in the

public service who are left behind, as they are still trapped in the past traditions and are overtaken by events as the landscape in which they operate is being transformed. Technology is imposing a rapid pace on many a human endeavour.

Studies in Metabletics are presenting a new citizen, a new society and a new public servant or official entering the public service universe that is requiring new ways and approaches to leadership. Communities throughout the world are affirming their being sometimes through protest actions, and by so doing, sending out messages that they are no longer passive recipients of services and public value. They are demanding that they be actively involved in the architecture and shaping of their future. Metabletics as a study of change presents a rapidly changing world in which leaders are battling to cope with the pace of change in society. As it were, leaders are expected to adapt quickly to the changes that are taking place both within and outside their organisations all over the world. The waves and the winds of change are imposing a recalibration imperative on the way leadership is being provided. The new environment demands that leaders, or those charged with the responsibility of providing leadership, vary their styles from one setting to the other, as a show of contextual maturity (Groenewald, 2015:15). Members of the public are no longer interested in the heroic and charismatic leaders that have for years on end dominated the public service landscape. As Hayward (2016) would have it, communities are demanding a leadership that is agile and connects easily with the people. A connected leadership is expected to be a leadership that provides a clear vision and direction in the

rapidly changing world, with a strong moral compass modeling the way for others in the digital society (Hayward, 2016: 11).

PUBLIC ETHICS IN THE DIGITAL AGE

Governments all over the world develop codes of ethics that guide the public servants in the course of discharging their responsibilities with dignity and at the same time ensuring good governance. Related to this is the challenge of members of the public presenting desired behaviours as well in the course of accessing public services. The concept ethics refers to a philosophical study of human behaviour. For the purpose of this article, focus is on the human behaviour in the public service environment. As already alluded to in the introductory part of this article, in ancient times, traditionalism, even in the public institutions, was dominant for some period. Interestingly, we are still seeing vestiges of traditionalism in the public service, especially as expressed in the values of the digital immigrants. Some members of the public still prefer orthodox ways of having services delivered to them. Inside the public service, we still have the digital immigrants with conservative and traditional world views that also impact their approach to service delivery.

The ancient period gave way to medievalism. In the medieval period too, public ethics was significantly pervaded and defined by the spirituality of the medieval doctrines. Religious institutions had a significant influence on society in general and the business of government in particular. They influenced society's general outlook on life and also the ethical orientation of the public service.

Despite the onslaught of time and change, even in contemporary times, we still have some public service institutions under a heavy religious influence.

The onset of modernity heralded ethical doctrines such as egoism, altruism and the categorical imperative. Egoism as an ethical orientation is about the self or self-interest. Instead of serving the interests of the public, some people in the public service are more concerned with their personal interests, and as it were, drifting into the domain of the closed systems principle of inner-directedness. According to such people, the arrows of life are pointing inwards towards the self. This is in contra-distinction to the open systems principle of outer-directedness that defines the spirituality and ethos of the digital age. The ethical doctrine of altruism, with its focus on others, resonates with the psychology of the digital age, as it is about how institutions are treating and relating to their clientele (Uys, 2014:110).

The digital age, as studies in Metabletics would have it, is visiting its own psychology on members of the public, and as it were, also on members of the public service. There is today a rapidly rising tide of militant public that is imposing a new public ethic on members of the public service. Technological innovations and social media that undergird the digital age are today giving the public a voice that they have been yearning for years and at the same time transforming the public service ethos. The digital age is bringing with it new cultures and new languages that are also having an impact on public ethics (Hayward, 2016:11). The traditional public ethics codes and values are losing their reality value as they are overwhelmed by the

onslaught of the psychology of the digital age. The world is endeavouring to come to grips with the emergence of a new and empowered citizen and empowered public official that is demanding more transparency and responsiveness in the governance infrastructure.

CONCLUSION

In conclusion, this article is of the view that the digital age, with its new psychology as captured by the Metabletics project with its culture and values, is upon us and is challenging the way we conceive of and provide leadership. There is therefore a need for the recalibration of society's concept of leadership and public ethics so that they

resonate with the new spirituality that also pervades the public service. Members of society and personnel in the public service are people with fundamental human needs, among which is the need to be made to feel special. It is therefore imperative to create an environment where people are made to feel this way. Through connected leadership, people can be made to feel special. The more they are, the more they give in return through quality services. Society deserves and is today demanding quality services. Leadership in the digital age is earned and society is relentlessly demanding it. This can be achieved through practices of connected leadership and living the new ethos of the digital age.

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PARTY COALITION AS A MODEL TO GOVERN MUNICIPALITIES IN SOUTH AFRICA

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ABSTRACT

In this article, party coalition in municipalities is discussed with specific reference to South African Municipalities, taking into account issues relating to leadership, governance and service delivery, with specific reference to Nelson Mandela Bay Municipality in the Eastern Cape Province. In addition, the local government party system, including the electoral system that gives rise to representation of individuals in municipal council, is discussed. In South Africa, parties and individuals are voted into power by communities within a municipal area through an electoral system to form part of the municipal council. Once the said exercise is done, a municipal council is pronounced and established in terms of the legislation that governs local government in South Africa. The party representatives and individuals voted for, by law become a municipal council and represent communities and derive the power to exist from the Constitution of the Republic of South Africa (hereafter referred as the 1996 Constitution). Those who have the majority as per the election results automatically become the ruling party through a vote in council and share a bigger stake in the leadership within council.

It is therefore argued in this article that, at times, parties who have not received the outright majority to govern a municipality and in this case, power to govern including the election of the mayor, speaker and key positions in the municipal council, negotiate power sharing with other parties and individuals to form a coalition government. It is proposed by the author that municipalities could use this model to improve service delivery and further improve leadership and governance. However, in some cases this may not be the case as coalition requires sacrifices including shifting from a party policy ideology to suit coalition demands. In addition, due to the party representative system, disagreements emerge, and the possibility of stable municipalities becomes a dream. It is further argued that in South Africa, this model compromises quality and sustainable service delivery, strong leadership and good governance due to party politics that prevail over the voters' mandate to those elected.

It is proposed by the author that a party system and coalition governance undermine the voice of voters and further cripple service delivery because of unstable governance in municipalities. It is therefore evident in South Africa (reference to Nelson Mandela

Bay Municipality) that coalition governance at this time results in unstable municipalities and in the process, service delivery is compromised. Recommendations provided in this article can be used in the review of both electoral legislation and the party system in South Africa.

Keywords: Party coalition, leadership, governance, service delivery, municipality.

INTRODUCTION

Elections in South Africa have become a testing tool to evaluate the people's choice of who must take lead in the matters of governance and service delivery, particularly in local government. To an extent, most political parties and independent candidates try to convince voters that they can do better than those at the helm of municipalities. Accordingly, in a democratic society, the process of elections serves as a significant mechanism sending a message either to those that are in power or those who wish to stir the matters of service delivery and the will of the people. Nelson Mandela once said "what counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the lives we lead". The statement by Nelson Mandela affirms the issue of voter behaviour and its power.

Since the dawn of democracy, there has been an emergence of multiparty politics in most African States. South Africa is not immune to this advent; the country held its first democratic elections in 1994. Since then, its political system has been characterised by the existence of one dominant party, the African National Congress (ANC). However, for the

past decade, the country's political landscape has gradually moved from one-party dominance to multi-party governance. This was witnessed after the 2016 local government elections where a number of municipalities and metros became co-governed by various political parties (Masipa, 2016:59).

Accordingly, authors have observed that coalitions are an old feature in South African local government politics. This is encouraged by the freedom of association enshrined in the 1996 Constitution that has resulted in a number of individuals establishing political parties that contest elections and further by the applicable electoral system. In the past years, a number of political parties (deemed small) have used coalitions as an important and useful tool to increase power and voice in municipal councils with the intention of gaining access to municipal resources.

The maturing of democracy in South Africa has resulted in unprecedented scenarios in the 2016 municipal elections that presented political parties, including independent community representatives, with an opportunity to discuss power and leadership in governing municipalities, for example, the party coalition in the Nelson Mandela Bay Municipality. This presents opportunities and challenges in the discourse of leadership, governance and of service delivery to communities.

According Jolobe (2007:78), political coalition is a temporary alliance of political groups formed in order to achieve a common purpose or to engage in some joint activity. In addition, this temporal combination of groups and individuals is there to pursue specific objectives with the purpose of gaining more influence and power over

the affairs of a particular municipality that controls budgets and municipal plans. This will result in deciding where money is spent and when, that is, the beneficiaries thereof. In agreement, Booysen (2018:6) argues that, coalitions concern more concrete cooperative actions, for example when political parties jointly exercise government power. Coalitions refer to political parties cooperating in government, or in a legislative body, on the basis of an election outcome.

The common objectives of coalition partners build or destroy one another's strengths and gains on matters of common goal and interest. In general, coalition can exist between smaller parties just to reduce the dominance of one dominant party, for example, reducing the dominance of the African National Congress and when there is no single party that has received an outright majority after the elections, parties with more seats decide to go for a coalition governance based on areas of interest. It is posited that the theory and practice of the concept of "political coalitions" have their roots mainly in the experiences of Western European countries (Oyugi, 2006; Kadima, 2014; Resnick, 2014, cited by Masipa, 2016:40).

Prior to the 2016 local government elections, the ANC had single-handedly governed seven of the eight metropolitan municipalities in South Africa. The decline in support for the ruling party in South African politics, in this case the ANC, has resulted in a shift in the 2016 municipal elections and as a result, this has opened the way for more emerging political parties to find space in the political landscape in South Africa. It is instructive to note that the 2016 local government elections have resulted in more than twenty

hung municipalities across South Africa. A case in question is the Nelson Mandela Bay Municipality. In order to govern a particular municipality, a political party needs to garner the majority of votes in a range of 50% plus 1 of the casted votes (Mokgosi, Shai & Ogunnubi, 2017:40).

This year (2016) could serve as a watershed or a turning point in the dynamics of domestic politics and of dominant one-party rule. Current developments and trends point to a shift of political alliances and a dynamic reconfiguration of support away from the ruling ANC party and in favour of opposition parties, such as the Democratic Alliance (DA) and the Economic Freedom Fighters (EFF) and some of the smaller parties. Nationwide support for the ANC in the municipal election in 2016 dropped by 8% and the party has lost control of three of the major metro-poles, namely, Johannesburg, Tshwane and Nelson Mandela Bay. In the three metro cities, coalitions and various forms of cooperation between opposition parties has allowed them to take over control of the municipalities. The decline in support has relegated the ANC to the opposition benches in these areas, and in many other municipalities there was a dramatic reduction in their support, as stated by Labuschagne (2018:97).

According to the IEC (2016) report, in the 2016 municipal elections, the Nelson Mandela Bay Municipality did not have an outright winner and, as a result, a coalition government was formed. Table 1 on the following page presents in percentages which political party did better than the others.

The following set of results demonstrates a hung municipality where neither the DA

TABLE 1: Analysis of 2016 Municipal Election Results for the Nelson Mandela Bay Municipality

Party Name	Ward		PR		Total (Ward + PR)		Total - All Ballots (Ward + PR + DC 40%)	
	Total Valid Votes	% Total Valid Votes	Total Valid Votes	% Total Valid Votes	Total Valid Votes	% Total Valid Votes	Total Valid Votes	% Total Valid Votes
African Christian Democratic	1 399	0.37%	1 313	0.35%	2 712	0.36%	2 712	0.36%
African Independent Congress	1 078	0.28%	6 144	1.61%	7 222	0.95%	7 222	0.95%
African National Congress	153 496	40.34%	157 920	41.50%	311 416	40.92%	311 416	40.92%
African People's Convention	142	0.04%	591	0.16%	733	0.10%	733	0.10%
African Power Movement	150	0.04%	96	0.03%	246	0.03%	246	0.03%
Alternative Democrats	287	0.08%	942	0.25%	1 229	0.16%	1 229	0.16%
Azanian People's Organisation	303	0.08%	358	0.09%	661	0.09%	661	0.09%
Building A Cohesive Society	123	0.03%	111	0.03%	234	0.03%	234	0.03%
Christian Democratic Party	1 253	0.33%	133	0.03%	1 386	0.18%	1 386	0.18%
Congress of the People	2 929	0.77%	2 658	0.70%	5 587	0.73%	5 587	0.73%
Democratic Alliance	177 920	46.75%	177 551	46.66%	355 471	46.71%	355 471	46.71%
Economic Freedom Fighters	19 819	5.21%	19 132	5.03%	38 951	5.12%	38 951	5.12%
Independent	7 142	1.88%	-	-	7 142	0.94%	7 142	0.94%
Independent Civic Organisation	256	0.07%	467	0.12%	723	0.10%	723	0.10%
Pan Africanist Congress of	447	0.12%	862	0.23%	1 309	0.17%	1 309	0.17%
Patriotic Alliance	930	0.24%	1 110	0.29%	2 040	0.27%	2 040	0.27%
Ubuntu Party	165	0.04%	143	0.04%	308	0.04%	308	0.04%
United Democratic Movement	7 600	2.00%	6 969	1.83%	14 569	1.91%	14 569	1.91%
United Front of the Eastern	4 133	1.09%	3 048	0.80%	7 181	0.94%	7 181	0.94%
Vryheidsfront Plus	976	0.26%	941	0.25%	1 917	0.25%	1 917	0.25%
Total Valid Votes	380 548	100.00%	380 489	100.00%	761 037	100.00%	761 037	100.00%
Total Spoilt Votes	6 954		6 569		13 523		13 523	
Total Votes Cast	387 502		387 058		774 560		774 560	
Total Voter Turnout					390 323			

Source: IEC Official 2016 Municipal Elections Final Results

with 46.71% nor the ANC with 40.092% was in the majority, as both were less than 50%. This resulted in the DA, EFF and other small parties forming a coalition government. Apart from issues of service delivery, coalition parties had one common goal: to reduce the ANC dominance. The coalition in Nelson Mandela Bay Municipalities became a relationship or partnership of convenience. This is evident by the number of attempts to remove the then Executive Mayor, a DA representative, who was eventually removed

and the first coalition was established in 2016 but collapsed two years later. In 2018 an attempt to remove the executive mayor was successful and subsequently, the new coalition was formed with different role players. Although the ANC did not take the mayoral seat, it was at the centre of change.

This trend is evidence that coalitions in South Africa are inevitable and serve as a checks and balances of the strengths and weaknesses of the electoral systems and whether there is

a need to review this system. In most cases, these partnerships formed in council do not take into account the mandate and the choices of the voters, but only consider the interest of parties in council. Moreover, coalitions impact governance, leadership and service delivery at large. In the audit report for both financial years of coalition almost the same and occurring findings in matters of leadership in the NMBM are reported. This might suggest that, during both years, council was busy with a vote of no confidence and not focused on real matters of leadership and governance, as the case required them to do.

DEVELOPMENTAL LOCAL GOVERNMENT

The 1996 Constitution regards local government as a distinct sphere of government in its own right, and no longer is it a function of National or Provincial government. Although this sphere of government is distinct, it is interdependent of and interrelated to the other two spheres of government, the National and Provincial government. According to Maserumule (2008:436), the local sphere of government, which consists of municipalities, is established in terms of Chapter 7 of the Constitution of the Republic of South Africa, 1996. Unlike the other sphere of government, the executive powers of a municipality are vested in the municipal council, (1996 Constitution). As the sphere of government closest to the community, this strategic position makes it the ideal tool for developmental government. The primary role of local government therefore is to render services to the community.

To this end, section 152 of the 1996 Constitution outlines responsibilities of all municipalities

in that municipalities, among others, must provide for a democratic and accountable government to local communities, ensure the provision of services to communities in a sustainable manner and further ensure sound public participation in the matter of municipalities. Municipalities must therefore exercise their legislative powers enshrined in the 1996 Constitution in order to realise the mandate of service delivery. Irrespective of who forms the municipal council; the 1996 Constitution commits government to take reasonable measures, within its available resources, to ensure that all South Africans have access to adequate housing, health care, education, food, water and social security (The White Paper on Local Government, 1998).

The White Paper on Local Government, 1998 prescribes that developmental local government in South Africa be based on four interrelated characteristics, namely: (i) maximising the social and economic growth of a local area; (ii) integrating and coordinating the various local economic and social developmental activities; (iii) building local democracy, as being central to development, and continuously involving citizens, businesses, communities, groups, and all the relevant role-players in processes such as decision-making, planning and budgeting; and (iv) municipalities are required to provide leadership in the efforts to achieve the developmental vision.

It is therefore expected of all municipal councils to drive the provisions of the White Paper on Local Government irrespective of who is at the helm of leadership. This expectation is sometimes not realised due to party politics over the core mandate of council in the local sphere. This is seen sometimes

where a coalition governance is established in municipalities where the parties with fewer seats determine and stir the direction of a municipality by becoming king makers due to their influence in deciding on a mayor or a municipal speaker. A case at hand is the change of leadership in Nelson Mandela Bay Municipality in 2018, where UDM with fewer seats took over mayoral position.

LOCAL GOVERNMENT ELECTORAL SYSTEM IN SOUTH AFRICA

The local government electoral system in South Africa is governed by the Municipal Electoral Act, which is the corner stone of democracy for local government. Accordingly, this Municipal Electoral Act derives its power of existence from section 190 of the 1996 Constitution, which states the Electoral Commission must (a) manage elections of national, provincial and municipal legislative bodies in accordance with national legislation; (b) ensure that those elections are free and fair; and (c) declare the results of those elections within a period that must be prescribed by national legislation and that is as short as reasonably possible. Furthermore, the Electoral Act, 73 of 1998 outlines election procedures that compel all political parties and individuals to consider with regards to registration, meetings and campaigns.

In South Africa, elections take place once every five years for National, Provincial and Local Government. Political parties are voted in for national and provincial elections, for local government, individuals have an opportunity to be voted into power as independent candidates. In each election, political parties gain a stipulated number of seats in direct

proportion to the number of votes received. This is called proportional representation. In local government, the same method is used and, in addition, some are voted in as ward councillors irrespective of their affiliation. Individual candidates benefit in this system and unlike in national and provincial elections. This is stipulated in the Municipal Electoral Act, section 16 which states that a person may be nominated to contest an election in a ward by (a) a registered party; or (b) a person who is (i) an ordinarily resident in the municipality in which that ward falls; and (ii) registered as a voter in that municipality's segment of the voters' roll.

According to Hicks, Morna and Fonnah (2016:8) "the mixed PR and FPTP system in South Africa is designed to harness the best of both electoral systems (with the PR system more friendly to women and minorities and the FPTP enhancing individual accountability)".

Accordingly, in the 2016 municipal elections, political parties were allocated seats as follows;

- Democratic Alliance (DA) –57.
- African National Congress (ANC) –50.
- Economic Freedom Fighters (EFF) –6.
- United Democratic Movement (UDM) –2.
- And others 1 seat each.

These results led to a coalition government with the purpose of reducing the dominance of the ANC in the name of speedy service delivery. Due to party disagreement, the

TABLE 2: Opportunities and Challenges of Coalitions

Opportunities	Challenges
By combining forces and resources with others, parties can increase their influence and accomplish goals they could not achieve on their own	Parties may lose some control over decision making and find it difficult to maintain a distinct profile that distinguishes them from their coalition partners
Parties can broaden their appeal and increase their vote share by combining forces with others. This may create an opportunity to secure legislative seats to form a government and achieve their specific political goals	To find a common ground with partners, each party must to some extent compromise on its own priorities, principles and ideology
The public may see coalition-building as an admirable effort to consider other points of view and seek compromise	The need to consult and reach agreement among coalition partners can make government decision-making slower and more complex
Coalition can provide opportunities to broaden participation in government	Poor communication between individual parties on coalition goals, objectives and benefits can sometimes fuel tensions and cause divisions
Coalition parties can learn from each other and thus strengthening their individual parties based on those experiences	The public may feel that party leaders have abandoned their principles by coalescing with other parties

Source: The National Democratic Institute (NDI) (2015)

coalition that was formed in 2016 led by the DA collapsed in 2018, and subsequently, the new partnership led by the ANC was formed.

RATIONAL FOR COALITIONS

Coalitions exist for a vast number of reasons that differ according to the political and legal landscape of a country's socio-economic, cultural and institutional context and the time at which the coalition is formed in the electoral cycle (Law, 2018:2). Accordingly, Doherty (2004:1) argues that there are three main reasons political coalitions are formed: in government, to secure a governing majority; in opposition, to create a credible alternative to government; and during elections, to consolidate electoral support and maximise results. In addition, the coalition must be beneficial to all of its constituent parts and there must be mutual respect and understanding of each

partner. Some authors such as (Law, 2018:2) suggest that reasons behind these partnerships will always determine the level of health of such partnerships and if not maintained, these will surely collapse.

OPPORTUNITIES AND CHALLENGES OF COALITION PARTNERSHIPS

Table 2 presents opportunities and challenges of party coalition in general, according to the National Democratic Institute (NDI) (2015).

In practice and based on experience, authors argue that, in most cases, coalition government does not necessarily provide the demand for stability for the development of the communities, including at local government municipalities where services delivery

is needed. In addition to the challenges stated above, in coalitions there are frequent challenges in the following areas:

(a) Weakened Party Identity

The political manifesto that attracted the voters and led to trust of a particular political party vanishes. This leads to the diminishing of political ideology in council and as a result the mandate of the voters is silenced.

(b) Ineffective Local Governance

The challenges and opportunities of the coalition parties who form governance in municipalities can result in either sustainable or collapsed service delivery. Masipa (2016:62) agrees and argues that "multy-partyism" is likely to become a common practice in the post-apartheid South Africa's political system. Although multiparty governance is widely applauded as contributing to good democracy, power sharing, and consolidation of different policies in moving the country forward, it may, however, impose some challenges to the overall governance of the country (Masipa (2016:62). Furthermore, political opportunism cannot be ruled out as more parties who by choice want to reduce the dominance of one party may at some point serve their own party politics instead of serving communities and sustainable service delivery. Authors further argue that the purpose of the coalition in most instances, as it was in the NMM, was never to serve communities but to reduce dominance of one party, in this case, the ANC, and the focus of those in council was more on lobbying each other to unseat those in power and to fight to advance their own party interest in the name of service delivery. This, in practice, surely

exposes the municipal council to vulnerable governance and impedes service delivery because of lack of leadership.

(c) Meaningful Citizen Engagement Compromised

Citizens' or community needs are overshadowed by party politics as a result; there is always reluctance by municipal councillors and administration to engage with communities. The South African legislation compels municipalities to engage with communities frequently, but due to the temporal arrangements of partnerships as a result of the coalition, public participation is compromised.

Although the above challenges paint coalitions as hinderers of service delivery, it does promote consensus, where decisions do consider the views of every party. In addition, coalitions tend to promote responsible government. Proportional representation in most cases ensures a coalition government that leads to more consensus-based politics. This can assist where a government with differing parties often results in different ideologies which can enhance governmental policy.

COALITION AS A MODEL TO GOVERNING MUNICIPALITIES

South Africa's "political environment has seen racially and ethnically configured coalitions, ideologically matched or disconnected coalitions, as well as politically opportunistic ones", observes Kadima (2006:16). He further explores these contentions about the causes of alliances and coalitions and finds them well sustained. The analysis notes the centrality of gains in or consolidation of political power as a driving force.

On the other hand, Booysen (2014:83) argues that in South Africa it has been evident that political parties often embark on alliance and coalition initiatives after elections and with a view to the next round of elections. Elections highlight fading party fortunes and leaders then often initiate inter-party cooperation, including gradually building up to new alliances, in order to rescue their own careers, and/or negotiate relatively graceful endings for their parties. The parties do not have direct constituencies to account to and the small parties often have flexible party structures, enabling them to switch with relative ease. The emergence of coalitions and different forms of cooperation between opposition parties in the three major megacities suggest the possible dawn of a new era of governance in the country, (Labuschagne, 2018:97).

Although one of the key operating principles of South Africa's Constitution is "multi-party democracy", clearly, the shifting electoral landscape has presented opposition parties with a huge opportunity to gain power. But there are great risks associated with the building and sustaining of coalitions – one of which is that if handled clumsily, the parties may face an electoral backlash, (Law, 2018:4). One of the risks associated with a coalition is the change in voter behaviour as more of these partnerships, including the Nelson Mandela Bay Municipality, do not consider the voters' views. The change of power in 2018, where a UDD representative with only two seats was elected executive mayor, can only suggest that party interests prevailed over voter's choices. The two seats of UDM vs the election to the position of executive mayor suggest that communities did not believe that the UDM could deliver on their needs, therefore they received a much smaller percentage of votes in the elections.

All the evidence from elsewhere suggests that coalition politics is one of the most complex and difficult political art forms, requiring a range of expertise and skills to manage the tense power dynamics as foes become friends. Parties seek to retain their independence in the eyes of the electorate, but at the same time are forced to collaborate with perceived adversaries while in office. They may have to support policies and legislative reforms that are deemed necessary by the coalition partners but that conflict with that specific party's manifesto or which clash with its worldview (Moury & Timmermans, 2013:17).

In any coalition a great deal depends on the breadth and depth of discussion and leverage of each party leader, which often defines the amount of bargaining capital to which he or she is entitled. It is not unusual to hear reports that a political party that has practically agreed on coalition changed its mind about the whole agreement when the party interest is not served.

CONCLUSION

Although political changes in municipalities accelerate the democratic view in South Africa, with the constant political landscape as a result of party coalition, municipal councils do attract negative consequences. Notwithstanding the ability of a coalition to promote democratic values with regard to voter behaviour, coalition brings about administrative instability where parties refuse to work with those employed by the defeated party that was in charge of the administration, particularly senior individuals. These individuals are viewed as loyal to the out-voted political organisation. This results in interrupted services to communities and

poor leadership. When the latter occurs, poor performance emerges and this leads to community protest which, in most cases in South Africa, become violent. The collapse of a number of coalition governments and their instability in governance, in the Nelson Mandela Bay Municipality confirms that these partnerships of convenience are by no means a voter's choice but rather in the interests of individuals and as a result, voters' behaviour for the next elections is influenced and local government could become chaotic.

In practice, party politics usually prevail in any coalition government. Political parties who decide to form a coalition to co-govern a municipality must therefore have a clear plan inclusive of the voters' mandate of how they intend to execute their duties in a manner that supports their given mandate of serving the interests of voters. It is further recommended that the electoral system in South Africa be reviewed to cater for the voice of the voters in instances of coalition government formation.

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ANALYSIS OF SOCIO-DEMOGRAPHIC FACTORS INFLUENCING YOUTH EMPLOYMENT STATUS IN SOUTH AFRICA: THE CASE OF THREE LOCAL MUNICIPALITIES IN MPUMALANGA PROVINCE

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ABSTRACT

Since 1994, South Africa's labour market has been transforming through different political and economic strategies that try to eliminate labour inequalities of the past and to improve working conditions for all citizens. However, the South Africa labour market is still dominated by low and semi-skilled individuals who find it difficult to secure formal employment or who are unemployed. Furthermore, South African youth, especially those with lower levels of education and in locations less accessible to infrastructure and services, face diminished chances of social mobility and employment. The purpose of this article is to assess the effect of various socio-demographic factors on youth employment status in three local municipalities of Mpumalanga Province. The data used in this article is from the survey questionnaire conducted by the Provincial Department of Social Development in the "war on poverty programme". To achieve the objectives of this article, descriptive statistics and a binary logistic regression are used to analyse the data. The results show that factors such as

skills, age and education level have a significant influence on youth employment status. There is statistical evidence supporting the effect of municipality of residence and gender on one's employment status. This article concludes that socio-demographic factors do influence youth employment status, depending on which local municipality one resides in, and it provides a list of suggestions and policy implications with direction for future research about labour market and youth employment, particularly in South Africa.

Keywords: Youth, employment status, skills, socio-demographic, logistic regression.

INTRODUCTION

Youth unemployment rates have become a prominent social and economic feature around the globe. Young job seekers are finding it increasingly difficult to secure employment opportunities. Approximately 71 million young people who are between 15 and 24 years old were unemployed in 2016 (International Labour Organisation, 2016a:2). The attributable reasons for youth finding it

difficult to acquire jobs, not just in developing countries such as South Africa, but also around the world, have been a topic of much interest. Since 1994, South Africa's labour market has been transforming through different political and economic strategies that try to eliminate labour inequalities of the past and improve working conditions for all citizens. However, the South Africa labour market is still dominated by low and semi-skilled individuals who find it difficult to secure formal employment. This is due to the labour market being often characterised by imbalance between demand and supply that sometimes is a result of the available labour resources not being utilised (Niyimbanira, 2016). Furthermore, South African youth, especially those with lower levels of education and in locations less accessible to infrastructure and services, face diminished chances for social mobility and employment. For a country to have sustainable economic development, social cohesion and human dignity of its citizens, it should have a very good level of employment in all geographic and demographic spheres.

Theoretically, economic growth should create a conducive environment that engenders the conditions necessary for job creation. However, based on evidence of the period 1994-2001 when compared with the 1970s, Barker (2015) argues that the number of jobs being created in South Africa has been declining. South African forecasts for economic growth for 2017 and 2018 were 1.3% and 2% respectively (National Treasurer Department, 2017), meaning that this growth rate is far below the 5.4% level envisioned by the government necessary to meet its target of creating five million jobs by 2020 and 11 million by 2030, as indicated in

the National Development Plan (National Planning Commission, 2014). The growing number of South Africa's unemployed, particularly youth, will not benefit from such low economic growth.

Consequently, youth employment matters beyond macro-economic indicators. Youth positively are a potential resource for fast and sustainable economic growth and development. At the same time, undoubtedly, youth without jobs may be a ticking bomb (Munga *et al.*, 2014), meaning the longer the situation of high youth unemployment continues to persist, the higher the probability of social, security and political instability. Young people encounter two main issues, namely, access to the labour market due to lack of experience and job loss during economic recession due to lack of network (Freeman & Wise, 1982; Leo, 2012). According to Mmesi (2015: par.1), "youth unemployment in South Africa has reached critical proportions: it was measured at 53.6% in 2013, and in 2014, youth comprised 41.8% of the total national unemployment rate of 25.4%." In the last quarter of 2016, the unemployment rates among young people between 15-24 and 25-34 years old were 50.9% and 31.9% respectively (StatsSA, 2017). Youth represent the next generation of leaders in business, government and civil society, hence South Africa, like many other developing countries, has the challenge of identifying a long-term solution for youth joblessness.

The objective of this paper is to examine the effect of various socio-demographic factors on the youth employment status in three local municipalities of the Mpumalanga Province. The paper is organised as follows: following the introduction, the next section

briefly reviews main microeconomic versus macroeconomic views on (un)employment and youth within the labour force. The third section provides methodology used in the paper, the fourth presents an empirical analysis with discussion of the results, and the fifth section provides recommendations, while the last one gives concluding remarks for the paper. It is expected that the analysis of this paper will provide insights to stimulate further discussion on the youth employment status in South Africa and in developing countries at large.

MAIN MICROECONOMIC AND MACROECONOMIC VIEWS ON (UN)EMPLOYMENT

Under microeconomics, three main theories about un/employment are generally considered to be key in the literature. These are: human capital theory, job search theory and job match theory. Human capital theory is about the importance of the education level. According to Barker (2015:218), "people with high educational qualifications consistently earn higher salaries. The reason why a person with a higher educational qualification earns higher salary is that skills development enhances a person's stock of human capital and therefore increases that person's productive potential." Therefore, there is high probability that potential employers as rational economic actors seek to maximise investment, opting for more educated and "productive" workers. Hence, human capital theory assumes that there is an association between unemployment and level of education (Schultz, 1964; Becker, 1993). Thus, without a high level of education, a work seeker might be linked with low productivity and ineffectiveness. Job search theory views

the labour market as imperfect and decentralised where unemployment can be caused by lack of information about potential or available jobs and not being able to cover the costs involved in the search process. An example of this is distance from the labour market is one of the significant contributors to the difficulties in finding employment (Mortensen, 1986; Pissarides, 1979; Diamond, 1982). Job match theory is based on imperfect information and because both employers and job seekers are heterogeneous, unemployment might arise due to the uncertainty that exists between them (Jovanovic, 1979). Therefore, at a microeconomic perspective, the youth employment status might be determined mainly by educational level, cost of job search process and imperfect information between potential employer and work seeker.

Macroeconomic views could be divided into four main theories: classical; Keynesian, Okun's law, and monetary theories. Under classical theory, Pigou (1933) indicates that wages and prices are completely flexible and acts as self-regulating mechanism that allows equilibrium in the labour market. In other words, no policy intervention is required in markets when unemployment is voluntary due to labourers not accepting lower wage offers. Keynes (1936) rejected the notion of self-regulation in the market and firmly argued that fiscal policy should be directed at stimulation of demand to rectify market imbalance. Importantly, he emphasised that unemployment is involuntary and cyclical in nature.

Okun (1962) provides an empirical work indicating the relationship between economic growth and unemployment. His theory emphasises that inclusive growth and labour intensive production are required to create

jobs and reduce unemployment. Monetarists view unemployment as voluntary with workers acting on rational expectations basing decisions on real wages as opposed to nominal wages and government intervention towards stimulating demand, thus causing unemployment (Friedman, 1968). However, it should be indicated that the monetary policy can be successful in altering unemployment levels only in the short-term, but in the long-run, authorities should address structural issues in the labour market. Therefore, youth employment status might be determined by the policy interventions taken by government on both supply and demand side of the labour market. The economic growth on its own cannot improve unemployment, thus it should be aligned with policies and structures that ensure labour intensive and inclusive economic expansion.

YOUTH UNEMPLOYMENT IN SOUTH AFRICA

In principle, unemployment should be easy to define. A person is unemployed if he or she desires employment but cannot find any. The unemployment rate is then obtained

by expressing the number of unemployed persons as a percentage of the total number of people willing and able to work (the labour force). According to the South African Reserve Bank (2017), in practice, the definition and measurement of unemployment is quite complicated. As far as the definition is concerned, there is a difference of opinion as to whether or not a person who desires work but who makes no effort to find work should be classified as unemployed. According to the strict definition only those people who take active steps to find employment, but fail to do so, are regarded as unemployed (Barker, 2015). The expanded definition, on the other hand, includes everyone who desires employment, irrespective of whether or not they have actively tried to obtain a job. Statistics South Africa (StatsSA) (2017) estimates reveal that unemployment in South Africa, using the strict definition, was 26.5% and with the expanded definition, was 35.6% in the fourth quarter of 2016. Irrespective of the definition used, there can be no doubt that unemployment is the most important socio-economic problem not only in South Africa but in many countries, especially developing ones. Tables 1 and 2 show the unemployment

TABLE 1: Unemployment in South Africa (Expanded Definition of Unemployment in %)

Age	Q3:2009	Q3:2011	Q3:2013	Q3:2015	Q1:2016	Q2:2016	Q3:2016	Q4:2016
15-24	61.6%	65.2%	64.6%	62.1%	67.2%	66.3%	65.5%	63.8%
25-34	37.5%	39.9%	38.9%	39.0%	40.3%	41.0%	41.1%	40.6%
15-64	33.6%	35.5%	34.9%	34.4%	36.3%	36.4%	36.3%	35.6%

Source: Compiled from StatsSA (2017)

TABLE 2: Unemployment in South Africa (Strict Definition of Unemployment in %)

Age	Q3:2009	Q3:2011	Q3:2013	Q3:2015	Q1:2016	Q2:2016	Q3:2016	Q4:2016
15-24	48.7%	51.0%	50.3%	49.9%	54.5%	53.7%	54.2%	50.9%
25-34	28.9%	29.9%	28.9%	30.3%	31.2%	31.4%	32.1%	31.9%
15-64	24.5%	25.0%	24.5%	25.5%	26.7%	26.6%	27.1%	26.5%

Source: Compiled from StatsSA (2017)

TABLE 3: Poverty, Economic Growth and Inequality in the Area of the Study

Local Municipality	1996	1999	2002	2005	2008	2011	2014
Share Below the Lower Poverty Line (StatsSA defined) (in %)							
Mkhondo	65.8	71.9	73.7	66.3	64.1	50.0	49.8
Mbombela	55.4	57.3	57.1	49.6	46.9	33.1	33.1
Emalahleni	31.7	38.6	41.2	35.2	30.9	18.6	19.6
The Economic Growth by Local Municipality (in %)							
Mkhondo	1.6	3.3	3	1.7	0.4	1	1.1
Mbombela	2.6	2.6	-0.5	3.6	0	-1	0.4
Emalahleni	6.2	4	10.5	2.6	-3.3	3.7	-1.7
The Gini Coefficient by Local Municipality							
Mkhondo	0.57	0.61	0.62	0.61	0.60	0.59	0.59
Mbombela	0.59	0.63	0.63	0.63	0.63	0.63	0.62
Emalahleni	0.54	0.59	0.61	0.62	0.61	0.60	0.60

Source: IHS Global Insight - ReX, June 2015

rate in South Africa in selected quarters between 2009 and 2016 with different age ranges of labour force.

Table 3 shows that poverty in Mkhondo local municipality from 1996 to 2014 is high compare to Mbombela and Emalahleni. In terms of inequality, "South Africa's income inequality levels are among the highest in the world" (Nishimwe-Niyimbanira, 2016:92). The same goes for all three local municipalities' Gini coefficients, which are around 0.60 indicating that inequality is high but not higher than the national Gini coefficient, which according to the Organisation for Economic Co-operation and Development (OECD) (2013:25), is around 0.70. In addition, Table 3 shows poverty level and economic growth among the three local municipalities that this paper studied.

DATA SOURCES AND METHODOLOGY

This section provides the data sources and profile of the study areas and the

methodology used. This study followed a quantitative approach with the use of secondary data from a survey questionnaire by the Mpumalanga Social Development Department. The data is from a survey on "War on poverty programme", initiated by the national government in 2009, and from three local municipalities, among them very rural and poor economically (Mkhondo) and the other two economic activity hubs (Mbombela and Emalahleni). The survey had 100 234 participants, but some respondents did not answer all questions, which led to a sample size of 22 477. The 3 466 are from Mkhondo, 14 973 from Emalahleni and 4 038 are from Mbombela Local Municipality.

The variables this paper uses are in a dichotomous or binary data category. This variable may assume just two binary values; "1" if the youth is employed and "0" if s/he is unemployed. A Logit model is adopted as it is recommended and appears in the form of a normal cumulative distribution function (Berndt, 1991; Gujarati, 1995). Hence the following cumulative probability function.

$$L = \frac{1}{1 - p_i} \quad (1)$$

$$L = \frac{1}{1 - e^{-\beta_j x_i}} \quad (2)$$

where, "p" is the probability that a young person is employed. It has two binary values between 0 and 1 because it is not directly observable: "1" if the young person is employed and "0" otherwise; and "e" is the exponential value. The binary logistic model with the assumption of normal distribution is then represented as:

$$YES_i = \beta_0 + \beta_1 GEN_i + \beta_2 AGE_i + \beta_3 MS_i + \beta_4 HE_i + \beta_5 MR_i + \sum_n^i \beta_j D_i + \varepsilon_i \quad (3)$$

where *YES* is youth employment status (1 for employed and 0 otherwise); *GEN* is the gender of young individuals (0 for female and 1 for male); *AGE* is the age group (1 for 18-24 years, 2 for 25-29 years and 3 for 30-35 years); *MS* is the marital status and *HE* represents the highest education level, while *MR* is the municipality of residence; and *D* is the number of skills an individual has. The error term ε is included to provide for any other possible explanatory variable that might have not been included in the model but may influence youth employment status.

EMPIRICAL RESULTS, FINDINGS AND DISCUSSION

Descriptive Analysis

The results of this paper are divided into two categories: cross-tabulation and logistic regression. Cross-tabulation results presented in Table 4 show that 57.5% of females and 69.6% of males are employed.

In terms of age, 37.9% of the 18-24 category, 33% of the 25-29 and 35.9% of 30-35 year olds are unemployed. Among those participants who had no schooling, 85.1% were unemployed, 45.1% of those who went to primary school were unemployed, while 20.5% of those that had completed high school were unemployed; 35.9% of those that had high school and other certificates completed were unemployed, while 44.1% of those that had a Bachelor degree or national diploma were unemployed and only 1.7% of those with postgraduate qualifications were unemployed. These results confirm what is expected in terms of acquiring education that will increase the probability of getting a job; and justifies higher productivity levels and thus a better employment outcome (Mincer, 1974).

Table 4 also presents the distribution of the participants' employment status and residential area. The area of residence is expected to influence the employment outcome due to different levels of economic activity taking place. The table shows that 48.9% of those that reside in Mkhondo Municipality are employed, 51.3%, and 71% of those that reside in Mbombela and Emalahleni, respectively, are employed.

The results in Table 6 indicate a negative coefficient for age, suggesting that there is a negative relationship between the age of the work seeker and the probability of being employed in the three local municipalities studied. This means that the younger the work seeker is the better the chances are of finding a job. This is contrary to the usual findings as it is believed that older work seekers tend to have more experience in the labour market. The coefficient of gender was

TABLE 4: Cross Tabulation of Employment Status and Various Variables

Variables	Employment Status				
	Category	Unemployed	Employed	Total Number	Odd ratio
Gender	Female	4 379 (42.5%)	5 929 (57.5%)	10 308	1.694
	Male	3 695 (30.4%)	8 476 (69.6%)	12 171	
Age Group	18-24	2 984 (37.9)	4 879 (62.1%)	7 863	N/A
	25-39	1 833 (33%)	3 717 (67%)	5 550	
	30-35	3 257 (35.9%)	5 809 (64.1%)	9 066	
Schooling	None	1 392 (85.1%)	244 (14.9%)	1 636	N/A
	Primary	2 403 (45.1%)	2 928 (54.9%)	5 331	
	High School completed	2 088 (20.5%)	8 112 (79.5)	10,200	
Education level	High school and other training cert.	1 525 (35.9)	2 722 (64.1)	4,247	N/A
	Bachelor degree & Nat. Dip.	310 (44.1)	393 (55.9)	703	
	Postgraduate	6 (1.7%)	356 (98.3)	362	
Residential area	Mkhondo	1 770 (51.1%)	1 696 (48.9%)	3,466	N/A
	Emalahleni	4 337 (29%)	1 0636 (71%)	1,4973	
	Mbombela	1 966 (48.7%)	2 072 (51.3)	4,038	
Skills	Computer lit.	1 401 (30%)	3 263 (70%)	4,664	1.395
	Painting	679 (29.4%)	1 631 (70.6%)	2 310	1.391
	Brick laying	441 (27.8%)	1 143 (72.2)	1,584	1.492
	Security	308 (18.6%)	1 347 (81.4%)	1,655	2.601
	Welding	214 (30.3%)	492 (69.7%)	706	1.299
	Carpentry	159 (30%)	371 (70%)	530	1.316
	Plumbing	199 (32.4%)	415 (67.6%)	614	1.174
	Child care	241 (41.1%)	345 (58.9%)	586	0.798
	Plastering	240 (29.9%)	564 (70.1%)	804	1.330
	Electrical	500 (41.5%)	704 (58.5%)	1 204	0.778
	Sewing	283 (42.1%)	389 (57.9%)	672	0.764
	Bookkeeping	262 (31.4%)	573 (68.6%)	835	1.235
	Waitressing	230 (26%)	655 (74%)	885	1.625
	Farming	300 (31.3%)	658 (68.7%)	958	1.240

Source: Own Calculations

TABLE 5: Cross Tabulation of Employment Status and Skills by Local Municipality (in %)

Variables	Category	Mkhondo		Mbombela		Emalahleni	
		No	Yes	No	Yes	No	Yes
Types of skills	Computer Lit.	64.7%	35.3%	43.5%	56.5%	20.1%	79.9%
	Baking	53.5%	46.5%	47.7%	52.3%	29.3%	70.7%
	Cooking	52.4%	47.6%	47.7%	52.3%	30.3%	69.7%
	Painting	40.8%	59.2%	36.3%	63.7%	24.0%	76.0%
	Waitressing	51.3%	48.7%	38.1%	61.9%	19.6%	80.4%
	Security	41.6%	58.4%	26.3%	73.7%	13.9%	86.1%
	Welding	45.1%	54.9%	36.4%	63.6%	23.3%	76.7%
	Electrical	55.6%	44.4%	56.8%	43.2%	24.0%	76.0%
	Carpentry	62.3%	37.7%	34.7%	65.3%	22.6%	77.4%
	Plumbing	54.3%	45.7%	42.4%	57.6%	25.3%	74.7%
	Child care	55.3%	44.7%	43.9%	56.1%	34.8%	65.2%
	Plastering	38.4%	61.6%	34.3%	65.7%	27.7%	72.3%
	Farming	36.2%	63.8%	47.4%	52.6%	26.0%	74.0%
	Sewing	58.0%	42.0%	50.4%	49.6%	35.8%	64.02%
	Bookkeeping	69.4%	30.6%	43.5%	56.5%	20.0%	80.0%
Brick laying	41.2%	58.2%	37.8%	62.2%	24.1%	75.9%	

No = Unemployed; Yes= Employed

Source: Own Calculations

TABLE 6: Results From Logistic Regression

		Variables in the Equation					
		B	S.E.	Wald	Df	Sig.	Exp(B)
	Gender	.497	.098	25.852	1	.000	1.644
	Age group	-.514	.056	85.407	1	.000	.598
	Marital status	.108	.055	3.867	1	.049	1.114
	Highest level of education	-2.503	.093	723.293	1	.000	.082
Skills	Computer	.371	.136	7.498	1	.006	1.450
	Baking	.138	.139	.983	1	.321	1.147
	Cooking	-1.800	.121	2.194	1	.139	.835
	Painting	-.093	.132	.501	1	.479	.911
	Brick laying	-.093	.191	.235	1	.628	.912
	Waitressing	.050	.292	.030	1	.863	1.052
	Security	.343	.186	3.408	1	.065	1.409
	Welding	.136	.320	.181	1	.670	1.146
	Carpentry	-.552	.320	2.969	1	.085	.576
	Electrical	.534	.271	3.872	1	.049	1.706
	Plumbing	-.509	.301	2.861	1	.091	.601
	Child care	-.228	.264	.746	1	.388	.796
	Plastering	.112	.284	.155	1	.694	1.118
	Farming	.345	.158	4.750	1	.029	1.412
	Sewing	-.507	.234	4.711	1	.030	.602
	Bookkeeping	.106	.325	.106	1	.745	1.111
	Constant	6.943	.316	484.281	1	.000	1036.244

Source: Own Calculations

negative. Therefore, it suggests that females were less likely than their male counterparts to have employment. Considering the level of significance, both age and gender have statistically significant impact on the employment probability of the youth in all three local municipalities. This, however, indicates that though South Africa has made some progress in implementing the equity legislation, which includes the pursuit of gender equality, especially in the workplace (Masango & Mfene, 2015:631), the country still has more work to do empowering females to find employment. For Masango and Mfene (2015:628), empowerment of women has "benefits for the democratisation, development and advancement of society as a whole". Furthermore, a positive and statistically significant coefficient for marital status indicates that being single, compared

to any other marital status, increases the probability of being employed. This is in line with Niyimbanira's (2016:127) findings that "the coefficients of variables indicating married, separated and divorced are negative and statistically significant".

Logistic regression results show that having no schooling had a statistical significant negative coefficient accompanied with the odd ration of 0.082. This suggests that those with low level of education were 91.8 (0.082-1) percent less likely to be employed. In other words, having a particular education level is associated with an increase in likelihood of being employed compared to those without education. Therefore, due to lack of evidence on their productivity, the level of education for young people plays an important role in securing a job. However,

as the results reported in Table 4 show, there is high level of unemployment among those with a Bachelor Degree, which brings the question of what fields of study these participants graduated in. However, this is not one of the objectives of this article.

The results about skills participants have indicate that some coefficients are positive and others are negative. Positive coefficient indicates likelihood of being employed and negative coefficient means that there is less likelihood of securing a job. Having baking, cooking, waitressing, security, welding, electrical, plastering, farming, bookkeeping and computer literacy skills have a high likelihood of being employed. Surprisingly, plumbing has a negative coefficient with odd ratio 0.601, suggesting that those young people with such skills are 39.9 (0.601-1) percent less likely to find a job. This is worrying as one of the semi-skills needed in the country is plumbing. In addition, in terms of significance, computer literacy, carpentry, plumbing, farming and sewing are statistically significant.

Furthermore, these findings suggest that the skills that are not statistically significant are not highly demanded in the local labour market of these three municipalities and hence not as significant towards finding employment, indicating a mismatch of skills that are demanded and supplied. This advocates that there is structural unemployment among participants that might persist unless the issue of providing skills needed by local labour market demand, which requires a co-operation and collaboration between different stakeholders, namely, educational institutions, Government, the private sector and non-profit organisations.

RECOMMENDATIONS

The current state of unemployment, more so for youth, in the South African labour market warrants a considerable concern. The paper shows that obtaining education and acquiring skills play an important role in finding employment, but to reduce the level of youth unemployment would require a multidimensional approach, as some do have skills but are still not able to find jobs. Therefore, to address the issue of youth unemployment, a clear coordination between educational institutions, government, the private sector and civil societies is required in order to make sure that qualifications/skills offered are aligned to what the labour market requires.

Recent local service delivery related strikes are probably due to lack of or shortage of employees for local municipalities, regardless of availability of young people with necessary skills. Local municipalities could reduce the level of youth unemployment by employing them and meeting the service delivery demands. In addition, advancing entrepreneurship among youth is crucial. If a young person acquires skills s/he should also learn how to apply such entrepreneurially, in case there are no jobs available. Hence self-employment should also be an alternative and entrepreneurship for young people should be regarded as the most important avenue for job creation. Furthermore, local policy makers need to implement and construct context specific youth policies and make an effort to understand the factors that affect the youth employment status in their areas. This should be one of the real priorities for local authorities, as job creation makes young people stay rather than migrate to big cities for better opportunities.

CONCLUSION

The aim of this paper was to examine the effect of socio-demographic factors on the youth employment status in three local municipalities of the Mpumalanga Province. This research makes a theoretical and empirical contribution by adding to the limited research that is currently available on the youth employment status, and in this case, uniquely at local municipal level, thus bringing an understanding of the phenomena. This article's findings

show that the youth employment status is largely influenced by age, skills and level of education, signifying the importance that a strong educational background plays a major role in the absence of experience. To address issues of youth unemployment, especially from a local level, requires an integrated approach involving all stakeholders who are linked with the local labour market, including businesses, educational institutions, local policy makers and the youth themselves.

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AN AFROCENTRIC NARRATIVE OF THE CHIEFTAINCY DISPUTES IN SOUTH AFRICA WITH SPECIAL REFERENCE TO MAMETJA AND MALEPE TRADITIONAL COUNCILS

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ABSTRACT

The subject of chieftaincy in post-apartheid South Africa and post-independence Africa has been a hotbed for both practitioners and scholars coming from Public Affairs and other cognate academic disciplines. It is on this basis that there exists a polarised body of knowledge about the practice and processes of this institution of traditional leadership in Africa, and South Africa in particular. Above all, the silenced Afrocentric perspective about chieftaincy in South Africa has resulted in its partial understanding by members of the public, scholars and practitioners. Using Afrocentricity as an alternative theoretical lens, the current paper seeks to use the ongoing feud between Mametja and Malepe traditional councils in the rural Province of Limpopo as a test case to sift lies and [half]-truths about the nature and implications of chieftaincy in South Africa. Methodologically, this paper relies on a blend of critical discourse analysis and conversations in their broadest form. The thesis of this paper is that the dispute between Mametja and Malepe traditional

councils can best be understood when located within the historic and continental context. The latter is central to any efforts to amicably and irrevocably resolve this political and administrative impasse that hampers socio-economic development and also brews hatred and violent conflicts between people who previously co-existed in harmony.

Keywords: Afrocentricity, Chieftancy, Mametja, Malepe, South Africa.

INTRODUCTION

Liberal democracy is the key denominator for the new international political and economic order (Aristigueta, Maserumule & Nkomo, 2017). It is for this reason that in the post-Cold War era, African countries including South Africa have embraced liberal democracy (Shai & Iroanya, 2014). It is on this basis that since 1994, the international community has witnessed the holding of regular national and local government elections in South Africa (Mokgosi, Shai & Ogunnubi, 2017). These successive elections

have often produced democratically elected leaders, with popular appeal and support. The latter can be attributed to the fact that in theory, democratically elected leaders tend to be transparent and accountable to the governed. But this is not always the case, as demonstrated by several South African cabinet ministers' recent negative attitudes towards the oversight role of parliament (Shai, 2017a). Regardless of the new dawn of democracy in the early 1990s, larger parts of South Africa's rural areas are co-governed by both the elected officials and traditional leaders (Matheba, 2017). This co-governance has often become a terrain for political and administrative tensions among all key stakeholders. Instead of complementing each other, they often compete for power and influence within the rural areas. This anomaly has proven to have serious implications on how the traditional leaders and/or elected officials relate to the public (Shai, 2017b). More often than not, the members of the public are at the receiving end of the tensions between traditional leaders and elected officials. The conflict situation hinted to above must be understood within the context that inasmuch as traditional leaders are largely seen as undemocratic, there is also an appreciation that they constitute an indigenous political heritage of Africa and Africans (Ooman, 2000). That traditional leadership is undemocratic is far from being true. In fact, democratic principles such as consultation and public participation are naturally inherent in traditional leadership. Fundamental democratic principles find a true and honest expression through *kgoro* (traditional court) and *lekgotla* (traditional community meeting) in Sotho-Tswana languages. That some of these principles are at times ignored by a few traditional leaders to

advance their narrow and selfish interests does not necessarily imply that they are not part and parcel of genuine traditional leadership. The foregoing explanation has been overlooked by non-Afrocentric scholars and observers because of their careless use of foreign standards and tools in their quest to understand and explain endogenous African political institutions and processes (Shai, Molapo & Sodi, 2017). The foregoing exposition captures the essence for the preservation of traditional leadership in the midst of global liberal pressures that are in favour of Westernised conceptions and practice of political-administrative governance (Shai & Iroanya, 2014).

Flowing from the above, it is worth pointing out that the current dispute between Mametja and Malepe traditional councils serves as a stark reminder of the unwillingness and inability of the erstwhile white minority rule and the post-apartheid government to fairly settle the complex questions surrounding the legitimacy of certain chieftaincies (The Supreme Court of Appeal of South Africa, 2014). The researcher argues that the on-going feud between Mametja and Malepe traditional councils can best be understood when located within a historical and continental context. Thus, the roles and the manner in which traditional leaders have been [ab]used during different historic moments in African countries overlaps and it was never without controversy (Mamdani, 1996). It is the researcher's contention that both Mametja and Malepe traditional councils rightly claim the chieftaincy in dispute, but what is often missed by many observers is that this dispute is not necessarily about recognition. It is essentially about identity and control of economic resources such as

land (Shai, 2017b). The question of a chief's recognition and prestige cannot be wholly delinked from competition for access to resources by both Mametja and Malepe traditional councils (Shai & Ogunnubi, 2018). Hence, the competing claims for the rightful chief of Sedawa village and the surrounding villages (this includes Bochabelo (also known as Mabins B), Mabins A (also known as Tshokwe), Santeng, Willows (also known as Dingapong), Oaks (also known as Diphuthi), Molalane, Worcester and Finale) is not new. It has often recurred during historic episodes. But it has never assumed the pace of the current momentum. The current moment can be partly explained through the evolving wanton cultural genocide that African communities have been subjected to since their first encounter with the Europeans and Arabs (Khapoya, 2010). This cultural genocide has resulted in the erosion of the humanist essence of the African culture, which is based on the practice and philosophy of *botho/Ubuntu* (humanity) (Ramose, 2002).

Contextually, Sedawa and the surrounding villages are endowed with natural resources such as arable land, building river sand and plastering soil. Traditionally, these resources were exploited on a limited scale for the sole benefit of the communities that reside where these natural resources are found. However, the current capitalist structure and nature of the African economies, which is a by-product of colonialism, imperialism and apartheid in the case of South Africa, has served as a precursor for the commercialisation of communal natural resources (Kadali, 2000). These resources are understood traditionally and legally to belong to the community under the custodianship of the chief. But the

violent juxtaposition of the African cultural value system with the European cultural system has short-changed the current crop of traditional leaders to a point where they have a sense of entitlement and ownership of the resources that rightly belong to the communities that they lead (Shai & Molapo, 2017). Having said the above, there is no gainsaying that the selfish traits of individualism and aggrandisement cannot be ruled out from having an influence on the current difficulties of finding a lasting solution to the dispute between Mametja and Malepe traditional councils. A sustainable solution to this dispute may not necessarily serve individual traditional leaders' desperate desire for self-enrichment, but it is in the best interests of the communities that they ought to properly lead.

It is difficult to accept or refute the claims made by the Malepe traditional council and the counter-claims made by the Mametja traditional council. There is no accessible academic literature on this dispute. The fact that the apartheid regime imposed or removed traditional leaders renders the credibility of the scant official literature related to the subject of this paper questionable (Van Warmelo, 1992). Since the roots of the feud between the Mametja and Malepe traditional councils date back to the 18th century, a study of this nature cannot easily benefit much from oral history. The few elders who are familiar with this discourse have learned about it through word of mouth and some are not free to debate it due to fear of reprisals. As the transmission of leaders is made from one generation to the other, some of the facts are (un)consciously distorted for one reason or the other. As such, the two central questions

grappled with in this paper are as follows: (1) What are the dynamics of the current feud between chief Mametja and Malepe? (2) To what extent does the chieftaincy dispute under review affect group relations within and between Mametja and Malepe communities?

METHODOLOGICAL AND THEORETICAL ISSUES

This paper fits well within the realm of Afrocentric research methodology, which is understood in this work as a re-enforcer of the dominant qualitative research paradigm (Mkabela, 2005). The basis for this premise is the fact that this paper is dismissive of the binary stand of knowledge as either subjective or objective and empirical or non-empirical. The foregoing analysis is also shared by the pioneers of social constructivism; whose key invocation is that reality is socially constructed (Simmons & Martin, 2001). This implies that what is considered by the author of the current paper as real may be viewed differently by others who are operating within the cultural value system of a particular society. A convention for the binary characterisation of knowledge is largely rooted within Westernised world-view (Maserumule, 2011). My belief is that when handled cautiously, empirical and non-empirical or objective and subjective data have a potential to complement each other towards the realisation of epistemic justice. Consequently, this paper has relied on both primary and secondary sources of information. Primary data was generated in March 2018 through six focus groups consisting of elders and youth who were purposively sampled within the Mametja and Malepe traditional communities. The

size of each focus group ranged from four to eight participants, without due regard for their gender, and the overall a total of participants was 35. From the focus groups, a few participants were also earmarked for individual interviews geared towards in-depth and detailed analysis of some of the clumsy questions emanating from this discourse. Secondary data was generated through a review of the available academic and official literature relevant to the subject of this paper. The data drawn from emerging discourse was then analysed thematically and descriptively.

In this regard, the three tenets of Afrocentricity, as articulated by Asante (2003), were used as the analytical categories for the research of this paper. The choice of Afrocentricity as the contextual lens of this paper was inspired by the theory's cognitive and functional roles. Contextually, this paper is first centred on the history and culture of the Africans, particularly those belonging to or having a link with Mametja and Malepe traditional communities (grounding). Secondly, the author of this paper possesses an intellectual interest in the rural Africans of the communities under review and on the basis of this interest, forms a psychological identity direction (orientation). This is crucial for addressing the history of intellectual mis-orientation of rural Africans, which was selfishly done to advance the narrow political agenda at the expense of the other. Lastly, perspective for this paper was projected through the viewing, analysis, interpretation and presentation of its research findings. This exercise was consciously done in a mode that prioritises the interests of the rural African communities under consideration and which is suggestive of the quality, kind and amount of the

forementioned two tenets, grounding and orientation (Modupe, 2003:62-63).

The Rightful Heir to Chieftaincy in Sedawa: Unpacking the Claims and Realities

It is an undisputed fact that Malepe and his subjects settled in Sedawa before the arrival of Mametja and his followers in 1800 (Mafologela, 2017). What is not so clear are the historic circumstances that presented Mametja as the senior traditional leader (chief) of Sedawa and the surrounding areas to the extent of Malepe's relegation to the position of *ntona* (headman). There is clear evidence that the Mametja community has long had its own chief, even before it settled in an area that is today known as Mabins A, an integral part of the historic territory under the guardianship of Malepe (Van Warmelo, 1992). The apartheid government's policy of forced removals in Strausburg has produced Mametja as a chief without the lucrative land for occupation by himself and his subjects (Hay, 2014). It is at this juncture that the then chief of the land-dispossessed Mametja community approached chief Malepe for assistance. Malepe permitted Mametja and his community to settle at Mabins A with the understanding that the latter will in turn assist him to fight *makgema* (cannibals). During this period, cannibals were troubling the Malepe community and Mafiri of the mighty Lewele family (blood relatives of the Mametja family, which also belongs to the Mametja community) used *muti* (indigenous medicine) to successfully wage a counter-war against Malepe's nemesis (cannibals). It is interesting to note that as is still the case today, the nuclear family of Mafiri were well known for their ability to invoke their

ancestral spirits for the purpose of commanding indigenous healing powers.

There is a view that the relations between Mametja and Malepe were cordial until the latter "discovered that *Kgoshi* [chief] Mametja has been transferring his subjects under his authority at the Magistrate offices in Leydsdorp" (Mafologela, 2017). Relatedly, it is Mafologela's further assertion that Malepe's lack of long-distance transport means (donkeys) and subsequent dependence on Mametja to reach Leydsdorp for the purposes of submitting his community levies at the magistrate offices has provided fertile ground for the latter to appropriate absolute chieftaincy powers to himself. The foregoing assertion by Mafologela is not a last word on this subject. In fact, the Afrocentric study of this paper has established that there are three main reasons that explain Malepe's loss of chieftaincy. Firstly, legend has it that Mametja has capitalised and exploited Malepe's illiteracy to stage a silent coup that resulted in the latter's demotion to the status of *ntona* and naturally, placing Mametja as the sole recognised chief in Sedawa and the surrounding villages. Secondly, it has been discovered that Malepe was demoted to the position of *ntona* because he was not paying levies for his community. Colonial and apartheid government efforts to force him to pay did not bear fruit as he and some members of his community went into hiding in an area known as Matsoong. Non-payment of levies by the chief to magistrate offices in Leydsdorp carries penalties including the non-recognition of chieftaincy. I argue that if Mametja is to be blamed for Malepe's loss of recognition as a chief, the latter is also partly responsible for this leadership mix up.

Reconciling the Historic and Administrative Dynamics of the Dispute

As part of its broader strategy to undo the wrongs of the past in terms of the [mis] appropriation of chieftaincy, the national democratic government of Limpopo (provincial government) and South Africa has legislated the establishment of commissions of enquiry about traditional leadership disputes and claims. In the post-1994 era, Limpopo provincial government has established the Ralushai commission to investigate traditional leadership disputes and claims, and ultimately make recommendations for consideration by policy makers. The findings of this report were never been made public by then Premier Ngoako Ramathlodi and his successors, who are the custodians of the report in question. Instead, the Ramathlodi-led provincial administration deferred the responsibility to re-look at the serious issues raised in the Ralushai report and make a determination and/or pronouncement (Luonde, 2018).

At the national level, the Nhlapo commission largely dealt with questions about paramount chiefs (South Africa, 2018). The scope of the Nhlapo commission was in appreciation of the complexity of the institution of traditional leadership in South Africa and consequently, time, energy and efforts are yet to be invested to provide clarity on questions pertaining to ordinary chieftaincy, including that involving Mametja and Malepe traditional council. The foregoing analysis does not in any way seek to side-track the undisputed fact that among the reports to be handed over to the Nhlapo commission was the report prepared by the Ralushai commission (Luonde, 2018). The lack of political will on the part of the

ANC-led government in Limpopo and South Africa to bring finality to several chieftaincy disputes and claims is due to the realisation that the findings of previous or future enquiries are likely to trigger or deepen serious tensions within and between the incumbent traditional leaders and the claimants.

The slow progress in bringing finality to pertinent questions relating to traditional leadership in Sedawa has forced the current chief Malepe to pursue a two-pronged strategy to regain his correct status within the hierarchy of traditional leaders. First, Malepe is pursuing the legal route of forcing the Department of Cooperative Governance, Settlement and Traditional Affairs (COGSTA) to make a proclamation clarifying the status of his chieftaincy. Second, Malepe has followed a parallel process of self-proclaiming himself as the rightful heir. At the time of writing, Mametja, Mahlo and Letswalo were the only recognised chiefs in Maruleng Municipality (Shai, 2017d). It is crucial to highlight this point because in the post-apartheid era there were times when Malepe submitted to Mahlo (also known as Sekororo) as his chief. Inasmuch as Malepe was understood to be occupying land that was officially under the administrative control of Mametja, his bitterness led him to concede as a *ntona* under Mahlo. This is an arrangement that pleased Mahlo since his relationship with Mametja was not good as a result of historic land disputes and other issues that are beyond the scope of this article. Having Malepe and his subjects as the distant social group under Mahlo implied that the latter's sphere of influence was increased. It also meant that part of the profit derived by Malepe from running annual initiation schools had to be shared with Mahlo. Until 2017, Malepe has

been paying headmanship levies to Mahlo, but Malepe's self-proclamation as the chief naturally placed him in the league of chief Mahlo and logically, he could no longer submit to Mahlo. It is interesting to note that Malepe's chieftaincy claim does not have the concrete support of Sekororo traditional council under chief Solomon Mahlo. This fact does not in any way suggest that Malepe's claim for chieftaincy is not valid. The lack of solid support for Malepe's claim for chieftaincy on the part of Mahlo is based on selfish reasons. In fact, if he was to offer that support, he would be shooting himself on the foot. Thus Malepe's chieftaincy claim stands to reduce Mahlo's sphere of influence. But it will also make a heavy dent in Mahlo's pocket as he would no longer receive headmanship levies from Malepe.

As in most African traditional communities, in terms of Bakone ba Mamejja culture, the chief of the social group must be male and transmission of the political-administrative responsibility is based on particular criteria including heredity and seniority (Lekgoathi, 2013) (The author of the current article is careful not to invoke the label "tribe" to characterise any African social group or traditional community due to this label's derogatory connotation). Equally important, a man cannot be a chief if he is not married. At present, the Mamejja community does not have a legitimate chief. This is because the last legitimate chief of the Mamejja community, the late Madie Mamejja had one son only (Kgopong), who met his untimely death in 1999. Even if he had lived, he was not rightly qualified to succeed his father because his mother was not *mmasetšhaba*, but *mmakgoši*. *Mmasetšhaba* is the wife of the chief whose *lobola* (dowry) is paid by

the community and is the only one whom African culture dictates must bear a child. Normally, *mmasetšhaba* must be someone (i.e. cousin of the chief) who is also from a royal family. *Mmakgoši* denotes the wife of the chief whose relationship is limited to romance. Unfortunately, Madie never had a *mmasetšhaba* for one reason or the other. Also, Madie was disabled and could not properly talk. Since his wife was elevated to the status of acting chief or regent by virtue of being a queen, she abused this position and took advantage of the substantive chief's physical incapacity to promote the thwarting of all efforts of the royal council to have him (Madie) marry *mmasetšhaba*.

The combination of all of the above-mentioned factors have precipitated a fierce succession battle within the Mamejja royal family. This infighting even saw the remaining female children of Madie turning against each other. At times, these children identified and marginalised some of the close relatives (including blood/half-brothers of their late father) who harboured ambitions of becoming a chief in the near future. Consequently, a concession was later made to appoint Ms Julia Mamejja as the current acting chief/queen/regent of the Mamejja community. It would appear that this concession was not well thought of. Firstly, the culture of the Bakone does not make provision for a female to become a senior traditional leader. This cultural provision can simply be dismissed as being unconstitutional in the new democratic dispensation in South Africa (Bekker & Boonzaaier, 2018). This weak argument fails to appreciate the fact that the jurisprudence interpretation in South Africa is based on the Roman value system and standards, which are foreign

and/or irrelevant to the country's cultural context (Shai, 2017c).

To make matters worse, the so-called queen of Mametja community is still unmarried. This situation naturally disqualifies her from presiding over the traditional court whenever matters about marriage are under consideration. This premise must be understood within the context that in the African context and the culture of Bakone in particular, the chief occupies the roles of both judicial officer and politico-administrative leader of his community (Ramose, 2002). This has been the case since time immemorial.

Before colonialism, which ushered in the establishment of magistrate's offices, traditional leaders presided over all types of crimes. The establishment of magistrate offices meant that magistrates/judges would share judicial responsibilities with chiefs in the rural areas. This remains the case even today. Magistrates/judges handle serious crimes (i.e. murder), while low level crimes (i.e. stock theft) are the province of traditional leaders.

This brief background is crucial for a reader to understand that the internecine Mametja family's battle and *de facto* traditional leadership vacuum have provided an opportune moment for Malepe to renew his claims for the chieftaincy of Sedawa and surrounding villages. However, the foregoing analysis does not in any way suggest that the Mametja royal family has a monopoly over succession infighting as the Malepes share a belief that the chieftaincy of Sedawa and the surrounding villages belongs to them. But there is a disagreement in terms of which Malepe family rightly deserves to assume the disputed chieftaincy.

The Political Economy of the Dispute

Due to the lucrative financial benefits/rewards (i.e. salary, royalties, traditional tax) that come with the occupation of traditional leadership, it is not far-fetched to argue that the current acting chief of Mametja community (Julia) is unlikely to support any serious initiative to marry a *mmakgoši*, whose children must be secretly fathered by member of the inner circle to be designated by members of the royal family. This ought to be a top family secret so that chieftaincy would not be seen to have shifted from the Madie lineage to the other.

This is the dilemma facing the royal family and Mametja community as a whole and it must be handled delicately in order to maintain sustainable peace and stability within the family and community at large. This is also crucial if meaningful socio-economic development is to be rooted within this community. Having said that, it is instructive for the reader to note that as early as 1980, the feud between Mametja and Malepe resurfaced but it was constructively managed because the wife of Madie, Mashuana was from the Malepe family. Inter-group marriages between the Mametjas and Malepes and other families created an atmosphere under which tensions over the rightful heir of the traditional leadership in Sedawa and surrounding areas can be easily defused.

However, the arrogance of the current acting chief/queen has been instrumental in disintegrating the close historic and blood relations between Mametja and Malepe families. It is alleged that in the recent past and before Malepe's self-proclamation as the chief, he extended an olive branch to Mametja inviting

the latter to his palace for a "talks about talks" aimed at finding a mutually agreed solution to their chieftaincy dispute. This invitation is said to have been turned down by the current acting Mametja chief under the pretext that she cannot be summoned by a headman, who even has the audacity to submit to the distant chief Mahlo. It is ironic that the above represents an arrogance of an extreme kind because Malepe is an uncle to the current acting chief/queen Mametja. It is this type of arrogance and selfishness when it comes to the spending of community money generated by the traditional council that has made chief Mametja unpopular among her subjects. It is this unpopularity that Malepe exploits by presenting himself an alternative voice of reason and a better traditional leader.

Inasmuch as Malepe is not officially recognised by the government and his chieftaincy claim is a subject of a court case, it is worth noting that he has already installed his headmen in some villages, including Bochabelo, Mametja, Sedawa, Willows and Finale. This installation has served as a recipe for violent conflict between the supporters/sympathisers of Mametja and her headmen vis-à-vis those of Malepe. In villages in which both Mametja and Malepe have headmen, it is very common to observe a painful contestation for politico-administrative space. The headmen often compete for platforms to address mourners whenever there are burials in the graveyard. At times, they fight for the administration of land. Nevertheless, only the headmen of Mametja are currently recognised by the government and therefore earn a salary. Moreover, it is only Mametja and her headmen who have a genuine COGSTA endorsed stamp to oversee traditional council documents.

While legend favours Malepe's claim, his premature take-over of the chieftaincy in Sedawa and surrounding areas is illegal and is likely to discredit his genuine case. One of the virtues of true leadership is patience. This is a characteristic that seems to be missing in Malepe and his followers. One would want to know the person or structure that recently endorsed Malepe as the chief precursor for his endorsement of certain individuals as his headmen. It is said that Malepe closely collaborates with a specific lady from Sekhukhune area (where the other segment of Malepe have chieftaincy) who masquerades as an official of COGSTA for selfish and narrow reasons. The potential beneficiaries of her scam and treacherous antics are expected to pay an undisclosed amount of money so that she will assist them to claim their chieftaincy and also facilitate their installation as chiefs/headmen. Based on this, one can argue that this third party from Sekhukhune unknowingly appears to lack respect for the blood relations between the current generation of Mametja and Malepe. The "back door" antics of helping to engineer regime change are not sustainable. This must be understood within the context that regime change tends to succeed when it is engineered from within and not elsewhere. Having said this, the headmen appointed by Malepe are not interested in co-governance between Mametja and Malepe. They believe that if co-governance is to be followed upon the conclusion of the claim, Malepe is likely to be compelled to inherit some of the headmen of Mametja. If the latter is to become a reality, it basically means that those who were initially earmarked by Malepe as headmen will lose opportunities to exercise real politico-administrative power and influence within their villages.

This research has revealed that not all headmen endorsed by Malepe were approached by him. Some of them used their historic links with the Malepe family to be considered as headmen. The case in point is *ntona* Masegare Shai at Willows. The descendants of the first resident of the Willows, Makhoo Shai are the cousins of the Malepe. Inasmuch as they are not directly related to Mametja, there was once a debate in the past within Mametja traditional council about the possibility of considering one of the descendants of Makhoo as one of the headmen of the fast-growing village of Willows. This was never implemented due to the lack of consensus among the descendants of Makhoo in terms of who must be considered for the above-mentioned role.

It is interesting to note that the current *ntona* Shai is not a senior male descendant of Makhoo according to the hierarchy of the families of the children of Makhoo. This is an issue that is common knowledge in the community. That he has now turned against Mametja in favour of Malepe demonstrates the extent of his desperation to serve as a headman. It is on this basis that "guerrilla tactics" were employed to clear his ascendancy to headmanship, thereby sidelining other individuals who are part of a broader membership of the Shai family. During the discussions about the incumbent being considered a Shai member to be made the headman of Malepe, a false impression was made that such a name has the blessing of the family of the senior child of Makhoo.

The other group of Shais whose roots can be traced from Bochabelo were supposedly left out during the consultation processes because of their perceived proximity to

Mametja. This is because their mother is of Mametja origin and therefore they could not be trusted with the bigger agenda to support Malepe's rule. It is argued that the cauldron of the lies and half-truths that have characterised discourses about chieftaincy dispute between Mametja and Malepe and its consequences cannot be wholly delinked from the general problem of unemployment in Limpopo's rural areas, including Sedawa and surrounding villages (Shai, 2017d). It would appear that people do not volunteer to serve as headmen of Malepe in order to serve the community. The positions of headmen are to a particular extent considered a form of employment that guarantees the incumbents a regular income.

CONCLUSION AND POLICY IMPLICATIONS

There is minimal literature on the chieftaincy dispute between Mametja and Malepe traditional councils. This has also resulted in a lack of uniform understanding of the nature and dynamics of the conflict under consideration. What this premise reveals is that conflict is not unique. Based on the author's personal experience and analysis of the on-going discourses on the subject of this paper, it has been observed that the chieftaincy dispute between Mametja and Malepe can best be understood when located within the historic and African continental context.

It is on this basis that the author has employed Afrocentricity as an alternative contextual lens to theorise the current nature of conflict between Mametja and Malepe from an Afrocentric perspective, which largely represents the African voices without silencing progressive ideals rooted within the

Eurocentric world view (Asante, 2003). It has been established that chief Malepe deserves equal recognition with chief Mametja.

While the current Mametja traditional council does not have to be dislodged from power, it has to sort out the infighting within the royal family and work towards finding a *mmasetšhaba* who will give birth to a future legitimate chief of Mametja traditional community. The co-existence and mutual respect of the two chieftaincies is what is in the best interests of the communities they ought to serve fairly. The current competitive spirit between the two chieftaincies puts

the communities at a disadvantage, as they steer violent conflicts and looting of the scarce resources that ought to be used for the benefit of the current and future generations of the concerned communities. In the final analysis, data derived from both oral and written sources has been intentionally triangulated and presented in this article, due to the author's well-considered belief that they are equally important and there is no sound basis to present them separately (Buthelezi, 2015). This must be understood within the context that findings derived from either oral or written sources complement each other (Shai, 2016).

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BARRIERS TO IMPLEMENTING EMPLOYMENT EQUITY IN A GOVERNMENT DEPARTMENT

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ABSTRACT

The primary objective of the study was to identify barriers towards the implementation of employment equity (EE). The literature review revealed that personal, organisational, and non-organisational barriers exist. The research approach was qualitative, and twenty-one participants were purposively selected, with data saturation being used to determine the sample size. The research protocol was developed from the literature review, and data were collected by means of face-to-face interviews. Prior to data collection, the interview protocol was piloted with four participants at the selected provincial government department. Data were analysed manually using content analysis. The major finding at the personal level was that funding or bursaries for skills development of employees are barriers to EE implementation. The most important finding at organisational level was that the moratorium on the filling of vacant positions was a barrier to EE implementation. At the non-organisational level, it was found that cadre development and skills shortages within the country are barriers to EE implementation. The results of the study add value to the literature on EE,

and highlight the practical implications for line managers, labour relations and transformation practitioners.

Keywords: Employment equity, government department, non-organisational barriers, personal barriers, organisational barriers.

INTRODUCTION

The public sector experiences challenges in implementing employment equity (EE). International research has shown that gender imbalance is a global occurrence in the workplace (Alvesson & Due Billing, 2009:143). It is a well-known fact throughout the world that women face many barriers to their progression to top management positions in the workplace. Nevertheless, women's status has improved remarkably in the 20th century in many societies (Carli & Eagly, 2001:629). Women make up more than 50% of the world's population, but they are significantly underrepresented in the world's most powerful decision-making bodies (Jacob, Scherpereel & Adams, 2014:321).

The South African Board of People Practitioners' (SABPP) Women's Report revealed

that women are relegated to lower occupational levels (Bosch, 2011:11-16). People with disabilities face obstacles and experience challenges with regard to advancement within their careers (Ximba, 2016:vi). In South Africa, in order to address the racial and gender imbalances in the workplace, EE legislation was promulgated in 1998. However, there are still barriers that adversely affect EE implementation (Maleka & Rankhumise, 2014:477). From the literature review, it is evident that research on barriers to EE is not new, but there is a paucity of research dealing with these barriers at three levels in the public sector or government departments.

THEORETICAL FRAMEWORK

EE refers to specific steps that are taken to promote equal opportunities and ensure that discrimination will not recur (Taylor, 1991:14). Robbins and Judge (2011:235) opine that the implementation of EE in the government sector is in line with this objective. This view is supported by data provided by the Commission of Employment Equity reports of 2014 and 2015. In attempting to regulate unequal remuneration in South Africa, the Employment Equity Act no 55 Section 6 was amended in 2014, so that employers must pay employees equally if they do a job of equal value (RSA, Employment Equity Act, 2015). In taking steps to dispute the discriminatory practice of unequal remuneration, employees lodged a dispute at the Commission of Conciliation and Arbitration (CCMA). The commissioner's award was in their favour but the Labour Court in Cape Town set the award aside (*Pioneer Foods Pty Ltd vs. Workers Against Regression*, 2016).

In this study, the EE theories deemed most appropriate are the distributive and equity theories. Distributive theory focuses on how equitably resources are distributed (Nel, Kirsten, Swanepoel, Erasmus & Poisat, 2012:21-25), as well as the fair distribution of rewards, i.e. remuneration and recognition (Robbins & Judge, 2011:234). The equity theory, which was developed by Adams in the early 1960s (Adams, 1963, 1965), is about the equal treatment of employees based on their gender and race (Goldscheider, Bernhardt & Lappegård, 2015:213), race (McKown, 2013:1120), and disability (Potgieter, Coetsee & Ximba, 2017:1).

Tladi and Maleka (2017:148) found that at a personal level, assertiveness, masculinity, self-confidence, and lack of appropriate qualifications and experience were barriers to EE implementation. Schein (2007:7) found that women who did not attain appropriate qualifications were not eligible for managerial positions.

There are many organisational barriers to the implementation of EE (Khoele & Daya, 2014:1). The glass ceiling was found to be a barrier at organisational level (Kiaye & Singh, 2013:28-29). The absence of a mentor is more likely to be perceived as a barrier to the advancement of female managers (Tlaiss & Kauser, 2010:467). The other barriers to EE implementation at an organisational level are lack of commitment by top management, poaching of AA candidates, tokenism (Venter & Levy, 2015:274), work-life balance (Eikhof, 2012:15), a hostile organisational culture (Booyesen, 2007:47-71), and bullying (Robbins & Judge, 2011:463). The literature review conducted for this study revealed that scholars had not identified

moratorium (i.e. sub-theme) as a barrier to EE implementation.

While scholars have focused on personal and organisational barriers, there seems to be little research on non-organisational barriers, which, in the context of this study, are cadre deployment (Bizana, Naudé & Ambe, 2015:665; Twala, 2014:159) and skills shortages of EE candidates in South Africa (Sebola & Khalo, 2010:211).

The purpose of this study was to investigate the barriers to EE implementation at personal, organisational and non-organisational levels. In order to achieve this, the following research question was asked: What are the personal, organisational and non-organisational barriers to EE implementation in a government department? The researchers envisaged that the data collected in this study would contribute to the body of knowledge, by adding sub-themes of organisational (i.e. moratorium on appointments) and non-organisational factors (i.e. cadre deployment) to the literature on transformation or EE implementation.

METHODOLOGY

In order to address the research question, a qualitative research approach was adopted, and the research design was a case study (Bryman, Bell, Hirschsorn, Du Toit, Masenge, Van Aardt & Wagner, 2014:375) of a provincial government department. Purposive sampling was chosen for the present study because it improved the chances of reaching data saturation quickly. In this study, data saturation (Bless, Higson-Smith & Sithole, 2013:239) was reached between 18 and 21 participants, hence the sample size was 21.

Only participants who had disclosed their disabilities to their employers were included in the sample. Employees who complied with the following inclusion criteria and were willing to participate in the study were selected:

- They must be working for the provincial government department at the time of the study.
- Employees with disabilities, and female and male employees in different job grades must be included.
- They must have more than three years of work experience.
- They must be available to participate in the study and have relevant knowledge to participate.

Thirteen (n=13) participants were Africans, one was coloured, and seven were white, including one disabled white female. The participants included 11 (52%) females and 10 (48%) males. The average experience of the participants was eight years, which was above the three years inclusion criterion. The majority (67%) of the participants had been employed between four and 10 years, and 33% had been employed for 11 or more years. There were no Indian participants. Six participants occupied senior management positions; four were professionally qualified and experienced specialists, as well as middle management; eight were in the category of skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents; and three were in semi-skilled and discretionary decision-making positions. None of

the participants occupied unskilled or top management-level positions.

Data Collection

Data were collected by means of an interview protocol and face-to-face interviews. The latter was used because it has a high-participation rate (Bryman *et al.*, 2014:377). The primary data were collected by means of structured interviews with specific questions, and secondary data were collected from annual reports and other documents relevant to the study. The interview protocol consisted of two sections: Section A comprised biographical information and Section B contained questions related to personal, organisational and non-organisational barriers. The following is a sample of the questions that were asked:

- What is your understanding of the role of EE?
- What are the personal barriers to the implementation of EE?
- What are the organisational barriers to the implementation of EE?
- What are the non-organisational barriers to the implementation of EE?

Piloting was conducted from February to March 2017, and the actual data collection was done from May to June 2017.

Data Analysis

The interview transcripts were recorded using a tape recorder, and were then transcribed and analysed using thematic analysis (Bryman *et al.*, 2014:385). The researchers

coded the data and developed themes separately, and met to discuss and agree on the themes, which are discussed in the results section. The researchers used theory or literature as a guideline on personal, organisational and non-organisational barriers, in order to develop the themes manually. The process of coding the data separately and agreeing on themes is known as inter-coder reliability (Bless *et al.*, 2013:349).

Trustworthiness

As suggested by Lincoln and Guba (1985:328), the following trustworthiness criteria were adhered to in this study:

- **Credibility:** The researchers could not do member checking, due to the unavailability of the participants. Furthermore, to ensure the credibility of the transcripts, the researchers gave the interview recordings to a professional company to transcribe them verbatim.
- **Transferability:** Even though the results of the study cannot be generalised to the population, it can be argued that they can be generalised to "other situations that were not studies" (Yin, 2011:307).
- **Dependability:** The researchers explained the methodology in detail, so that other researchers who want to replicate this study in future know what steps to follow.
- **Confirmability:** In order to ensure that the researchers were objective, they gave the data and manuscript to another researcher, who conducted an "audit trail" to ensure that they did not fabricate the data.

TABLE 1: Participants' Understanding of EE

Main question: What is your understanding of the role of EE?	Sub-theme code
Verbatim quotations	
P11: "Obviously the role is to correct the imbalances of the past, where males were the most advantaged group in the workplace. They've been earning more, and occupying higher positions at work than the women, so currently this is being corrected, and the implementation of employment equity also assists in this regard."	Address wrongs/imbalances of the past
P4: "My understanding of employment equity is that the department must make sure that they meet their target in terms of employment."	Target attainment
P2: "I'm not very sure what to say."	Unsure

Source: Authors

Procedure

Prior to data collection, the interview protocol was sent to the university ethical committee. At the research site, the researcher who collected data contacted potential participants and scheduled all the interviews (Babbie & Mouton, 2008:647; Saunders, Lewis & Thornhill, 2012:674), gave informed consent forms to sign prior to the interviews, and informed the participants that their participation was voluntary. To ensure that the participants' identity was kept confidential and anonymous, the participants were given pseudonyms (i.e. P1, P2).

FINDINGS

This section discusses participants' understanding of EE, and personal, organisational and non-organisational barriers as themes that emerged from the data.

Understanding of EE

The data that was collected is presented in Table 1 above. EE was understood as an intervention implemented to address the imbalances of the past, in terms of equal representation of gender, race and disability.

This data revealed that 18 out of 21 or 85% of the participants understood EE as an intervention to address imbalances of the past. The other three (14%) participants understood EE as focusing on reaching the targets stipulated in the EE legislation. Participant 2 was the only participant who was unsure or did not understand the purpose of EE implementation. Overall, the data showed that participants understood the purpose of implementing EE, and this gave the researchers the confidence to ask them questions about personal, organisational and non-organisational barriers.

Personal Barriers

Table 2 on the following page presents a summary of the personal barriers sub-theme that emerged from the data. One of the personal EE barriers was lack of education and qualifications. Another barrier that was reported by participants 9 and 17 was lack of funds, since the government did not have bursaries to pay for them to further their skills and education. Since EE is perceived as achieving targets and redressing the imbalances of the past, it emerged from the data, as reported by participant 6, that white males were more likely to perceive

TABLE 2: Participants' Perceptions of Personal Barriers to EE

Main question: What are the personal barriers to EE implementation?	Sub-theme code
Verbatim quotations	
P7: "Yes and no. Yes, when a person does not have the experience, a person with relevant experience is put in a position because of EE. And no, it is not necessarily the right people who have been appointed, even if they are implementing EE, but rather people with relevant experience."	Experience and qualifications
P17: "The personal barriers ... ones I've just explained now like the bursaries issue and the attendance of courses and training; if they are not done or implemented fairly, it becomes difficult for one to move to a higher position."	Developmental opportunities
P1: "I don't have personal barriers because it currently doesn't impact on me personally, but I think in terms of managing the unit it doesn't matter, as long as we appoint the best or the most suitable candidates."	No personal barriers

Source: Authors

this as a personal barrier to career progression. Participant 1 reported that he had no personal barriers.

Organisational Barriers

Table 3 on the next page presents the organisational barriers sub-theme. Participants 19 and 20 indicated that there was a moratorium on the filling of vacant positions. Their sentiments were shared by the other 19 participants. The other barriers to employment equity in the department were unequal salaries and benefits. When speaking about the latter, participant 15 mentioned that employees are ranked higher because of their race, while four participants mentioned that organisational structure, job description, and racism were the causes of unequal pay and benefits. Participant 1 also mentioned that organisational and job descriptions cause inequality in the workplace. Lack of mentors was mentioned by participant 7, and participant 5 reported that in certain positions, such as cleaners, only females were appointed. Participant 1 stated that lack of leadership/management commitment

was also a barrier to employment equity implementation. Lastly, women who cannot balance work and family life are not promoted, as mentioned by participant 7.

Non-organisational barriers

According to the data presented in Table 4 on the following page, skills shortage in the country was a major barrier to the filling of positions. In addition, as presented in Table 4, the responses of participants 3, 11, 15 and 16 showed that cadre deployment was also a barrier to EE implementation.

DISCUSSION

This study explored the perceptions of individuals regarding the barriers affecting the implementation of EE in a provincial government department. The data showed that participants were representative of all races and genders. There were no Indian participants and none of the participants occupied unskilled or top management-level positions. The majority (85%) of the participants understood EE as an intervention used in South

TABLE 3: Participants' Perceptions of Organisational Barriers to EE

Main question: What are the Organisational Barriers to EE Implementation?	Sub-theme code
Verbatim quotations	
P20: "The moratorium is the greatest barrier to employment equity in organisations."	Moratorium on filling of positions
P15: "There are some race groups that might be advantaged because of their race, and as such, although we are in the same band, they will be earning higher salaries than the other race; they are always higher, getting higher salaries compared to the other race, the rest of the group."	Unequal salaries and benefits
P5: "I will say that they are present. If I look at my own department, and I'm looking at the level one to level five, you might find that most of the people who are employed within that scale ... are females. Why is that? Why are we not employing male cleaners, why within the auxiliary services do you find that there are less males than females? I think that even if we are addressing the issues around employment equity, this should not be the case."	Gender-biased positions
P2: "The problem in our department; I would like it if they've got this in our department, because I'm in a position for a very long time and there's a vacant position here for seven years, and nobody can put somebody with me."	Glass ceiling
P7: "We, I think often, the reason why we'll say, we don't have women in senior positions, we don't provide enough mentoring that will enable them to reach those higher levels. So, for me it will be, start by mentoring those junior people and also have a replacement strategy, but we empower the very same people that we have mentored."	Mentoring
P15: "Lack of structure is a barrier; lack of structure, lack of direction, poor leadership. I think those are the real barriers."	Lack of leadership commitment
P7: "So now that they are given senior roles, which is very good because most of these people they head, they are heads of families, especially where women are currently single. They have families, they are capable to head, even the work of government."	Work-life balance

Source: Authors

TABLE 4: Participants' Perceptions of Non-Organisational Barriers

Main question: What are the non-organisational barriers to the implementation of EE?	Sub-theme code
Verbatim quotations	
P5: "If you look at the number of people who are qualified from matric, and also to the post-matric qualifications, and if you want to marry that now, if you want to implement employment equity properly, those things should be speaking to each other. We should start addressing the issues around employment equity. Let's skill the people who are out there, so that they can be easily and successfully (be) integrated into the workplace."	Skills shortages
P16: "You see this is a very challenging one because we will ... this is more political, you know, it comes to deployment. We are having challenges whereby we would like to employ and then we are finding that there's cases of deployment which you are given, and we are having a problem again with rationalisation."	Cadre deployment

Source: Authors

Africa to address the imbalances of the past and to achieve the target set by the provincial department. Taylor (1991:14) defined EE as the steps followed to address the past racial injustices, and Robbins and Judge (2011:235) opined that the implementation of EE is about target achievement. Robbins and Judge (2011:235) also indicated that the implementation of EE in the government sector is in line with the target. Two out of the 21 participants reported that EE implementation did not affect them personally.

In agreement with the literature, it emerged from the data that education and lack of relevant experience were personal barriers to EE implementation (Schein, 2007:7). The other EE personal barrier sub-theme that emerged from the data was development opportunities. The participants indicated that since there were limited or no bursary opportunities, and they did not have enough money of their own, they could not further their studies to attain qualifications that would make them eligible for promotions. Unlike in Potgieter *et al.*'s (2017:1) study, a disabled participant in this study did not perceive disability as a barrier to career advancement.

Similar to Khoele and Daya's (2014:1) study, the data showed that there are many organisational barriers to EE implementation. One EE organisational barrier mentioned by all participants was the moratorium on the filling of vacancies. The data indicated that organisational structure, job description, and racism were the causes of unequal pay and benefits. In the literature, it was mentioned that in 2016, the case involving Pioneer Foods Pty Ltd ended up in the Labour Court, because employees alleged and were aggrieved that they did work of equal value

and were not compensated equally. Maleka (2012:130) also found that employees who perceive payment practices to be unfair and unequal are more likely to be aggrieved. The other driver of unequal payment was racism. Based on the findings of this study, it can be argued that at the organisational level, the EE practices in the provincial government are not in line with equity theory, which focuses on how equitably resources and rewards are distributed (Robbins & Judge, 2011:234). In addition, equity theory is about equal treatment based on gender and race (Goldscheider *et al.*, 2015:213).

In this study, it was also found that certain positions, such as cleaners, were occupied only by females. Females also had the challenge of balancing their work and family obligations. Previous research showed that in order to mitigate this challenge, workplaces developed work-life balance policies (Eikhof, 2012:9). It was found that irrespective of gender, there was a glass ceiling in the provincial department. However, the literature mentioned that females were more likely to experience this barrier that prevents women from moving up the corporate ladder (Kiaye & Singh, 2013:28-29). As mentioned in the literature (Booyesen, 2007:47), the data collected in this study showed that lack of management or leadership was another barrier to EE implementation.

Two non-organisational EE barrier sub-themes emerged from the data, namely, skills shortages and cadre deployment. The data of the present study are similar to previous studies, which highlighted the following as non-organisational barriers to effective implementation of EE: skills shortages (Sebola & Khalo, 2010:211), and

deployment of cadres at all levels of power in government (Twala, 2014:159).

LIMITATIONS AND FUTURE RESEARCH DIRECTIONS

Although this study contributes a sub-theme (i.e. moratorium on the filling of positions) to the literature on EE, it has several limitations. One such limitation is that the employees in this sample were selected from two different sectors within the Mpumalanga province, and the sample was relatively small. Thus, no external generalisations can be made to other provincial departments. In addition, using a cross-sectional design has the limitation of providing a once-off picture, as opposed to conducting a longitudinal study, which paints a picture over a long period of time.

In terms of future research, it is recommended that a bigger sample size should be used from different departments in order to generalise the study findings. In addition, a follow-up study should be conducted to determine employees' perceptions once the moratorium is lifted. This will enable a comparison to be made between perceptions before and after the moratorium is lifted. Based on the study results, the following is recommended for the provincial government management:

- Offer bursaries for employees to improve their qualifications.
- Do a proper investigation of the inequalities in wages and benefits, and come up with remedial actions.
- Provide equal opportunities for cleaning positions.

- Develop a work-life balance policy.
- Implement a mentorship programme.
- Get buy-in from top management to implement EE.

Implications for Managers

The data collected in this study adds value to the EE literature, as it provides information regarding EE implementation in a government department. The study results replicated other studies in EE (Tladi & Maleka, 2017:148) and added a new sub-theme to the EE literature. Based on the study results, line managers and transformation and labour relations practitioners can use the data to implement EE effectively. The information presented in the study can also be used to improve labour relations in the government and private sector, to mitigate the 2016 labour dispute, as experienced in the case of Pioneer Foods Pty Ltd vs. Workers Against Regression. Transformation and labour practitioners and line managers can use this study's results to develop policies (i.e. work-life balance) and interventions that will not only retain employees, but also help to implement programmes such as mentorship, which will capacitate them to be productive.

CONCLUSION

The results of the study revealed that the barriers to EE are found at different levels, namely, personal, organisational and non-organisational. This implies that if the barriers are mitigated, government departments will be able to create a conducive working environment for encouraging employees to stay, and not resign or engage in disputes. In conclusion, it is envisaged that being aware

of and mitigating the barriers that emerged from the data will enable the management of the government department to implement EE effectively, and to equip workers with skills

to complement the cadres who are recruited outside the department, thereby enabling the former to deliver an excellent service to their customers.

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CHALLENGES TO ELIMINATING HEALTH SECTOR INEQUITIES UNDER A DECENTRALISED SYSTEM: A QUALITATIVE INQUIRY OF GHANA'S SITUATION

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ABSTRACT

Despite the significant attention paid to inequities in national development, they persist in Ghana. Social services such as health, education, water and sanitation exhibit differentials depending on where citizens live. Decentralisation has often been proposed as a means of making these services more equitable. Examining the case of the health sector, this paper contends that the nature of health sector decentralisation coupled with funding inequities among districts sustains health inequities in Ghana's decentralised units. In-depth interviews are conducted in four districts in the Northern and Greater Accra regions in Ghana, alongside national level officers within the decentralised and health system. As part of the analysis, tapes were transcribed and coded, and data generated were analysed for themes and patterns. Findings reveal that funding inequalities, as well as the concurrent existence of multiple strands of decentralisation in the health sector, result in persistence of inequities. If decentralisation is to positively impact on inequities in the health system, there must be clarity and a streamlining of the cooperation

and coordination between and at all levels of the health sector and the districts.

Keywords: Decentralisation, Ghana, Health Sector, equity, inequity, district assembly.

INTRODUCTION

Provision of water, sanitation, public education, health services and others have, in many national contexts, been treated as local government functions. Constant issues of intellectual debate include how the task of efficient and equitable delivery of services can be accomplished in local government and decentralised administration, whether in practice this is attained, and the underlying explanation for observed patterns of efficiency and inequality.

The dual objective of ensuring efficiency and equity in the delivery of public goods by local government inevitably requires scrutiny of the equity aspect of the problem.

No matter where citizens live in a decentralised district or municipality, they expect good and comparative levels of education for their

children as well as water and sanitation and health services that respond promptly to their needs (Elcock, 2004). Citizens do not consider patent differentials in the provision of public goods to different communities as an option in the performance of local government functions.

Inequalities in service delivery are a common occurrence in developing countries, and service differentials in the decentralised administration have been extensively studied. In their study of the Filariasis control programme in India, (Baru & Gopal, 2006) observed wide differentials in outcomes in three major decentralised units, namely, Kerala, Varanasi and Rajamundhry. The study noted that there were significant variations in both the coverage and effectiveness of services across the three sites. The treatment coverage was the highest in Kerala and, as compared to Kerala, much lower in Varanasi and Rajamundhry (Baru & Gopal, 2006).

Several indices reveal both inequality and inequity in a number of socio-economic indicators in Ghana. In addition, much has been written about the socio-economic gap between the northern half of the country and the southern areas, especially with regard to levels of poverty and the allocation of health resources (Ghana Statistical Service, 2007; Ghana Statistical Service, 2009; United Nations Development Programme and Government of Ghana, 2010; Owens, 2011; UNDP-Ghana, 2012). Vanderpuye-Orgle, 2002, established that regional disparities, especially between the northern and the southern regions of Ghana, have increased since 1992, the year that saw the inception of the decentralisation policy.

In 2016, measuring subnational inequalities in health using the demographic and health survey in Bangladesh, Egypt, Ghana and Zimbabwe (Hosseinpoor *et al.*, 2016). They determine wide inequality in the use of select reproductive health services, with antenatal care recording the lowest levels of inequalities and skills birth attendance recording the highest (Hosseinpoor, Bergen, Barros, Wong, Boerma & Victora, 2016).

A scrutiny of the explanation for the different health outcomes in the three decentralised units in India underscores the fact that decentralisation in itself had contributed very little to close the pre-existing socio-economic inequality gaps. In fact, if anything, decentralisation perpetuated the inequalities that had been in existence before.

According to Baru & Gopal (2006), the accessibility, availability and quality of health services varied across the three decentralised units and this, to a large extent, influenced the coverage of the Filariasis programme in these three areas. Kerala had a better health services outreach than the other units, Rajamundhry was somewhere in the middle, but in Varanasi, the health services outreach was poor (Baru & Gopal, 2006). The number of posts that were not filled at all levels in the health service was higher in Varanasi than in either Kerala or Rajamundhry (Baru & Gopal, 2006).

A similar study on a poverty alleviation programme in the Indian state of Utar Pradesh showed that pre-existing inequalities had exerted considerable influence on poverty outcomes, thus leading the researcher to conclude that a higher degree of inequality was associated with the poor performance

(Srivastava, 2006). The researcher also concluded that a lesser degree of social and economic inequality among decentralised units is good for local level democracy (Srivastava, 2006).

In Ghana, geographic inequalities exist in health care (UNDP, 2010; Jehu-Appiah, Aryeetey, Spaan, De Hoop, Agyepong & Baltussen, 2011). There has been little improvement over the years, despite it being an explicit goal of both health and decentralisation policy.

Using the case of the health sector, this paper examines reasons offered for persisting inequities in Ghana. The article poses the question: what factors explain inequities in the health system? The hypothesis is that the nature of health sector decentralisation coupled with funding inequities between districts sustains health inequities in Ghana's decentralised units. The evidence is gathered from the perspectives of policy makers. The rest of the paper is organised along the following lines; literature and theoretical discussions, methods, findings, discussions and conclusions, and recommendations.

LITERATURE AND THEORETICAL DISCUSSIONS

Is Decentralisation an Effective Instrument for Reducing Poverty and Inequality?

In light of the emerging evidence of the apparent association between decentralised government and inequalities in both developed and developing countries, it is clear that the issue should be subjected to further intellectual probing.

The main issue of concern of such probing should be whether decentralisation is an effective means of addressing poverty and inequality. Crook and Sverrisson (2001) provide a helpful framework for addressing this issue. According to them, several angles may be pursued, including pro-poor growth, social equity, human development and spatial or inter-regional inequality. Of these, the most relevant in this context is spatial and inter-regional inequality.

Devas and Delay (2006) examined the potential of decentralisation to serve as an effective tool for reducing poverty and inequality and curbing political corruption. Earlier studies conducted by Blair (2000) and Crook (2003) had also examined the issue. The results of these studies did not point to any clear-cut conclusion on the effect of decentralisation on reducing poverty and inequality. Indeed, some studies even had increased the hope that decentralised administration would facilitate the accelerated achievement of the Millennium Development Goals (Kiyaga-Nsubuga, 2007).

However, the reality is that the empirical research on decentralisation and its impact on the reduction of poverty and inequality have produced very mixed results that are context specific and are limited (Alves, Peralta & Perelman, 2013). This implies it would be unwise for any policy maker or scholar to categorically defend decentralisation as an effective tool for addressing poverty and inequality.

On the other hand, the studies found the citizens' satisfaction with the responsiveness of local government ranged from good in Karnataka (India) to poor in Ghana (Crook

& Manor, 1998). Thus, while some poor groups had benefited from decentralisation, others were unlikely to derive any benefit (Crook & Manor, 1998). Other studies have produced the same mixed outcomes (Crook, 2003; Crook & Sverrisson, 2001). It would thus, appear that decentralisation alone may not rectify any pre-existing socioeconomic inequalities and, indeed, is more likely to perpetuate or even aggravate such inequalities.

Although limited, empirical evidence on the effects of decentralisation in the health sector remains mixed. This section discusses such evidence on decentralisation and inequities in health. In the case of Argentina, Habibi *et al.* (2001) used a panel of 23 Argentine provinces over a 25 year period to provide evidence that revenue decentralisation had a significant impact on decreasing infant mortality. Robalino, Picazo and Voetberg (2001) similarly discovered that countries in which local governments manage a higher share of public expenditures tended to have lower mortality rates. Khaleghian (2003) notes that expenditure decentralisation was positively related to improved health outcomes in both low and middle income countries, while Robalino, Picazo and Voetberg (2001) posited that decentralisation may lead to increases in regional disparities in health expenditure as a result of the absence of a mechanism to transfer resources from rich to poor jurisdictions.

In a comparative study, Bossert *et al.* (2003) investigated the link between decentralisation and equity in resource allocation in Colombia and Chile. The study revealed that decentralisation, under certain conditions and with certain specific policy mechanisms, may improve the equity in resource

allocation. In both Columbia and Chile, equitable levels of per capita financial allocations at the municipal level were achieved through the use of allocation formulae, adequate local funding choices and horizontal equity funds. Wagstaff (2005) pioneered the use of inequality curves and indices to answer the question as to whether income-related inequalities in the health sector are the result gaps between poor and less poor areas rather than the result of differences between poor and less poor people within areas. In the case of Vietnam, it was discovered that inequality between provinces increased with decentralisation (Wagstaff, 2005). Jimenez and Smith (2005) used the concentration curve decomposition analysis technique pioneered by Wagstaff (2005) to explore health inequities in a decentralised setting using Canadian Community Health Survey data from 2001. The results showed that inequities in health care use were driven primarily by differences between provinces.

Sumah, Baatiema and Abimbola (2016), in a systematic review that examined the impact of decentralisation on inequities in health and health care, conclude that equality implications of decentralisation are varied and heavily dependent on pre-existing socioeconomic and organisational context, the form of decentralisation reform that was put in place.

Decentralisation in Ghana

Ghana's decentralisation is a product of the political and economic conditions in the country, both current and historical (Inanga & Osei-Wusu, 2004). After a system of indirect rule by British colonisers, Nkrumah, in the 1960s, the post-independent period,

promulgated the Local Government Act 54 of 1961. The system had an executive ministerial layer of government coexisting with local authorities, rendering them ineffective as the structure of decision making at the local level (Nkrumah, 2000; Crawford, 2004). In 1974, decentralisation in the form of deconcentration was adopted as a means of strengthening central government control at the local level (Nkrumah, 2000; Ahwoi, 2010).

In 1992 a new local government system was developed that consisted of a Regional Coordinating Council, a four-tier Metropolitan and a three-tier Municipal/District Assemblies Structure. These were responsible for coordinating, integrating and harmonising the activities of all the development agencies in the assemblies, inclusive of central government ministries, departments and agencies and non-governmental organisations (Crook, 1994; Akramov & Asante, 2008; Goel, 2010; Hoffman & Metzroth, 2010).

Similar to public administration, in health literature decentralisation can take various forms. However, with the nature of decentralisation proffered as a reason for prevailing inequities in Ghana's health system, this study applies a relatively broad definition of decentralisation that views it as: "the transfer of authority and power in planning, management, and decision-making from higher to lower levels of organisational control" (Hanson, 1998:112).

Further to this definition, we proceed to apply a typology of decentralisation as presented in the literature (Smoke, 2003; Ribot, 2007) and often used in health sector decentralisation. This typology is formulated on the view of decentralisation as the transfer of

functional responsibilities to the local level and has been applied by writers such as Work (2002), Smoke (2003) and Ribot (2007). The typology entails deconcentration, which is when the central government allocates the responsibilities for specific activities or services to its regional branch offices (Litvack, Ahmad & Bird, 1998). Devolution reflects a transfer of substantial authority from the central government to the local governments that are often elected by their constituents (Lister & Betley, 1999); delegation is viewed as a transfer of selected functions to a lower organisational level with local governments or agencies executing specific tasks on behalf of the central government (Litvack, Ahmad & Bird, 1998).

METHODS

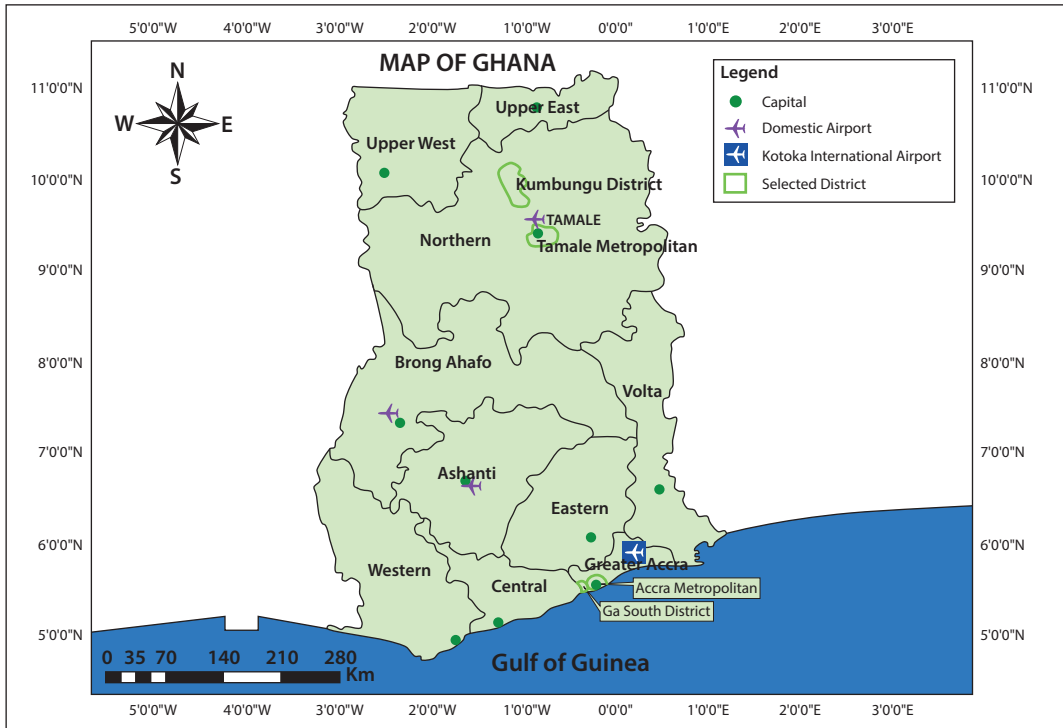
The study applied qualitative analysis using interviews conducted with policy makers from Ghana's Health Sector and the decentralised structures at the district and national level.

Case Selection

Decentralisation in Ghana's health sector entails elements of deconcentration, delegation and devolution. While some aspects of public health such as sanitation are devolved to the districts, the Ministry of Health itself remains under deconcentration at three levels.

The Ministry of Health retains control over staff salaries, budgetary allocations and planning specifications, while staff recruitment has been delegated to the Ghana Health Service (GHS). Human resource management in the health system remains one of the more centralised areas in Ghana as the

FIGURE 1: Administrative Map of Ghana Outlining the Study Districts



Source: Authors

delegation of powers to the GHS has done little to change the unified hierarchical structure. Decisions on salaries, hiring and firing, contracting and all other benefits remain at the national level of the GHS (Bossert, 1998).

There are multiple strands of decentralisation in Ghana, the devolved public services, such as the construction and maintenance of feeder roads, the delivery of relief and sanitation services, and development planning, which is entirely the responsibility of the district assemblies. Another category includes the delegated public services, which may be delegated directly by the central government, the ministry concerned or an agency; an example of this is the health sector. These multiple strands of decentralisation have

been created by the delayed take-off of the health sector decentralisation programme.

Sampling and Data Collection

Four out of 110 initial districts created at the start of the current decentralisation process were selected for interviews. District selection ensured representation of the northern and southern halves of the country, as social deprivation in Ghana exhibits a spatial character, and higher levels are recorded in the northern parts of the country (Ghana Statistical Service, 2007). The Accra metropolitan and Ga South Municipality in the south and Tamale metropolitan and Kumbungu district assembly in the north were purposively selected for north-south balance. See Figure 1.

TABLE 1: Breakdown of Study Participants

MDA	Participants	Unique ID
Ministry of Finance	2	NO1&2
Ministry of Health	2	NO3&4
Ministry of Local Government	1	NO5
District Assemblies Common Fund	2	NO6&7
Ministry of Local Government/District Development Fund	2	NO8&9
District Assembly	8	DAO1-8
Ghana Health Service/District Health Directorates	4	DHO1-4
Total	21	

Source: Authors

Twenty-one participants for the study were purposively sampled from decentralised health departments, district assemblies and national departments that interact with the health sector and the district assemblies. See Table 1.

ANALYSIS

The data from the interviews were transcribed in full. These transcripts were then critically examined using content analysis and comparing and contrasting. Initial categories were created based on the scope and the sections in the interviews; however, this was re-examined based on a better understanding of the data and re-categorised based on emergent themes and sub-themes. For example, inequities in health were explored along the dimensions of access, utilisation, health status and finance, but later unified based on universality of qualitative responses. Redundant data from this process was once again carefully examined before being excluded from the study.

FINDINGS

The Nature of Inequalities in Health

Respondents pointed out that, despite the years of decentralisation, they felt that little

had changed in the distribution of human, financial and physical resources. They identified wide gaps, such as access to health facilities, and the wide differences between the types of health facilities available, as significant constraints. They alluded to the fact that, at the time of decentralisation, the situation with regard to the issue of access had been far worse than it was in the present case. They noted that the decentralisation process had resulted in increased access to services as many districts and regions had focused on providing these services to their populations.

To respondents, wide differentials in the utilisation of services still exist even when access to such services had been improved. They suggested that merely improving access to services might not address this problem, as the use of these services did not only depend on their availability but districts' socioeconomic profile.

Local Government Financing as a Challenge to Eliminating Inequity

Districts at the point of decentralisation were provided with three major sources of revenue, namely, internally generated revenues (IGRs), the District Assemblies Common Fund

(DACF), and other transfer funds from the central government, such as ceded revenues and recurrent expenditure transfers. Inanga and Osei-Wusu (2004) argue that this situation may have led to the over-reliance of local governments on central government transfers. Other sources of funds for districts include direct donor funds. However, these funds are performance-based and are made available to some districts but not all.

a. Internally Generated Revenues (IGRs)

Internally generated revenues include all locally generated revenues available to the districts. As a result of the fact that the IGRs are the only funding source under the full control of the districts, they have the potential to be the most reliable sources of district funding to the district assemblies, albeit small for most districts. The process of collecting IGRs involves area councils which, as stipulated in the Area Councils Act, collect revenues on behalf of the DAs. The councils are entitled to retain 50% of all the revenue collected for local development activities within the districts. However, the IGR component of the District Assemblies' revenues tends to exhibit wide disparities, with some districts being barely able to generate any revenue.

An official at the Ministry of Finance explained:

We have been encouraging them (Assemblies) to develop their IGF sources because that is for them. A donor can refuse to give assistance and there is nothing they can do, but if by by-law, Assemblies are supposed to collect basic rates or property rates and people refuse to pay, they can be arrested

and if central government is also having challenges with the fund flow, Assemblies still have to wait but the IGR, it is for the Assemblies, so they need to develop it and collect it.¹ (National Officer 01)

b. The District Assemblies Common Fund (DACF)

The DACF is an intergovernmental transfer fund that is shared among the DAs and based on a revenue sharing formula approved by Parliament. Although the fund was established to complement local revenues only, many districts have come to rely on the DACF as their primary source of funding. In 2004, transfers from the central government accounted for more than 80% of the total local revenues (Akramov & Asante, 2008).

However, the fund faces some challenges, which do not augur well for the developmental purposes it is required to serve, with assemblies pointing to delays and a lack of reliability in fund disbursement as the primary challenges, although this has improved in recent times.

To us the Common Fund is virtually losing its purpose because the DACF is not regular. (District Assembly Officer 02)

Another major issue with the DACF is what the districts term interference from the central government in the use of DACF. This refers to several expenditures being undertaken by the central government and deducted even before these funds reached the districts.

We have a lot of interference from the central government where there are always

¹ Authors' fieldwork, 2012

deductions, the central government does a lot of things for the district assemblies and deducts from the allocation before it comes. When this happens, a district may have an allocation of about 2 million Ghana Cedis and might have planned and budgeted for some activities to be done, but this may not happen because some amounts are deducted from the common fund. Certainly this will affect implementation.² (District Assembly Officer 04)

In this district, the situation has impacted significantly on their ability to plan regarding the DACF allocations. The assemblies also complain about the lack of reliability of the fund's disbursement. The DACF allocations, which are based on the tax revenues generated, are, by some unwritten agreement between the assemblies and government, released a quarter in arrears. However, the arrears in many instances have gone beyond a quarter and this, in turn, creates challenges, especially for those assemblies that do not have alternate sources of funding or the ability to generate substantial IGRs.

It is not regular too so it does not make the development plans and budgets of the assemblies realistic because you are planning for this year, you would not believe that, as we sit now, we are in almost the 3rd quarter of the year and not even the first quarter has been released yet or disbursed. It means all the activities you planned for this year will be rolled over to next year and then the next year plan is also on hold. Certainly it has a bearing on the development process of the district and between the districts.³ (District Assembly Officer 04)

c. District Development Facility (DDF)

Established in 2006, the DDF is a performance-based funding mechanism that is available to the districts as an additional source of financing. There is a partner fund of the Government of Ghana and donors and aims both to minimise the "projectising" of donor support to districts and to ensure that funds are available for each district to use in its priority sectors and programmes of choice.

Local governments are not allowed to use the funds for recurrent expenditures and the purchase of office equipment and vehicles. However, it is the view of the DACF administrator that the restrictions on the use the DDF and other donor funding mechanisms places undue pressure on the Common Fund and also results in the abuse of the Common Fund.

The effect of those restrictions is that districts fall on the Common Fund to do those things they cannot use the DDF for. Let me give you a classic example - you say you cannot use the DDF to travel and you cannot use the DDF for accommodation and you go to the districts and invite the assemblies for a meeting in the regional capital. Who should fund that? They use the Common Fund. (National Officer 09)

The Status of Health Sector Decentralisation as a Challenge to Achieving Equity

Respondents indicated that the nature of decentralisation within the health sector resulted in the inability of decentralisation to

^{2,3} Authors' fieldwork, 2012

impact inequities appreciably. Three themes emerged with 33% of the participants holding the view that the health sector was not decentralised as against the 66% who felt the sector was decentralised.

a. A Fully Decentralised Health System

Although 66% (14) of the participants stated that the health sector was decentralised, only three participants stated this without any doubt, believing firmly that the health sector was the most effectively decentralised department within the national system of decentralisation. It should be noted that these respondents were all from within the health sector and included senior management staff at the Ministry of Health and the Ghana Health Service. One of these respondents stated:

The health sector is the most fully and effectively decentralised unit with structures and trained personnel. It just needs to be unified with the district assemblies.
(National Officer 04)

Those respondents who believed that the health sector was the most effectively decentralised unit also argued that decentralisation should go beyond the "so-called" transfer of power and that it is only in the health sector that local capacity has been strengthened. Also, the health sector has invested in structures at the local level to improve local managerial capacity. These respondents presented the case that the health sector currently transfers the bulk of its funds to be dispensed at the local level (an estimated 35%) and that the health sector aims to increase this to 45%. According to them, the only gap in the health sector decentralisation was where to position it effectively in the

national decentralisation process to ensure effective collaboration between the sector and the district assemblies.

A lot of people think that the health sector is fairly decentralised. This is because, as part of our health sector reforms, we concentrated on financial decentralisation and we also concentrated on ensuring that districts have their own plans and they also own their own performance. So, we have put in place mechanisms that will allow districts to plan and have access to their own funding and they can also generate their own funding. We have also put in place mechanisms that would ensure that districts could define their own performance, report on their own performance and also own their own performance. (National Officer 03)

The funding of Ghana's health sector has also been subject to both deconcentration and sector-wide streamlining as part of the policy reform that increased the coordination of donors through a sector-wide approach (SWaps). There has been significant progress made in deconcentrating the health budgets.

Since 1999, when the Budget Management Centre concept came into operation, financial allocations for recurrent budgets in the health sector now go directly to the districts from central government. Budget and Management Centres, also are known as Cost centres, are the decentralised functional units responsible for administering the Government of Ghana and Development Partner Funds.

b. A Partial/Incomplete Decentralisation

The majority of the participants, eleven, although stating that the health sector was

decentralised, provided various reasons why they deemed the decentralisation to be partial or incomplete. They argued that full decentralisation of the sector would be attained if the current decentralised structure that operates within the sector were unified with the devolved district assembly system. They felt that very few amendments would have to be made as the health sector structure already exists and works in the current form. It only remains for this structure to be owned at the district level. The narrative cited below provides a view of this perspective:

Health and education have always been deconcentrated. By the nature of the service they deliver they have to be deconcentrated, so the whole idea of the decentralisation was to devolve power to those at the lower level, indeed, at the district level. (National Officer 06)

This narrative points out that, although the sector is deconcentrated, the current structure continues to defeat the aim of the current decentralisation programme, namely, to bring these services closer to the local people.

c. A Health System Not Decentralised

The six participants who argued that the health sector was not decentralised presented two main arguments in support of this view. They argued that, although there has been significant deconcentration even within the health sector structure, and funds are made available to the district health directorate, these funds are often transferred with specific directives regarding how they should be used. The centre, the Ghana Health Service, continues to make

decisions about and plans many of the health programmes. The district directorates are allowed only to effect minor modifications to ensure the proper implementation of such programmes in their districts. Thus, these seven participants argued that this is not decentralisation as the major decisions are all taken by central government.

The second major argument is the fact that the current structure of decentralisation within the health sector is contrary to what is clearly stated in the Constitution, which categorically mandates a devolved structure for Ghana's decentralisation. The respondents who presented this argument cited the decentralisation law, the Local Government Act 1993, in support of their argument. The quotation below from the Consolidated Local Government Bill, 2013 sheds further light on this issue.

While the Local Government Act, 1993, Act 462, included the Ghana Health Service, the Ghana Education Service, the National Fire Service and the Department of Fisheries Forestry and Game and Wildlife in the list of decentralised departments, the Local Government Service Act, 2003 Act 656, excluded them from the schedule of decentralised departments. This has become a major challenge for practitioners on the ground to deal with. (Government of Ghana, 2013b:3)

These respondents, who are of the view that the sector is not decentralised will continue to maintain this view, as long as the health sector maintains its deconcentrated structure. Respondents feel the current structure is contrary to the devolved structure mandated by the Constitution, and its strong ties with

the central government, thus not falling under the district assemblies in all aspects of its operation, it is not possible to see the sector as decentralised.

Effect of Nature of Decentralisation on Inequities

A district officer interviewed revealed that health priorities are set in consultation with the District Health Directorate and, in actual fact, the district assemblies merely include in their plans the priorities provided by the district health directorates.

Yes, the district has set health priorities but what we normally do is that, the health division, they will prioritise their needs and give to us. They prioritise their needs - they have their plans which they receive from the national headquarters so, at the end of each year, like getting to November, they have to bring their plans and we will also incorporate them into our district plan. (District Assembly Officer 02)

The implementation stage follows the priority setting stage. However, it would appear that the District Assemblies generally tended to adopt a hands-off approach to implementation, choosing to rely on the technical abilities of the District Health Directorates. For the assemblies, the technical nature of the health sector and the dual reporting lines meant that, if assemblies become involved in health matters, they would be perceived to be interfering in the work of the Health Directorates. A participant from the Ga South District succinctly stated:

The only problem has to do with the fact district health authorities have two reporting

lines; they report to the Assemblies and their mother agencies (Ghana Health Service) so, because of that, that strong will of the Assembly taking full responsibility for their activities is not there. We are not fully accountable for their activities in the municipality for now. (District Assembly Officer 04)

In many instances, the District Health Directorate regards the district assemblies as a last resort for support in a situation in which the funding from the regional directorates proves inadequate. This is primarily as a result of the fact that the health directorates perceive the district assemblies as unwilling to support them financially and they have often had numerous financial requests turned down by the assemblies. A respondent from the District Health Directorate expressed the following views on the situation:

The Assembly has not provided any support to us even though they know we have not received any money from government yet. We have discussed this with them so many times. When we came to occupy this office, we did not have furniture and even an office to sit. We were only lucky they had once built a structure there to be used as a laboratory and that is what we are occupying now. The last encounter we had with them was about this National Immunisation Day. We had some money so we recruited a lot of volunteers. The money given to us (from within health system) was just something small so we wanted them (district assembly) to support us to at least motivate the volunteers to do the work. They have taken the memo on the request and everything, according to them, they have sent it for endorsement at the

regional level but, up till now, we have not received anything and the volunteers are still following us. (District Health Directorate Officer 04)

Another perspective on the matter is the fact that the health directorate admitted that, even in the rare instances in which the districts may be ready to finance health activities, the districts often appear to be extremely biased in favour of spending money on the construction of physical buildings and structures rather than financing health programmes and projects. The health directorate attributed this to the political nature of the assemblies with the clientelist nature of local politics requiring physical evidence of development.

The district assemblies also argued that the health sector is adequately funded from the central government while the funds available at the district level are limited. In view of the fact that the health directorates often do not share information about their funding with the assemblies, including how much they have received and the gaps they had to fill. This makes it difficult to redirect funds for meeting pressing local needs to servicing the health sector.

In addition, the health directorates regard their reporting and monitoring functions and their links with their regional offices as superseding their reporting responsibilities to the districts and, thus, they tend to neglect their reporting to the district assemblies. It also appeared that the district assemblies are merely copied in on reports submitted to the regional health directorates. The district assemblies routinely participate in district health management meetings but

also admitted to limited decision-making responsibilities as regards health issues, as they viewed such issues as technical in nature and thus better left to the experts in the district and regional health setups.

The district assemblies interviewed pointed out that, in drawing up medium-term district development plans, they often consulted the District Health Directorates to include health-specific issues after they had made every effort to capture the problems of the local citizenry. They admitted, however, that, since health problems are highly technical, they had to rely heavily on the inputs from the District Health Directorate in compiling district health priorities. However, more often than not, the assemblies discovered that these priorities stemmed from national health policy directions rather than specific district level health issues.

DISCUSSIONS

Local governments are often responsible for local service delivery and thus may drive inequities within countries as citizens may experience varying levels of services depending on where they live. From the views of policy makers, this study examined the causes of persisting inequities in health service delivery in Ghana. The outcomes suggest the two underlying causes of persisting inequities in health services in Ghana are financing differentials between districts and the nature of health sector decentralisation.

On the issue of funding, respondents highlighted the following: the inability of a district to generate revenues, delays in the disbursement and transfer of funds, constraints placed on the use of funds, and

interference in the use of these funds from central government units.

The inability to generate revenues applies mainly to the IGRs and, as has been pointed out earlier, many districts struggle with internal revenue generation and are therefore almost solely dependent on transfers from the central government. According to Akramov and Asante (2008), while individual well-endowed assemblies can cover up to 70% of their total expenditures from their IGRs, the more deprived assemblies may manage a meagre 5% of their total public expenditures and thus rely heavily on transfers.

Data from the DACF report reveals that, while the revenue generations of some districts were extremely small, the revenue generations of others were significantly high (Government of Ghana, 2013).

The districts and officers interviewed allude to their inability to generate substantial IGRs, which they attribute to capacity issues, district size and location. Some of the assemblies have also raised issues in respect of the classes of taxes and fees available to them, as these are taxes from informal sector activities such as user fees, licences, royalty payments and permits. Thus, those districts that do not, for example, receive royalties and award permits are significantly disadvantaged. Two studies that reported differentials in health care in Canada and China suggest that the financial strength of decentralised units were drivers (West & Wong, 1995; Jiménez - Rubio, Smith & Doorslaer, 2008). In the case of Canada, more affluent and poorer provinces were found to have differences in health care use (Jiménez-Rubio,

Smith & Doorslaer, 2008), while in China inequities in health care use favoured richer jurisdictions (West & Wong, 1995).

The DACF is the funding source on which the assemblies place the most reliance as it continues to constitute the most significant component of the revenues of many assemblies. To date, the DACF has been used for some socio-economic activities, however; the largest component of DACF spending is the administrative cost, which includes capacity building, rural housing, security, accommodation, logistical support and project management (Crook, 1994; Appiah-Agyekum, 2013). However, respondents indicated that the DACF as a funding system faces some challenges; delays in disbursement to assemblies and what they call significant interference from the central government Asante, Zwi and Ho (2006) point to the fact that untimely release of district assemblies' funds affected performance and district ability to implement activities. This primarily concerned districts that are unable to generate IGRs. Asante *et al.* (2006) note that many districts coped by borrowing, and obtaining supplies on credit. Studies have found intergovernmental transfer funds to be the most equitable form of local government funds (Bossert *et al.*, 2003). In cases where intergovernmental transfer funds were unable to offset differences in decentralised units' ability to generate revenues, inequities prevailed in funding between units (West & Wong, 1995; Wyss & Lorenz, 2000).

Also, the ability of intergovernmental transfer funds to enhance equity depends on these funds making adjustments for equity in their allocation formula and equalisation elements embedded in the funds. The volumes of these

funds are especially important in ensuring equity as in the case of China, reducing allocation to intergovernmental funds was found to have been associated with increased inequities (West & Wong, 1995). In Ghana, allocation to DACF was increased in 2007 to 7.5% in practice, although the minimum established by law remains at 5% of the total government revenues. The increased fund minimum was implemented at the start of the 2008 fiscal year. Owusu (2005) argues that increased transfers to districts will result in the economic growth of the districts.

On the nature of health sector decentralisation, respondents point to the fact that the current national decentralisation programme has a combination of deconcentration and devolution operating within the same system. This means it is often unclear where responsibilities lie and how these two systems should coexist. Also, in this situation, cooperation or coordination between these two units is arbitrary and disjunct as there are currently no clear guidelines on this. Sumah, Baatiema and Abimbola (2016) highlight coordination as an essential element in achieving equity in decentralisation as embedded in the process of decentralisation is the potential for differentials between different regions and units as they focus on their local preferences. This coordination, according to Sumah, Baatiema and Abimbola (2016), needs to be outlined and guided by a broad framework.

The views of policy makers as outlined in the Ghanaian case highlight the role of coordination. While some respondents were of the view that inequities would be better solved if the health sector were part of the devolved system of local government, other respondents are sceptical about the ability of

the local government to manage the health sector. Some respondents who asserted that the sector was decentralised, were of the opinion that the system was working extremely well, and cautioned against bringing the sector within the structures of the district assemblies. In their view the assemblies may not yet be ready for this, as the assemblies cannot manage the health sector.

However, it was evident in responses that achieving the objectives has been heavily dependent on the level of cooperation/collaboration between these two systems. Thus, on the need for coordination within the decentralised unit, all participants agreed.

In a comparative analysis of health sector decentralisation in Ghana, Zambia, Uganda and the Philippines, Bossert and Beauvais (2002) pointed out that the structure of the GHS as a national council ensures the supervision and a high degree of centralised control over the regions and the districts.

Bossert and Beauvais (2002) term this "decentralised centralism". They further point out that this system leaves little or no room for local governance or popular participation in health sector decision making. Ayee (2002) contends that, while district administrations were represented on the District Health Committees, their role was deliberately limited to advising the GHS and may, at best, be described as minimal.

Some researchers have also concluded that district administrations do not play a significant role in health sector governance (Bossert, 1998; Bossert & Beauvais, 2002; Mayhew, 2003; Crawford, 2004, 2008; Asante & Ayee, 2008). This situation stems

from the overall structure of the GHS. While the GHS is deconcentrated, its regional and district directorates are overseen by the national council, which also has the responsibility of appointing the directors at each level. Thus, reporting to and being directly under the oversight of the national council, which appoints the members of the GHS, leaves little room for autonomous decision making at the regional and district levels.

CONCLUSION AND RECOMMENDATIONS

This article has provided an analysis, from the perspectives of districts and national level officials, of the factors that challenge the reduction of inequities in Ghana's decentralised health system. Discussions revealed concerns with funding inequalities between districts. Analysis revealed that wide gaps in districts' ability to generate funds internally and delays in DACFs, while DDF were not accessed by all districts. Participants are of the view that these variations in funding ultimately affect the ability of the districts to deliver on their mandate and support the provision of health services locally, as the health sector does not come fully under their control.

The status of the decentralisation of the health sector was another factor that participants revealed accounted for inequities. While the health sector officials view the sector as highly

decentralised with its deconcentrated structure, the sector continues to remain outside the devolved system of the district assemblies. Thus, whereas the Local Government Act envisioned the health sector as competing with other sectors for decentralised funds held by the Ministry of Local Government at the district level under the 1997 Ghana Health Service (GHS) and Teaching Hospitals Act (Act 650), the Ministry of Health retains financial autonomy.

The finding suggests that, together with funding inequalities between districts, the inabilities of the state of the relationship between the district and the health directorate, which is a direct outcome of the status of the decentralisation process, perpetuates inequities.

According to the respondents, full decentralisation was an option regarding safeguarding equity in the utilisation of services with local health managers, members of the district assemblies, and residents of the local areas participating in decision making about health. The managers would have solutions to the unique challenges in a particular location, which acted as a barrier to utilisation of the services. They believed that the evidence over the period illustrated this claim and, thus, it was necessary to scale up the decentralisation process with regard to the health sector to achieve the full benefits of the process.

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ACCOUNTABILITY, RESPONSIVENESS AND OPENNESS: LESSONS FROM *LIFE ESIDIMENI ARBITRATION* AND *BLACK SASH/SASSA* LITIGATION

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ABSTRACT

The South African democratic project sets admirably high principles for officials in the public service. Public administration must occur within the precincts of a set of values and principles. These encompass a high standard of professional ethics using public resources in an efficient, economic and effective manner; providing services impartially, fairly, equitably and without bias; being responsive to people's needs; and engaging and encouraging the public to participate in policy making. In addition, public administration must be accountable and transparent by providing the public with timely, accessible and accurate information. The *Life Esidimeni Arbitration* and *Black Sash/SASSA* litigation (*Black Sash I*, *Black Sash II*, *Black Sash III* and *SASSA*) are enormously consequential. They raise more fundamental issues about the extent to which the conduct of public office bearers and public functionaries are at variance with the embedded constitutional tri-norms of accountability, responsiveness and openness.

The ubiquitous role of the judiciary in promoting and reinforcing basic values and principles governing public administration is the immediate concern of this paper.

Keywords: Accountability, responsiveness, openness, good governance, public administration.

INTRODUCTION

It is beyond doubt that the 1996 Constitution is committed to establishing and maintaining an efficient, equitable and ethical public administration that respects fundamental rights and is accountable to the broader public. The importance of ensuring that the administration observes fundamental rights and acts both ethically and accountably cannot be gainsaid. Even though openness and responsiveness are closely related to accountability, the founders of the South African democratic state found it necessary to list them as stand-alone values of the democratic value of accountability. That accountability is equivalent to saying that

someone is answerable, responsible, liable or culpable is articulated in various parts of the Constitution. The *Life Esidimeni Arbitration* tragedy and *Black Sash/SASSA* social grants litigation shed light on the intersection between public accountability, corruption and maladministration. Against the backdrop of *Life Esidimeni Arbitration* and *Black Sash/SASSA*, the article investigates the ubiquitous role of the judiciary in promoting and reinforcing the normative norms of public service delivery, namely, accountability, responsiveness and openness in a nascent constitutional democracy.

THE CONSTITUTIONAL TRI-NORMS OF ACCOUNTABILITY, RESPONSIVENESS AND OPENNESS

The 1996 Constitution leaves no doubt that its foundational concern is to form a bridge between the unjust, undemocratic and closed system of the past and the future South Africa based on openness, democracy, social justice, and human rights (Mureinik, 1994; De Vos, 2001). It emphasises that the government is based on the will of the people underpinned by deliberative democracy (Weeks, 2000; Freeman, 2000; Warren, 2002; Roberts, 2004; Adams & Waghid, 2005). The idea of allowing the public to participate in the conduct of public affairs is not a novel concept. In this country, the traditional means of public participation is *imbizo/lekgotla/bosberaad*. This is a participatory consultation process that was, and still is, followed within the African communities. This traditional method of public participation is a tradition widely used by the government, and is both a practical and symbolic part of our democratic process (*Doctors for Life* para 101).

What needs to be emphasised at the outset is that the Constitution binds all organs of state and every state official entrusted with public power (section 8(1) of the Constitution). The Constitution goes further to impose overarching duties on wielders of public power. As elected office bearers, and so too those in the public service, go about their duties, they must first and foremost be faithful to the law. They must act within the stricture of the law and eschew unlawfulness. They may not elevate their personal or arbitrary or political or other preferences above or in breach of binding law. That is a bare minimum of the constitutional tenet of the rule of law (section 1 of the Constitution). The Constitution also encompasses a transformative agenda (Langa, 2006). As such, the state cannot be a bystander in shaping a society in which every citizen can fully enjoy their rights. More importantly, in matters relating to evictions in unlawfully occupied inner city buildings, the Constitutional Court has stressed the city's constitutional obligations to provide alternative accommodation, to fulfil the objectives of the Preamble to the Constitution; to respect, protect, promote and fulfil the rights in the Bill of Rights, and the state's obligation to act reasonably as stated in section 26(2) of the Constitution (*Occupiers of Olivia Road, Saratoga Avenue*). In the same vein, where the State does not fulfil its constitutional mandate of ensuring progressive realisation of socio-economic rights, courts will not shy away from granting appropriate relief (*Grootboom, Treatment Action Campaign (TAC)*).

Although openness and transparency are ranked along with accountability, and recognised as stand-alone values in the Constitution, strictly speaking, they are offshoots of the

all-embracing concept of accountability (Okpaluba, 2011). Accountability, as an obligation imposed on all holders of public office, is embedded in different parts of the 1996 Constitution. This is particularly so in light of the constitutional tri-norms of accountability, responsiveness and openness, which are the hallmarks of the founding provisions of a system of democratic government in section 1(d) of the Constitution. Unambiguous commitment to the constitutional tri-norms is reflected by the fact that it is a fundamental principle of co-operative governance and intergovernmental relations that each of the three spheres of government must provide effective, transparent, accountable and coherent government for the benefit of the country (section 41(1)(c) Constitution, 1996).

In line with section 55(2)(a) and (b), the National Assembly must provide for mechanisms to ensure that all executive organs of State in the national sphere are accountable to it; it must maintain oversight of: (1) the exercise of national executive authority, including the implementation of legislation, and (2) any organ of State. Section 92(2) and (3)(a) and (b) are directed at the accountability and responsibilities of the deputy president and the cabinet. It provides that members of the cabinet are accountable collectively and individually to parliament for the exercise of their powers and performance of their functions. Accordingly, in addition to members of the cabinet acting in accordance with the Constitution, they must also provide parliament with full and regular reports concerning matters under their control.

Notwithstanding murmurs of discontent within the ranks of the governing party,

the *EFF II* judgment has in no uncertain words clarified the 'frustration and confusion' introduced in the interpretation and, more accurately, the misinterpretation of the applicable constitutional and statutory instruments by the president, his cabinet ministers and the governing political party. It has made the president's failure to implement the law with respect to the Public Protector's remedial action challengeable as it concerned the public expenditure in the purported security upgrade of the president's private homestead. Among the salient issues deliberated upon in that judgment, the Constitutional Court has elaborated on the ramifications of accountability with particular regard to: (a) executive conduct in relation to an independent institution of state established by the Constitution to investigate the conduct of public affairs; and (b) the constitutional obligation imposed on the National Assembly to exercise an oversight role over the president as head of the national executive, that is, the accountability of the president to parliament in a truly separation-of-powers arrangement. Furthermore, one of the core values and principles of good public administration set to govern the South African democracy is that 'public administration must be accountable' (section 195(1)(f) of the Constitution, 1996). Public accountability therefore features in every aspect of governmental activity.

BASIC VALUES AND PRINCIPLES GOVERNING PUBLIC ADMINISTRATION

The attainment of constitutional aspirations presupposes a capable developmental state supported by ethical and effective public administration (National Development

Plan, 2013). The constitutional tri-norms of accountability, responsiveness and openness pertaining to the executive and public administration are encapsulated in section 195 of the Constitution. These include a high standard of professional ethics using public resources in an efficient, economic and effective manner, providing services impartially, fairly, equitably and without bias; and being responsive to people's needs and engaging and encouraging the public to participate in policy making. In addition, public administration must be accountable and transparent by providing the public with timely, accessible and accurate information (*Hardy Ventures CC* para 11).

The nine basic values or principles of public administration are in the nature of injunctions to public bodies and officials. They must guide those charged with the responsibility for implementing government policies expressed through legislative enactments and ministerial regulations. It is incumbent upon the public administration to translate the values embedded in the Constitution into realisable virtues. Take for example, the decision in *Hardy Ventures CC*, where the municipality had failed, despite repeated demands by the applicant, to consider its application for outdoor advertising. It was held that the principles of co-operative government embodied in section 41(1) and (2) of the Constitution were applicable and needed to be adhered to by the municipality. Having failed to so comply, Tshwane Metropolitan Municipality, as an organ of State, were unwittingly undermining those principles and values that would ultimately result 'in a bureaucratic culture that was inimical to the constitutional ethos' (*Hardy Ventures CC* para 9). As pointed out by the

judge, 'erratic administration often results in arbitrariness and undermines qualitative administration in a democratic state'. The core values and principles governing public administration enshrined in section 195 are given effect by the Public Administration Management Act 11 of 2014 (PMA). PMA states that its objectives are, among others, to 'promote a high standard of professional ethics' and to 'facilitate the eradication and prevention of unethical practices' in the public administration. What is envisaged is public administration operating with the objective of facilitating the formulation of appropriate governmental policy, and the efficient execution of the formulated policy. Following on from this, it also being recognised that public administration without people's involvement in public policy formulation and implementation, and the government's use of its structures and processes, is a fallacy (Fox, Schwella & Wissink, 1990; Schwella, 1991).

Accountability has profound implications for good governance. Good governance is inseparable from accountability (Coetzee, 2018; Masango, 2002). Cloete and Mokgoro (1995) postulate that the original meaning of accountability is to be answerable for one's behaviour/actions or inaction. Public accountability implies the obligation resting on each public functionary to act in the public interest and in accordance with his or her conscience, with solutions for every matter based on professionalism and participation, and development as the safety measure (Fox & Meyer, 1995). In a constitutional democracy, public accountability means that politicians and officials should show responsibility by accounting to the very public on the way they execute the authority and

responsibility entrusted to them. If accountability is not properly enforced, officials could easily misuse the authority entrusted to them (Bellver & Kaufman, 2005). It is therefore essential to require officials to account every time in respect of their duties.

It is important to emphasise that section 195 of the Constitution compels a public office bearer, in the public interest, to eliminate illegalities in public administration. A striking illustration is the case of *Njongi* where the Constitutional Court held that it was always open to a government official to admit, without qualification, that an administrative decision was wrongly taken, applied equally to unlawful acts committed deliberately or negligently or in good faith (*MEC, Education KZN* para 23). The Constitutional Court then held that section 195 laid a compelling basis for the founding of a duty on the functionary to investigate and, if need be, to correct the unlawfulness through the appropriate channels. This duty was founded on the basis of accountability and openness in section 195(1)(f) and (g) and the requirement of a high standard of professional ethics in section 195(1)(a).

THE MARATHON PROJECT

The issues arising out of *Life Esidimeni* tragedy are a dramatic illustration of reeking violation of fundamental rights flowing from the conduct of state decision makers (ex-MEC for Health Gauteng Province, Ms Mahlangu, HOD Health, Dr Selebano and head of the Mental Health Directorate, Dr Manamela) that was inconsistent with the core values underpinning public service administration, *Ubuntu*, as well as the *Batho Pele* principles. The primal genesis of the

torture and death of mental patients and torture of the survivors was the termination of the service level agreement between the Gauteng Department of Health and Life Esidimeni. State decisions makers gave three reasons for the termination of the contract with Life Esidimeni: the policy requirement to deinstitutionalise mental health care users, the Auditor-General's concern regarding the duration of the contract with Life Esidimeni, and budgetary constraints. The reasons proffered by former MEC of Health and State decisions makers were contradicted by the Premier, incumbent MEC for Health and MEC of Finance.

The claimed deinstitutionalisation was plagued by several defects. The money supposedly saved by the Department did not follow the mental health care users. On the contrary, there was an increase in the allocation to psychiatric hospitals and paltry transfers to district health services and the facilities that were supposed to care for the Life Esidimeni mental health care users. Besides, neither mental health care users nor the non-governmental organisations to which they were transferred were adequately prepared for the move. Rather, the move was rushed, with non-governmental organisations accepting mental health care users without having the resources or infrastructure to do so.

Apart from mass moves out of Life Esidimeni, many mental health care users had to suffer the trauma and anxiety of being moved from place to place and from one non-governmental organisation to another. This brings into the equation the larger issue of responsiveness and accountability. The basic position here is plain. The Constitution requires public officials to be responsive to

the plight of citizens and reasonable requests and demands of the citizenry. Despite pleas from the families, the State decision makers refused to stop the mass transfer of mental health care to non-governmental organisations not fit for purpose. As pointed out 'they chose, knowing all the facts and risks, not to be responsive to the reasonable and lawful request and demands of the claimants' (*Life Esidimeni* para 199). It bears repeating that:

Our Constitution hopes for public servants who listen to the genuine and reasonable grievances of citizens and other people within our borders with concern and a readiness to respond to and alleviate their concern and certainly protect and promote the rights the law affords them. This did not happen here. The public service motto of Batho Pele was ignored. (*Life Esidimeni* para 200)

Not only were mental health care users stripped of their dignity, in life and in death, but their families were also treated as sub-human and devoid of any worth. Their grief was brushed aside. Their emotional pain arising from the trauma they went through was undermined and used to marginalise them. Hence, the Chairman of the *Life Esidimeni Arbitration* reached a firm conclusion that:

Every element of the Marathon Project trampled on the human dignity of the mental health care users when they were still alive, the dignity of the mental health care users after they had passed away, and the dignity of their family members who watched their loved ones waste away and die, powerless to do anything to prevent it. (*Life Esidimeni* para 185)

While the former MEC for Health Gauteng Province and senior public officials apologised in a tearful or near-tearful way, for the death of 144 mental health care users or the torture of survivors, despite their obvious position of authority and power, each refused to take on full responsibility for the administrative and political decision that led to the tragedy. The underlying conduct of State decision makers was a hurtful affront to the human worth of mental health care patients and to the value of *Ubuntu* that teaches us caring, communal sharing and human solidarity (Van der Merwe, 2018). The award of compensation in the form of one million rand to each of the claimants as constitutional damages rested on two propositions: first, the government's unjustifiable and reckless encroachment of the constitutional rights of the victims; and second, infringement of the obligation to ensure accountability, responsiveness and openness, in short, accountability for the entire Marathon Project and its toxic aftermath.

BLACK SASH/SASSA SOCIAL GRANTS LITIGATION

Black Sash/SASSA litigation highlights the importance of ensuring that organs of state and public officials who are acting in a representative capacity observe fundamental rights and act both ethically and accountably (*SARFU* para 1330). It needs to be emphasised that the failure of SASSA and the former Minister of Social Development to ensure seamless transition into a new payment system threatened the constitutional rights of a large number of vulnerable persons in 'an area of governmental responsibility closely related to human dignity' (*Mashavha* para 51). The lack of diligence on the part

of the social grants agency in relation to its preparation for the transition on payment of social grant, since the tender awarded to Cash Paymaster was declared invalid in 2013 (*AllPay I* and *AllPay II*), turned into a perennial headache for the Constitutional Court (Osode, 2013; Finn, 2016). Illustrated were controversial eleventh-hour urgent applications for extension of an unlawful contract that was declared invalid by the apex court in 2014. The only irresistible inference was that SASSA wished to 'force' the Constitutional Court to grant it a further extension of suspension invalidity (SASSA para 33), similar to what transpired in the 2017 case of *Black Sash I*. The point to be made is that the Constitutional Court was handcuffed. Simply put, the interests of the recipients of grants and the hardship they could have faced had to be weighed against other factors that did not support the granting of a further extension.

The logic behind the establishment of SASSA as outlined in section 4 of the South African Social Security Act 9 of 2004 was primarily to eradicate the bureaucratic bungling in the processing of social grants following the creation of a new national and provincial system for the administration and payment of social grants after 27 April 1994. The administrative torpor in processing of social grants was pronounced in the Eastern Cape (Okpaluba, 2011). Needless to say, the malaise in the administration of social assistance resurfaced under the guise of SASSA's culpable failure to develop a 'contingency plan if a seamless transition on 1 April 2018' was not attainable, coupled with urgent applications for extension of suspension of invalidity of the CPS contract. SASSA's bureaucratic inertia was also attributable

to the insidious appointment of individuals to lead parallel work streams who reported directly to the Minister.

The work streams process played a pivotal role in stalling the implementation of the court order. For her part, the former Minister of Social Development did not disclose the truth relating to her interference with governance in relation to the work streams, despite filing affidavits under oath with the court. Unlike in the past cases, where the former Minister of Social Development and SASSA were always on the same side, in SASSA, the agency and its CEO cited the Minister of Social Development as the first respondent. The main question at issue in SASSA was whether the erstwhile Minister of Social Development and SASSA's acting CEO should be held personally liable for the costs of proceedings. It is interesting to observe that public officials acting in a representative capacity may be ordered to bear costs out of their own pocket, under specified circumstances.

The inquiry into whether public officials should incur personal liability for cost seems simple enough in principle, albeit no doubt often difficult in application. The test is whether a public official is guilty of bad faith or gross negligence in conducting proceedings. The test applies to conduct relating to litigation and the discharge of constitutional obligations (*Black Sash II* para 9). The main thrust of the ex-Minister's contention in opposing the imposition of adverse personal cost award was that such order constituted an impermissible intrusion on the powers of other arms of government. It was submitted that the court lacked the authority to hold a Minister to account by

mulcting her with personal costs. This brings to the table the contentious issue of separation of powers, in particular, the entry into South African constitutional law lexicon and public discourse of the expression 'judicial outreach' (*Mazibuko* para 246E-G; *EFF II* para 223; Mhango, 2017). The contours of separation powers raise forbiddingly complex questions which can only be pursued further by subject specialists (Okpaluba & Mhango, 2017; Wolf, 2015). The Minister's submission about judicial intrusion into issues that are beyond her competence failed unequivocally. Justice Jafta in his judgement pointed out that:

Black Sash II affirms the principle that public officials may be ordered to pay costs out of their pockets if they are guilty of bad faith or gross negligence. The source of that power is the Constitution itself which mandates courts to uphold and enforce the Constitution. (*SASSA* para 38).

From *Black Sash II* there can be no doubt that objective of a costs *de bonis propriis* order is to vindicate the Constitution. The proposition that courts are required by the Constitution to ensure that all branches of government act within the law and fulfil their constitutional obligations (*Doctors for Life* para 38) is irrefutable.

While conceding that a personal costs order is competent in circumstances described in *Black Sash II*, the Acting CEO contended that the facts did not support a finding of bad faith or gross negligence on her part. She outlined steps undertaken in an attempt to comply with the order issued in *Black Sash I* in March 2017. She was only appointed to the position of acting CEO in July 2017.

After Treasury appointed the South African Post Office (SAPO) as a service provider to replace Cash Paymaster Service (CPS), it emerged that the former lacked the capacity to provide the service for paying out social grants to beneficiaries. Although explanation furnished for the delay in approaching the Constitutional Court was unsatisfactory, nonetheless the unacceptable explanation fell short of gross negligence or bad faith, which would justify a personal cost order (*SASSA* para 44).

In the same way, the Minister narrowly escaped personal cost liability in connection with the order of 17 March 2017 that was at issue in *Black Sash II*. It was apparent from the record that she did not bring to bear an effective supervisory oversight, particularly after it had come to her attention that *SASSA* had failed to comply with previous orders. She had deferred to the Inter-Ministerial Committee on Comprehensive Social Security (IMC) established by the President to ensure compliance. Nonetheless, the IMC could not relieve the ex-Minister from her statutory duty. The obverse position is clearer. The committee could only support her in executing her statutory duties. The mere fact that the Minister's deference to the IMC was patently inconsistent with her statutory obligations on its own was not enough to warrant a finding of bad faith or gross negligence (*SASSA* para 47).

The judgment in *Black Sash II* concerned the issue of costs left open in *Black Sash I*. In that judgment, costs were reserved and the then Minister of Social Development was called upon to show cause on affidavit as to why she should not be joined to the proceedings in her personal capacity and why she should

not pay the costs of the application out of her own pocket. After affidavits were filed, it became apparent that there were conflicts of fact in relation to an alleged process of responsibility initiated by the Minister. In the aftermath of *Black Sash II*, the court ordered that Minister Dlamini be joined to the matter in her personal capacity to explain her role and her negligence on why should not be held liable for the litigation costs. Again the respondents were required to report to court on whether they agreed to a process in terms of section 38 of the Superior Courts Act 10 of 2013 to determine issues relation to the former Minister's role and responsibility in establishing parallel decision-making and communication processes. The retired Judge President Ngoepe was appointed to conduct the fact-finding inquiry.

What emerged from the Ngoepe Commission of Inquiry was that Minister Dlamini had failed to make full disclosure to the Constitutional Court in relation to the parallel work streams process (*Black Sash III* para 6). The Inquiry Report made adverse finding against the Minister. Once again, the submissions that were rejected in SASSA were resuscitated. The Minister submitted that to hold her personally liable for the costs of suit would constitute a violation of separation of powers principle. She amplified her submission by contending that the court lacks the authority to hold a cabinet minister to account by ordering her or him to pay costs out her or his pocket. The argument was similarly dismissed. Imperfect as it may be, personal liability of public official for costs is a necessary mechanism for reinforcing the constitutional tri-norms of accountability, responsiveness and openness. Echoing sentiments expressed in *Black Sash II*, the Constitutional Court explained:

When courts make costs orders they do not make judgements on the political accountability of public officials. They do so in relation to how the rights of people are affected by the conduct of a public official who is not open, transparent and accountable and how that impacts on the responsibility to a court by those involved in the litigation. (*Black Sash III* para 10)

The repercussions of the Minister's failure to fulfil her constitutional obligations were beyond measure, especially in the context of the provision of social grants to the most needy in our society. Even so, was there manifest bad faith warranting the imposition of personal costs? The Inquiry Report finding that the Minister's lack of candour concerning the parallel work stream process was driven by her fear of being joined in her personal capacity and being mulcted personally with costs was not challenged (*Black Sash III* para 12). All this led to the inescapable inference that she did not act in good faith. Viewed from another angle, her conduct was reckless and grossly negligent, meaning there was conclusive proof of bad faith and gross negligence meriting a personal costs order.

There is no question that it is a novel matter to hold a cabinet minister personally responsible for the costs of suit, but the social grant debacle made it proper that Minister Dlamini must, in her personal capacity, incur a portion of the costs. The justification for ordering her to pay 20% of the litigation costs was essentially that her conduct was inimical to the values underpinning the Constitution that she undertook to uphold when she took office. According to Justice Froneman on the judgement of the SASSA case 'it would account for her degree of culpability in misleading the

Court – conduct which is deserving of censure by the Court as a mark of displeasure – more so since she held a position of responsibility as a member of the Executive' (*Black Sash III* para 14). The office she occupied demanded a greater commitment to ethical conduct and required a high commitment to public service. In short, the Minister disregarded the constitutional tri-norms of accountability, responsiveness and openness.

CONCLUSION

Accountability, responsiveness and openness are designated as foundational to South African democracy. This in turn means that as pillar-stones of this democracy, they must be observed scrupulously. If these values are not observed and their precepts not carried out conscientiously, we have a recipe for a governance crisis of great magnitude. In a state predicated on a desire to maintain accountability, responsiveness and transparency, it is

imperative that the public service should be a servant of the people, accessible, transparent and capable of providing excellent quality service. It follows, therefore, that the emphasis placed on basic values and principles governing public administration ensures that the attainment of democratic aspirations of the citizens are given effect and supported by ethical and effective public administration. The role of members of the executive and senior public officials in nullifying the aspirations of the people has been a continuing one, with significant contemporary manifestations. *Life Esidimeni Arbitration* and *Black Sash/SASSA* illustrate the extent to which the conduct of state decision makers is discordant with the constitutional tri-norms of accountability, responsiveness and openness. The outcome in both matters show that accountability, responsiveness and openness constitute the sharp and mighty swords that stand ready to chop the ugly head of impunity off its stiffened neck.

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IMPROVEMENT OF INFRASTRUCTURE DELIVERY THROUGH EFFECTIVE SUPPLY CHAIN MANAGEMENT AT NORTH WEST PROVINCIAL DEPARTMENT OF PUBLIC WORKS AND ROADS

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ABSTRACT

The concept of supply chain management (SCM) is of strategic importance in value creation, fiscal prudence, service delivery, and socio-economic transformation. The aim of the study was to evaluate the supply chain management systems and procedures, benefits, challenges and critical success factors to efficient and effective infrastructure delivery in the North West Provincial Department of Public Works and Roads (NWPDPWR). A questionnaire was used to collect quantitative data on 110 random stratified samples. The study adopted a case study design within an explanatory paradigm to comprehend the impact of SCM systems on infrastructure delivery. The study found that committees, reporting gates, approval gates, framework agreement

gates, established minimum requirements, and tracking and monitoring were used to control supply chain management systems and procedures. It is critical for successful adoption of SCM for infrastructure projects to have developed supply chain management skills and knowledge, stakeholder involvement, centralisation of high value transactions, compliance, transparency, and governance. Recommendations include the implementation of Information and Communications Technology (ICT) innovations, centralisation of supply chain management processes, rationalisation of supply chain management regulations, and international training.

Keywords: Information and communications technology, infrastructure projects, service delivery, supply chain management.

INTRODUCTION

The organisation and management of public sector supply chain management (SCM) systems are critical for delivery of services and goods to the citizens of South Africa. This is important since public service departments have a mandate to supply services and goods in a cost effective, equitable, transparent, fair manner. SCM systems are tools that facilitate the delivery of quality services and goods at a fair price to the correct place.

This article offers a background to the study and addresses the problem statement, research objectives, research questions, as well as outlining the methodology of the study. It discusses the results and names some recommendations.

PROBLEM STATEMENT

The SCM system at NWPDPWR currently faces implementation challenges, resulting in gross system inefficiencies, irregularities, fraud, corruption and incompetent SCM officials (NWPDPWR, 2016). Despite substantial financial outlay, there is evidence of inefficiency within the public SCM systems in the country, which has led to squandering of financial resources (Mhlongo, 2014). The aim of having these SCM systems is to address procurement inefficiencies of items, contract management, asset management, including infrastructure (South Africa, 2004). Multifaceted problems in SCM emerged, causing delivery challenges as projects are abandoned or prolonged due to overruns. This situation prompted the researchers to conduct this study to investigate how SCM implementation can be improved within the NWPDPWR.

Despite the reform processes in public procurement and the employment of SCM as a strategic tool, there are problems in South African public procurement practices (e.g. non-compliance with procurement and SCM-related legislation and policies, tender irregularities, etc.) (Smart Procurement, 2011).

OBJECTIVES

The main objectives of this study were:

- (a) To establish the extent to what standard SCM procedures are observed at NWPDPWR.
- (b) To identify the challenges in implementing effective SCM strategies to projects at NWPDPWR.
- (c) To examine the benefits in implementing effective SCM strategies to projects at NWPDPWR.
- (d) To establish the critical success factors of implementation of SCM strategies in infrastructure projects at NWPDPWR.

LITERATURE REVIEW

SCM is defined as a series of undertakings and associations that enable movement of material in a trail from the producing supplier to the consuming end user client (Waters, 2013). Public sector SCM is the task of government departments to obtain products and services from local and international suppliers subject to the values of cost effectiveness, fairness, competitiveness, and transparency (Turley & Perera, 2014). In the government sector, public SCM may be perceived as acquisition through purchasing of goods and

services by government (Chinomona & Poee, 2013). Included in public SCM are business activities that support service delivery, and social and political functions of government (Wieland & Handfield, 2013).

The standard for Infrastructure Procurement and Delivery Management (SIPDM) covers SCM for infrastructure delivery. It is framed around five areas proposed by the National Planning Commission for the design of a procurement system and draws upon the work of the 2015 Public Sector Supply Chain Management Review. It is issued as an instruction in terms of Section 76(4)(c) of the Public Finance Management Act No. 1 of 1999 (South Africa, 1999).

Public Sector Supply Chain Management Implementation Model

The SCM model is set by government to ensure value addition in the process of procuring. As stated in the Policy Strategy to Guide Uniformity in Procurement Reform Processes in Government, SCM systems are linked to a budget and thus have an impact on expenditure (South Africa, 2003a:5). The SCM model applied in South Africa is one with the elements of demand management, acquisition management, logistics management and disposal management, risk management and performance management.

The specific regulations guided by Constitutional principles in ensuring that SCM systems are implemented are enforced through Regulations 16A4 and 16A5. These regulations make provision for a government entity to establish a SCM Unit within the CFO's office. They also ensure that SCM officials are trained in terms of National

Treasury's Framework for Minimum Training and Deployment. This guideline must be read together with the National Treasury Practice Note SCM 3 of 2004 to maintain consistency, since these provide a check-list that should be taken into consideration in meeting the requirements.

According to Sheoraj (2013), skills and capacity shortages have been identified as an impediment to the success of public procurement in South Africa. The transactions in infrastructure are complex and government officials may lack specialist experience and skills in dealing with issues (Parker & Figueira, 2010:513). Capacity in the form of appropriate structures with skilled and professional SCM personnel is a necessity for SCM. In some government entities, the quality of SCM personnel's skills are below standard. McCarthy (2015) contends that there is a lack of capacity and knowledge by SCM employees to handle procurement processes, which has led to bad governance.

Legal Fragmentation in Supply Chain Management Legislation

There is the challenge of finding a balance between the two objectives of procurement. Section 217(2) of the Constitution and the Preferential Procurement Policy Framework Act (PPPFA) both provide for the use of public procurement as a means of development and transformation. An effective SCM system must ensure that goods and services are available at the best price, be of the right quality, at the right time and the right place. To achieve this requires a cohort of SCM professionals with the right skills, experience, social awareness, ethical standards and dedication, and a regulatory and organisational

environment that supports and monitors their work in the public interest.

Van Zyl (2015) asserts that there is a lack of appropriate bid committees, use of unqualified suppliers, passing over of bids for invalid reasons, and utilisation of the incorrect procurement process in respect of the thresholds, extensions of validity periods, and incorrect utilisation of the limited bidding process. Furthermore, Ambe and Badenhorst-Weiss (2011) note that there are inadequate controls for the handling of bids, appointment of bid committee members not aligned to policy requirements, and insufficient motivation for deviations from SCM procedures.

Effective policy making requires information on whether governments are doing things right and whether they achieve the results intended (Acevedo, Rivera, Lima & Hwang, 2010). Rigorous monitoring and evaluation systems provide the means to compile and integrate this information into the policy cycle, thus providing the basis for sound governance (Acevedo *et al.*, 2010). All governments and their entities have noted irregular, unauthorised, fruitless and wasteful expenditures that contravene laws and regulations. There is lack of proper monitoring and evaluation as required (Stemele, 2009).

It is critical to equip supply chain learners and practitioners with skills and knowledge of the South African public sector SCM systems, its regulations, enterprise management, sourcing strategies, supply tasks, integrated supply management, globalisation, and technological advancement (Ambe & Badenhorst-Weiss, 2012). Public procurement malpractices

must be curtailed for delivery of SCM systems through the employment of stakeholders that are part of the procurement process (Watermeyer, 2011). The status of the procurement system requires the creation of three bid committees (the bid specification committee, the evaluation committee, and the adjudication committee).

Use of technology to streamline transactions and improve oversight is one way to effective delivery of SCM systems in the public sector (Mafini, 2016). Properly implemented, these ensure that the public sector SCM system is accountable, provides value for money, and ensures quality service delivery (Mhlongo, 2014).

According to Bolton (2015), organisational capacity refers to the ability to carry out defined functions in an accountable and responsible manner, and includes a macro organisational structure as well as individual skills and capacities. Ineffectively managed, these can raise the risk on compliance and increase the cost of doing business (Kashap, 2014). This affects the infrastructure supply chain as costs are passed on to the State.

METHODOLOGY

According to Raddon (2010), researchers formulate ontological assertions on what knowledge is and in what manner individuals acquire knowledge. The positivist approach provides a platform for a quantitative approach to analyse the central phenomena of this study. The research method adopted by the research is therefore a quantitative paradigm. For the purposes of this research, a 95% confidence interval and a 5% margin of error was sought.

TABLE 1: Target Population Breakdown for NWPDPWR Managerial Staff

Managerial Level	District 1	District 2	District 3	District 4	Total
Low	35	48	50	52	185
Middle	31	15	13	17	76
Top	15	8	8	8	39
Total	81	71	71	77	300

Source: Authors

TABLE 2: Sample Size for NWPDPWR Managerial Staff

Managerial Level	District 1	District 2	District 3	District 4	Total
Low	17	24	25	26	92
Middle	16	8	7	8	39
Top	7	4	4	4	19
Total	40	36	36	38	150

Source: Authors

Population and Sample

In this study the population was the full managerial complement at NWPDPWR, totalling 300 managerial employees in four districts (NWPDPWR, 2017). The researchers, however, sent questionnaires to 150 managerial staff at NWPDPWR. Employees were chosen randomly from a stratum until 150 managerial employees were selected as shown in Table 1 and Table 2.

Questionnaires were emailed to participants which once completed, were returned. To change the participants' subjective opinions into quantifiable format, the researchers utilised a Likert scale.

DATA PRESENTATION, DISCUSSION AND ANALYSIS

Of the 150 distributed questionnaires, 110 completed questionnaires were received. Thus, a response rate of 73.3% was achieved. However, it was not representative and if people want to use these results, it would be

advisable to run the test again. The number of male participants was 65%. This could indicate a reflection of lack of interest by women in participating in surveys. This gender disparity was considered by the researchers as not affecting the outcome of the study, as both classes of gender showed ability to handle the topic under study.

A collective 48% of respondents were between the ages of 25 and 45, corresponding to the Generation X and Generation Y employees. However, 49% of respondents were in the age groups 46-55 and 55+, corresponding to the Boomers II Generation. This reflects a near even distribution of Generation Z, Generation Y and Boomers II, who are a more mature, flexible and technologically advanced age group (Yukl, 2012).

Of the 110 participants, 35% had attained a diploma, 47% a degree, and 18% were in possession of a postgraduate qualification. A total of 35% of the respondents had worked for NWPDPWR between 5 to 10 years, 54% have worked for 11 years and more. This

TABLE 3: Statistical Analysis of SCM Standards Variables

Rank	SCM Standards	Mean	Anova p-value
1	Tracking and Monitoring	2.975	0.914
2	Mandate and Priority	2.614	0.877
3	Framework Agreements	2.235	0.869
4	Reporting Gate	1.875	0.947
5	Approval Gate	1.641	0.932
6	Existence of Committees	1.314	0.784
7	Minimum Agreements	0.946	0.857

Source: Authors

reveals that the majority of the participants had served for a considerable length of time at NWPDPWR and grew to understand issues pertaining to SCM within the department. The functions of the participants were spread across the departments, with 60% in operations, 20% in procurement, and 20% in finance and administration.

Cronbach Test

The research instrument consisted of 25 items, with a level of measurement at a nominal and ordinal level. Cronbach's Alpha equalled 0.904, which indicates good reliability ($\alpha = 0,904$ N = 25). The scale is reliable.

Findings and Discussion

Of the respondents, 64% agreed that NWPDPWR has SCM tracking and monitoring systems. The views of NWPDPWR employees regarding SCM mandate and priorities were as follows: A total of 75% agreed that NWPDPWR has SCM mandates and priorities. Seventy-one percent agreed that NWPDPWR observes the minimum requirements of SCM as prescribed for public service procurement. These minimum requirements also brought efficiencies in procurement and solved inequality issues through BBBEE initiatives (Bolton, 2015).

The data reveals that 70% of respondents agreed that NWPDPWR observes the SCM framework as prescribed for public service procurement. The data shows that 79% of the participating employees agreed that NWPDPWR observes the SCM reporting gates. The data indicates that 77% of participants agreed that NWPDPWR observes the SCM approval gates. About 72% of the participating employees agreed that NWPDPWR observes the SCM committees as prescribed.

It is concluded that tracking and monitoring, mandate and priority, and framework agreements are important SCM challenges facing NWPDPWR as highlighted by the respondents. The p-value for all the variables was more than 0.05 showing statistical significance in the results, as shown in Table 3.

Challenges in Supply Chain Management

A total of 52% disagreed that regulatory ambiguity is not a challenge to NWPDPWR in executing SCM. There is an overlap and duplication among different regulatory instruments relating to infrastructure, construction, and SCM policy (Ambe & Badenhorst-Weiss, 2012). This splintered legal framework creates uncertainty about which of these diverse

instruments takes legal precedence in regulatory interpretation when public procurement cases are disputed in court (Watermeyer, 2011).

Of the participating employees, 51% disagreed that lack of regulation is a challenge in effective execution of infrastructure SCM. The data also shows that 78% of the participating employees agreed that procurement skills shortage is a challenge in delivery of SCM. According to Sheoraj (2013), skills and capacity shortages have been identified as an impediment to the success of public procurement in South Africa. The lack of global experience in dealing with infrastructural projects may expose the public sector during negotiations with private sector partners (KPMG, 2014). The respondents were indifferent with 38% choosing to be neutral. Without transparent and accountable systems, the vast resources channelled through public procurement systems run the danger of being entangled with increased corruption (Jeppesen, 2010).

The data shows that 68% of the employees disagreed that lack of monitoring and evaluation is hampering effective SCM systems for infrastructure delivery. This contradicts the view of Matthee (2015) that some of the practices relating to non-compliance with the rules and procedures relate to the tendency not

to utilise a competitive process, and incorrect utilisation of the preference points system. Van Zyl (2015) asserts that there is incorrect utilisation of the limited bidding process.

More than 40% (43%) remained neutral on the notion that ineffectiveness of BBBEE is a challenge to SCM. According to Irwin (2010), a SCM system should be fair, equitable, transparent, competitive and cost effective; consistent with the Preferential Procurement Policy Framework Act, 2000, and consistent with the Broad-Based Black Economic Empowerment Act, 2003. These reforms brought efficiencies in procurement and solved inequality issues through BBBEE initiatives (Bolton, 2015). The South African government adopted the provision of BEE to empower all historically disadvantaged people rather than only a small group (Kruger, 2011). The preferential procurement regulations aggravate this situation by privileging ownership over local production, hence penalising public entities as suppliers.

Seventy-nine percent of the participating employees agreed that lack of adequate ICT innovation in SCM is hampering infrastructure delivery. Connectivity between government departments, local authorities and state-owned entities (SOEs) is essential for a well-functioning SCM system (Bolton, 2015).

TABLE 4: Statistical Analysis of SCM Challenges Variables

Rank	SCM Challenge	Mean	Anova p-value
1	Lack of SCM Skills and Knowledge	3.874	0.869
2	Lack of ICT Innovation	3.216	0.758
3	Regulation Ambiguity	1.213	0.847
4	Lack of Regulation	0.645	0.674
5	Ineffectiveness of BBBEE	0.514	0.598
6	Fraud and Corruption	0.387	0.514
7	Lack of Monitoring and Evaluation	0.314	0.643

Source: Authors

It is concluded that lack of SCM skills and knowledge, lack of ICT innovation and regulatory ambiguity are important SCM challenges facing NWPDP as noted by respondents. All the variables had a p-value of more than 0.05 showing that there is statistical significance in the results, as shown in Table 4.

Benefits of Supply Chain Management

The respondents were indifferent on this notion, with 35% choosing to be neutral. Innovation of automation of the SCM systems bring a cost reduction for suppliers, improved transparency and oversight with an enhanced user-friendly public procurement environment. This accommodates a culture of cooperation between suppliers and the public sector (Watermeyer, 2011). Of the participating employees, 73% agreed that effective SCM systems for infrastructure delivery lead to economic development.

The respondents were indifferent on value for money with 44% neutral. It may be regarded as the optimal use of resources to achieve intended outcomes (Ambe, 2016). About a third of the respondents (34% being neutral) were indifferent on this notion that public sector SCM is the task of government departments (Turley & Perera, 2014). Services and goods are purchased based on the guidelines

to cost effectiveness, transparency, competitiveness and fairness (South Africa, 1996).

The majority of the respondents agreed (79%) that SCM systems for infrastructure bring improved efficiency. Burger (2014) argues that an effective SCM system brings technical efficiency premised on the notion of minimum inputs but maximum outputs and x-efficiency based on the principle of prevention of wasteful use of inputs. The data reveals that 59% of the participating employees agreed that effective SCM leads to quality infrastructure. EU (2013:15) argues that payment based on attainment of performance standards, competitiveness and better supporting assets and novelty stimulate provision of improved services and infrastructure.

It is concluded that value for money, improved efficiency and cost saving are the important SCM benefits as considered by the respondents. All the variables had a p-value of more than 0.05, therefore there is no statistical difference in the results, as shown in Table 5.

Critical Success Factors

Of the participating employees 92% agreed that SCM skills and knowledge are critical for effective infrastructure delivery. To fully achieve SCM objectives, the National Treasury provides support by facilitating

TABLE 5: Statistical Analysis of SCM Benefits Variables

Rank	SCM Benefit	Mean	Anova p-value
1	Value for Money	4.751	0.784
2	Improved Efficiency	4.653	0.795
3	Innovation Enhancement	4.687	0.613
4	Economic Development	4.568	0.587
5	Better Quality	4.457	0.544

Source: Authors

TABLE 6: Statistical Analysis of the SCM Critical Success Factors

SCM CSF	Mean	Standard Deviation	Anova p-value	Welsh p-value
Centralisation	4.867	0.651	0.671	0.684
Legal Framework Streamline	4.794	0.643	0.665	0.672
SCM Skills and Knowledge	4.792	0.578	0.591	0.611
Compliance and Good Governance	4.541	0.641	0.924	0.951
Stakeholder Involvement	4.533	0.587	0.614	0.653

Source: Authors

the development of training materials (South Africa, 2015). McCarthy (2015) contends that there is a lack of capacity and knowledge by SCM employees to handle procurement processes that led to bad governance. Sixty-eight percent agreed that stakeholder involvement is critical for effective SCM. Other supply chain experts such as Ambe (2009:429) indicate that SCM is an approach of doing business where one expects to share risks, rewards, collaboration, benefits, trust, and information exchange throughout the supply chain phases.

Nearly 72% of respondents agreed that a legal framework streamlining is critical for effective SCM systems. A single SCM legal framework rationalises the legal environment (Bolton, 2015). The more than 80 different legal instruments, guidelines and instruction notes makes it cumbersome to effective SCM systems in projects. Standard operating procedures for all SCM processes and procedures are essential for effective management of supply chains of infrastructure projects (Ambe, 2016). In lieu of the need for centralisation for successful SCM execution, 73% of the participating employees agreed that centralisation is critical for effective SCM.

A reporting framework has been developed to standardise SCM reporting across the public sector (Ambe, 2016). Accounting officers and authorities ought to report on a range

of information, including procurement plans, tenders to be advertised, tenders awarded, supplier company information, the value of each award, and progress in implementing tenders (Turley & Perera, 2014). Governance controls refer to the measures put in place to ensure that the outputs and outcomes of procurement are of the right quality, and within acceptable levels of risk exposure and performance (Bolton, 2015).

Relevance of the SCM Critical Success Factors

Table 6 above shows that for each of the SCM critical success factors, the p-value was more than 0.05 ($p > 0.05$). Since some of the variables showed that there was no homoscedasticity of variances, a Welsh test was also computed, which reflected a p-value of more than 0.05. Therefore, it is concluded that there is no significant difference between the variables. Studies by Turley and Perera (2014) found standardisation and streamlining of SCM processes, and transparency as the most critical factor.

Observation of Supply Chain Management Systems and Procedures

The SCM model differs from the one for other goods and services, with inclusion of portfolio processes, contract planning processes,

detailed design processes, site processes and close-out processes (Ambe, 2016).

According to Irwin (2010), a SCM system should be fair, equitable, transparent, competitive and cost effective; be consistent with the Preferential Procurement Policy Framework Act, 2000; be consistent with the Broad-Based Black Economic Empowerment Act, 2003. The Procurement Act's contribution towards giving equal opportunities to economically disadvantaged individuals, and giving preference by means of specific scoring measurement tools has helped change the legislative landscape regarding SCM (Ambe, 2016).

Challenges in Implementation of Supply Chain Management Strategies

It is noted that effective implementation of SCM systems for infrastructure delivery is hindered by a shortage of procurement expertise, as viewed by participants in this study. According to Sheoraj (2013), skills and capacity shortages have been identified as the greatest impediment to the success of public procurement in South Africa.

Benefits of Effective Implementation of Supply Chain Management Strategies

Value for money may be regarded as the optimal use of resources to achieve the intended outcomes. Cost-saving, quality infrastructure, and efficiency is underlined as some of the benefits of effective SCM systems (Skelcher, 2013). The respondents were in support of improved efficiency and better quality that emanates from the effective delivery of SCM for infrastructure projects. In terms of section

217 of the Constitution, the benefits will be that quality service delivery will become possible, with improvements in the welfare of South Africa's citizens. However, the BBBEEA regulation does not adequately incentivise employment creation, support for small enterprises and local procurement (Kruger, 2011).

The respondents were in agreement that for the successful implementation of effective SCM strategies of infrastructure projects it is critical to develop skills and knowledge, involve stakeholders, streamline legal framework, centralise, and enforcement of compliance and good governance (Ambe & Badenhorst-Weiss, 2012). Streamlining and standardisation of business processes removes unnecessary steps in the SCM process (Turley & Perera, 2014).

Centralisation offers advantages such as leverage due to volumes, reduction of duplication of purchasing effort, better control and development of specialised expertise of purchasing personnel. However, if the advantages of centralisation are to be realised, efficient contract management and supplier relationship management is a pre-condition.

RECOMMENDATIONS

International Training for Supply Chain Management Personnel

It is critical to equip all supply chain practitioners with appropriate international skills and knowledge of the South African public sector SCM systems, its regulations, enterprise management, sourcing strategies, purchasing and supply tasks, integrated supply management, globalisation, and technological advancement. According to Ambe and Badenhorst-Weiss (2012), it is vital to

educate SCM personnel with knowledge and skills that permit effective purchasing and supply performance in the public sector.

Rationalisation of Supply Chain Management Regulations

A single SCM legal framework significantly rationalises the legal environment. Standard operating procedures for all SCM processes and procedures are essential for effective management of supply chains of infrastructure projects (Ambe, 2016).

Centralisation of Supply Chain Management Processes

Formation of a centralised database significantly reduces the administrative burden within SCM systems, as the mandatory administrative documents are submitted once in a pre-determined period. According to Handfield, Monczka, Guinipero and Patterson (2011:160), centralisation offers advantages such as leverage due to volumes, reduction of duplication of purchasing effort, better control and development of specialised expertise of purchasing personnel.

ICT Innovation in Supply Chain Management Systems

ICT innovations in SCM allows effective and efficient delivery of SCM systems in the

public sector by streamlining of transactions and improvement of oversight. With new technology, SCM can achieve a critical user-friendly public procurement environment that results in good governance and accountability, and cost-effectiveness. Streamlining and standardisation of business processes removes unnecessary steps in the SCM process. According to Kruger (2011), connectivity between national and provincial departments, and at local government level, is less than optimal and this delays transaction capturing and processing and negatively affects the ability to make well informed SCM decisions.

CONCLUSION

To improve the delivery of effective SCM systems for infrastructure projects, standard systems and procedures within the public sector would need to be observed. The challenges of SCM skills and knowledge, inadequate ICT innovation, fraud and corruption, and SCM regulation overlap and duplication would need to be overcome. Effective SCM systems for infrastructure give value for money through improved efficiency, better quality, cost savings, and economic development. It is critical to ensure ICT innovations, centralisation of SCM processes, rationalisation of SCM regulations and international training for successful delivery of SCM for infrastructure projects.

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ASSESSING THE ECOHEALTH AND WELL-BEING OF THE BEKKERSDAL INFORMAL SETTLEMENT IN SOUTH AFRICA

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ABSTRACT

This article forms part of a National Research Funded (NRF) project on community engagement in South African mining communities. The research was undertaken to specifically investigate the Ecohealth and well-being status of mining communities, with a research emphasis on the Bekkersdal Township, nowadays located in the Rand West City Local Municipality (RWCLM) as part of the West Rand District Municipality (WRDM), Gauteng Province. Bekkersdal inhabitants in this once thriving mining region remain prone and vulnerable to extreme poverty and unemployment that affect the well-being of the community, thus necessarily threatening the Ecohealth status of the area in which all community members live. After nearly 80 years of active mining operations in the region, the gold mining industry remains the major employer, and all indications are that most mines will be able to continue business as usual for 60 to 70 more years.

The purpose of the discussion is to review the perceived levels of poverty, unemployment and broader community

inequality, especially in the informal section of Bekkersdal. A mixed methods approach (quantitative and qualitative data collection procedures) was adopted for this investigation. In 2013, ten disciplines developed a survey instrument according to a model coined the Integrative Multidisciplinary Baseline questionnaire. This model entails 14 sections covering 17 pages that trained fieldworkers administered by means of face-to-face interviews with 503 households. An interview lasted about 90 minutes. The base-line questionnaire probed households regarding their Ecohealth and well-being status by inquiring about, among others, poverty, unemployment, inequality and levels of access to resources such as basic services within the municipal boundaries. Significant findings included features of an irreversible, historically created land-locked scenario, poor literacy levels and dependency on social grants as perhaps part of a continuous poverty-trapped existence. Substance abuse, possibly owing to poverty and other constraints, seems to remain as but one barrier towards creating sustainable community environments. This happens in other mining regions of South Africa as well.

Keywords: Poverty, unemployment, inequality, South Africa, Bekkersdal informal settlement, mining, Ecohealth, well-being.

INTRODUCTION

The research in this discussion builds on the work of expert scholars on poverty (Carter & May, 2001; Aliber, 2003; Kalichman *et al.*, 2006; Leibbrandt, Wegner & Finn, 2011; Pillay *et al.*, 2013; Hart & Mothata, 2015). These scholars have reviewed chronic poverty in South Africa (SA). An explosion of poverty-oriented research has been recorded since the country's democratic elections in 1994. SA is characterised by an unequal society regarding Ecohealth and well-being issues (Adato, Carter & May, 2006:227). This is attributed mainly to former unequal administrative birth under colonialism, followed by exploitive apartheid laws that further entrenched racism and effected an unaccountable impact on human well-being (Van Eeden & Khaba, 2016:120-125). It is especially black groups that experience chronic poverty (Marais, 2011:203). This generally involves malnutrition, lack of access to healthcare, poor sanitation and limited financial resources (Carter & May, 2001:1988) for meeting basic needs. Conflict and violence impede the Ecohealth and well-being of impoverished citizens (Kalichman *et al.*, 2006:1641). The focus of this article is to explore the dynamics of Bekkersdal inhabitants' well-being in the informal settlements – probably related to poverty and unemployment. We will also assess the capability of government structures to efficiently deal with these issues, some of which may be connected to erroneous past decision making that promoted inequality. These issues are generally known as the three challenges in SA (Hart & Mothata, 2015).

The Universal Sustainable Development Goals (SDGs) of the United Nations (UN) as an outcome of the Rio +20 conference in 2012 have been put in place to set global and national priorities on how to deal with development in developed and developing countries alike (Osborn, Cutter & Ullah, 2015:1). Challenges, however, in both developed and developing countries are unique and therefore country-specific.

Poverty in general seems to be a major problem in developing countries, especially in sub-Saharan Africa (Gupta, Pattillo & Wagh, 2007:11; Ngepah & Mhlaba; cited in Pillay, Hagg & Nyamnjoh, 2013:71). Owing to complicated past disparities in SA, an unequally cared for society developed (Pretorius, 2014) with a large proportion of the population subjected to abject poverty while a minority of wealthy members of all groups steer the economic directions of the entire population (Aliber, 2003:476; Naidoo, 2017:1-2). Thus, as part of history, the status of Bekkersdal, and in particular its informal settlement, seems no different: citizens without a prospect of obtaining permanent homes have resumed living in conditions similar to the economic heydays of gold mining, while some – after so many years – seem to have reconciled themselves to their inability to change their own circumstances and thus continue to struggle to make ends meet (Diedericks & Van Eeden, 2016:164).

The past and how past trends and decisions could have created present-day circumstances seem to be of little concern to residents (Van Eeden & Khaba, 2016:125, 126, 130). From a limited and extremely narrow "now" angle, they merely consider solutions on how present government (local,

provincial and national) as well as business communities can assist, support and change the livelihood of the poverty-stricken for the better in the short term. Addressing complex and historically entrenched concerns will require a much more robust, professionally integrative and expert inclusive debate between government, business communities, researchers and concerned South African citizens.

Residents, especially in the informal Bekkersdal sector, remain affected by the dire effects of poverty, growing unemployment and inequality (triple challenges) and have, in fact, succumbed to a negative outlook on their daily lives due to these challenges (Makhura, 2015:1; Diedericks & Van Eeden, 2016:162). A disturbed environment adds to their misery, as we will also illustrate in the research in sections to follow. According to the Independent Development Plan (IDP) (2016:47) of the previous Westonia Local Municipality (WLM), the mining sector created 47.1% of employment opportunities within the jurisdiction of the municipality.

Since the end of apartheid in 1994 in SA, the new democratically elected government has exponentially tried to creatively and financially remedy the situation by various corrective measures, initiatives, programmes and drivers of change, but these did not instantly or on a large scale yield the intended results (Van Eeden, 2014:74). The challenges consequently remain and are investigated in this discussion by means of assessing the Ecohealth and well-being of the Bekkersdal informal settlement in SA by gauging the levels of poverty and unemployment. The views of Bekkersdal residents must also be weighed up against the limitations of what

actually can be provided by government structures in a part of Bekkersdal that is not regarded as environmentally feasible for permanent settlement.

The discussion is organised along these lines in order to address the required objectives by: critically considering a literature review on poverty; an explanation of the current research methodology, analysing government initiatives in SA aimed at addressing chronic poverty in view of the Bekkersdal informal settlement, and concluding by means of the provision of comprehensive recommendations on how the RWCLM, in conjunction with especially the mines, business community and academia, could create solutions for challenges such as poverty and unemployment in irreversible spaces.

HISTORICAL OVERVIEW: THE BEKKERSDAL INFORMAL SETTLEMENT

What follows is a brief historical overview of the establishment of Bekkersdal Township while motivating the choice of its informal area as topic for this case study research. As point of departure, we will clarify what constitutes an informal settlement. It is an area where people live illegally and permanently, usually in a location where few folk or even none lived physically and visibly before (MacMillan English Dictionary, 2007:1360). It is typified and stereotyped as a slum area (see United Nations Development Program, 1997) or a shanty town in stark conditions due to poverty – comparable to the *favelas* of Brazil and several other areas in SA. Durand-Lasserve (2006:2) posits that the illegality of human "informal" settlements as defined by governments refers mainly to conformity

with legal planning and construction norms and, more importantly, to tenure situations. This implies that squatters do not necessarily own the land on which they have selected to settle – entirely illegally. Huchzermeyer (2011:70) concurs that informal settlements are in stark opposition to legally organised urban formality and outlines that it refers to an area not planned, not regulated, not taxed, with unregistered activities expressed in unregulated housing, services or informal trading and which provides shelter and livelihood to a large percentage of the urban population, such as, for example, that of the Bekkersdal informal settlement. In the case of informal Bekkersdal, the Huchzermeyer definition can further be topped by also adding settlement in an area declared uninhabitable due to environmental destructors such as occasional sinkholes and subsidence, mainly triggered by years of gold mining practices and operations (Van Eeden, 1994; Van Eeden *et al.*, 2003:95-125; Van Eeden, 2014:85).

Initiatives for the formal establishment of Bekkersdal date to 1945. Owing to mining activities in the region, Bekkersdal continued to grow during the peak years of apartheid in the 1960s. Prior to 1948, government regulations already provided for a limited to temporary "leniency" land occupation close to industries such as mines or mine property itself due to the economic growth of the country (Van Eeden & Khaba, 2016). Gold mining-related job opportunities in the Bekkersdal area were a major attraction for settling there, especially in the instance of migrant job seekers from neighbouring countries. This trend, coupled with land restrictions in settlement patterns and practices, has placed a huge burden on housing and service provision as more people settled

in the informal than in the formal section of the Township. Consequently, the lack of appropriate and sufficient habitable land for housing led to the mushrooming of several illegally occupied informal settlements on mining property in the Far West Rand – land officially declared dangerous. Motivation for these illegal settlements was, as previously, that these spaces were close to towns (such as Westonaria or Merafong) or people's places of work (such as the numerous gold-mines in the area) (Van Eeden, 2014:5-20).

With no alternative "safe" available land for settlement purposes, it was hardly possible to eject or immediately resettle squatters. Ironically, the authorities involved were coerced to provide proper permanent services at no cost to squatters. As a result, ensuring permanent and sufficient running water and sanitation became a menace concerning squatters and local government alike (Van Eeden, 2014:13). By the dawn of the 21st century, the informal section of Bekkersdal Township provided cheap means of living and survival as squatting has never implied or entailed payment for basic municipal services provided. Furthermore, although most were aware (and some ignorant) of rumours regarding potential dangers of dolomitic rock and therefore sinkhole formation – especially in rainy seasons – squatting was entrenched. Most informal settlements are even now on unsafe ground (NA, CDB, 1985; Maluleke, 1994:16; Coetzer, 2013; Van Eeden & Khaba, 2016:127-130). This complicated scenario after the turn of the 21st century became an issue of serious concern for the previous Westonaria Local Municipality (WLM) located within the boundaries of the Far West Rand District Municipality (FWRDM), who had to relocate inhabitants to safe land from

dangerous dolomitic areas west of formal Bekkersdal. These issues contributed to huge financial expenses such as provisioning of sanitation, road building and other services required (Diedericks & Van Eeden, 2016:149-150). Although the allocation of insufficient land in the original layout of formal Bekkersdal (directly related to colonial and racial policies of the time) is not the focal point of this article, it is relevant, and is believed to be a major contributing factor to the status of the Bekkersdal informal section as a poverty-stricken area in which levels of unemployment remain high (Van Eeden & Khaba, 2016:127, 134).

According to Statistics South Africa (2012), Bekkersdal (formal and informal sections) has a total population of 1 11 767, as sourced by the 2011 census. The areas considered to be informal are Mandelaville, Winnie/Holomisa, Silver City, Spook Town, Thambo and X-Section. More than 15 000 households occupy recognised informal dwellings while 5 400 live in backyard rooms. This implies that there is a significant housing delivery backlog of just over 20 000 within the municipal boundary (Van Eeden, 2016). The township is caught in what is called the "poverty trap" from which households seem unable to escape to take advantage of economic opportunities afforded by government and the private sector. Reasons for being caught up in the "poverty trap" include a gradual scaling down in mining activities in this once economically flourishing mining region. Bekkersdal has sadly deteriorated into dependence on social grants (39.8% ratio, according to Statistics SA). By 2012, an unemployment rate of 26.3% was recorded in the broader region and this contributed to even lower education levels. Only about

30.5% of residents had some secondary school qualification (Stats SA, 2012; Van Eeden, 2016).

Because of these realities acting as constraints, the researchers explored the Ecohealth and well-being status of mining communities such as Bekkersdal. The Bekkersdal informal settlement was identified as study area to assess within the IMD research framework (Van Eeden, 2011:251-272). Viewing the Bekkersdal informal section particularly from a Public Management perspective was one of several disciplinary reflections in the IMD approach.

The recently formed RWCLM, which includes both the formal and informal settlements of Bekkersdal, is responsible for providing typical municipal services to the inhabitants residing within the boundaries of the municipality. The RWCLM is a newly established municipality that came into being after the recent local government elections of 3 August 2016. It is thus a product of the amalgamation of the former Westonaria Local Municipality (WLM) and the former Randfontein Local Municipality. Collectively, the new municipality now covers the area of the previous Randfontein LM comprising a total area of 478 km² and the previous Westonaria LM area of 616 km² (Rand West City Local Municipality 2016/17-2020/21, Draft IDP:38). The population in the RLM in 2011 was 149 286 and in WLM 1 11 767 (Stats SA, 2012).

The RWCLM was established in terms of section 12 of the MSA. It is a Category B municipality with an Executive Mayoral Governance System. The Executive Mayor is supported by mayoral committee members who are responsible for heading their

respective section 80 portfolio committees that perform an oversight role regarding municipal departments. The Speaker is the Chairperson of Council and is responsible for overseeing the functioning of Council and its committees. The Office of the Speaker is also responsible for the establishment and functioning of the Ward Committees. RWCLM consists of 35 wards established in terms of section 18(3) of the Local Government Municipal Structures Act no. 117 of 1998. The Council currently has 69 councillors, 35 ward councillors and 34 proportional representative councillors (Rand West City Local Municipality 2016/17-2020/21, Draft IDP:29). A Category B municipality shares legislative and executive powers in its area with a Category C municipality (RSA Constitution, 1996). Category B municipalities must deliver typical municipal services according to Part B of Schedules 4 and 5 of the RSA Constitution of 1996. According to Pieterse and Van Donk (in Pillay *et al.*, 2013:99), antipoverty interventions by local government include facilitation of access to basic services for the poor, as well as catering for the provision of water and sanitation, solid waste management, affordable and safe energy, transport, education, health care, public space and shelter. It furthermore entails promotion and facilitation of democratic participation by the poor in public decision making to ensure effective control of public resource allocations and service delivery concerning decision making and proper execution (monitoring) thereof. In this article, we examine the capability of government and specifically the initiatives by RWCLM to determine how it deals with the aforementioned poverty-related challenges inside its municipal boundaries to realise the SDGs set out by the UN. Theoretically, poverty, unemployment and, to a lesser extent,

inequality are to be deliberated on to ensure that these key concepts are duly interpreted in the applicable context.

THEORETICAL OUTLINE OF POVERTY AND UNEMPLOYMENT AS INDICATORS OF ECOHEALTH AND WELL-BEING

Literature on poverty covers a wide spectrum, as does literature pertaining to unemployment. In this discussion, the interaction between poverty and unemployment (which very much relates to inequality but will not be a key focus for now) is both conceptualised and contextualised.

The working definition of poverty by Pieterse and Van Donk (cited in Pillay *et al.*, 2013:98-99) is quite descriptive, namely, poverty exists when an individual's or a household's access to income, employment and/or infrastructure is inadequate or sufficiently unequal to prohibit full access to opportunities available to society. Poverty is caused by a combination of social, economic, spatial, environmental and political factors. Owing to the multiplicity of causal factors and their spatial dynamics, individuals and households may move in and out of poverty depending on stages in life cycle and shifting political economy patterns.

In the light of this conceptualisation, the authors regard poverty as deprivation, and more than simply a lack of adequate income. It accentuates, among others, an insufficiency in terms of food, housing, clothing, health and education, deprivation concerning knowledge and communication, an inability to exercise human and political rights, and the absence of dignity, confidence and self-respect (DiNitto & Dye, 1983:46). Poverty is moderately defined

by the UN as the proportion of the population that lives below a specific poverty line that has been set as margin or indicator. For example, \$1.25 (US) per day (UN SDGs, 2015) is regarded as such a margin. This definition establishes the verity that poverty also has a relative definition referring to the "poverty line" not in terms of some well-defined basic needs, but as a proportion of the mean income of a population (Bourguignon, 2004, cited in De Wet, 2015:459).

For Pressend and Ruiters (2008:27), the UN (2015) definition may be acceptable as it very much complements their view that poverty is the inability to attain an absolute minimum standard of living, reflected by a quantifiable and absolute indicator applied to a constant threshold, such as a minimum income line that separates the poor from the non-poor. From these definitions, it could be deduced that a minimum household income is the determining factor between the poor and non-poor, and further encouraged by other environmental, social and economic factors. The concept of poverty therefore remains more complicated, as it is not so easy to clarify (see UNDP Human Development Reports, 1997, 2004, 2015). Behind the proverbial face of poverty lies the grim reality of desperate lives without options and often governments that lack the capacity to cope (UNDP Human Development Report, 1997:iii). Kuhl (2003:4) defines poverty as the propensity to suffer a significant welfare shock, bringing the household below a socially defined minimum level, meaning that households live below the poverty line and lack the minimum amount of money to live on.

Inequality, in turn, refers to disparities in relative income across an entire population

– not just for the portion of the population below a certain poverty line (Haughton & Khandker, 2009:103). The simplest way to measure inequality is by dividing the population into quintiles from poorest to richest, and reporting the levels or proportions of income (or expenditure) that accrue to each level. In SA prior to 1994, exploitative apartheid laws aggravated the income gap between the wealthy and the poor based on gender and race. Inequality in SA also signifies unequal access to opportunities that underlie the deteriorated social indicators such as poverty, inequality and unemployment due to the failure to improve economic growth (Ngepah & Mhlaba, cited in Pillay *et al.*, 2013:74).

Unemployment is increasing in South Africa at an alarming rate (Kehler, 2001:42; Aliber, 2003:478) and Hart and Mothata (2015) label it a national emergency. The Diagnostic Report of the National Planning Commission confirms that South Africa has extremely high rates of unemployment (compare Kehler, 2001:42; Aliber, 2003:478; Hart & Mothata, 2015), as well as underemployment. A narrow definition of an unemployed person according to Stats SA (as quoted by Aliber, 2003:478) is whether a person has actively sought work in the past four weeks. Furthermore, a broad definition of unemployment entails that one wishes to be employed but has not necessarily sought a job in recent weeks – in other words, these are discouraged job seekers who have ceased actively searching for employment because of sheer frustration or from lack of resources, or both.

However, Hart and Mothata (2015) caution that poverty and unemployment cannot be equally ranked. The authors argue that SA faces unemployment problems with poverty

as a result. Had SA had full employment, poverty and unemployment as issues would have dramatically diminished. This form of argumentation, however, does not include the racial and discriminatory past of SA that has indeed led to huge disparities between black and white, coupled with a backlog by the unemployed and low earnings among a large section of the workforce. These could have had a gradual contributory impact on the poverty phenomenon (compare Altman, cited in Pillay *et al.*, 2013:188). Furthermore, the South African economy is not yet strong enough to ensure growth that may ultimately absorb all potentially economically active ages (especially the poor and middle-income earners). A large proportion of out-of-school youths and adults remain unemployed (compare also <https://tradingeconomics.com/south-africa/youth-unemployment-rate>). Those in low income households who are working support many dependants and earn little relative to the cost of living. This reality is a central contributor to widespread poverty (RSA, 2011a:9) and informal Bekkersdal is not spared these long-lasting predicaments (see discussion earlier).

It is also important within the parameters of this discussion to contextualise what Ecohealth and well-being means. One's state of well-being is determined by feelings such as happiness, being healthy and safe, and having enough resources at one's disposal. In 2013, the IMD team (of 22 members) for the NRF project on community engagement accepted a broader Ecohealth and well-being understanding (Van Eeden 2014:1-8) as outlined by Charron (2011) and the *International Journal of Ecohealth* (2004), namely, that it can be researched in the light of:

- the built-up environment (e.g. housing, service delivery, local governance, security, etc.).
- the immediate and/or natural environment (e.g. environmental capacity, experiences, issues, concerns, etc.).
- the well-being environment (e.g. financial, physical, social, emotional, psychological, etc.).

SUSTAINABLE DEVELOPMENT GOALS (SDGs)

Osborn, Cutter and Ullah (2015:1), indicate that one of the main outcomes of the UN Conference on Sustainable Development (Rio+20) in 2012 was an international agreement to negotiate a new set of Universal Sustainable Development Goals (SDGs) as guide to sustainable development in the world after 2015. These goals are intended to be "action-oriented, concise and easy to communicate, limited in number, aspirational, of a global nature and universally applicable, while paying regard to different national realities, capacities and levels of development and respecting national policies and priorities". They must focus "on priority areas for the achievement of sustainable development" and should build on the achievements of the Millennium Development Goals (MDGs) to make more rapid progress towards goals and targets, and to especially address challenges and speed up the achievement of sustainable development in developing countries such as SA (Osborn, Cutter & Ullah, 2015).

While the MDGs focused primarily on poverty and health, the SDGs cover dignity, people, prosperity, our planet, justice and

partnership, among others. The SDGs are universal, to be applied by all countries and financed in developing countries such as SA through tax revenues and private investments. The implementation of the SDGs, although anticipated to be very expensive, is based on voluntary agreements whereby governments are expected to be accountable and responsible to their citizenry (Renwick, 2015). The specific SDGs that are aimed at addressing and monitoring the conditions of poverty and unemployment include:

- SDG 1 (end poverty in all its forms everywhere).
- SDG 2 (end hunger, achieve food security and improved nutrition, and promote sustainable agriculture).
- SDG 3 (ensure healthy lives and promote well-being for all at all ages).
- SDG 8 (promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all).

The above SDGs were used to assess the levels of poverty and unemployment in Bekkersdal informal settlement by analysing government initiatives concerning these problems and by reflecting community impressions regarding its perceptions of government success or failure at addressing these phenomena as challenges.

RESEARCH METHODOLOGY AND DESIGN

A case study approach has been followed, whereby Bekkersdal informal settlement

was used as the analysis unit and studied intensively (compare Welman, Kruger & Mitchell, 2011:193). Case studies can offer multi-perspective analyses in which researchers consider not just the voice and perspective of one or two participants in a situation, but also the views of other relevant groups or actors and the interaction between them (Maree, 2012:75). The researcher can thus come to a more profound understanding of the dynamics of the situation. In this regard, a better understanding of the dynamics of poverty and unemployment, and perhaps their relatedness as observed in the Bekkersdal informal settlement, was obtained and an assessment done – one that can also be associated with initiatives launched by government to deal with the previously mentioned so-called triple challenges within South African boundaries.

A mixed methods research approach consisting of quantitative and qualitative data gathering for collection procedures was adopted. A 17-page survey instrument was developed: the Integrative Multidisciplinary Baseline Questionnaire (administered by trained fieldworkers and selected by the community supported by the WLM). Face-to-face interviews occurred with 503 households). Most households consisted of 2 to 8 members.

In addition to a detailed informed consent form outlining the purpose of and approach to the study, the questionnaire was divided into 15 sections with 63 questions. On average, it took 90 minutes per household to complete the survey.

Features of the study population in 2013 included that:

- 54% of the respondents were female, while 45% were male.
- 79% were South African citizens; 15% were immigrants from neighbouring countries; 1% represented visitors to the area, while 4% indicated that, although they were working in SA, they were not SA citizens. The remaining 1% indicated that they were from another descent.

The first section of the baseline questionnaire involved biographical data relating to participants' gender and nationality as presented above. The remainder of the questionnaire solicited from households their (dis)satisfaction with living in the environment of the Bekkersdal informal settlement. Questions were mostly closed, where participants had to select an option for each answer from a list. Each of the 15 sections represented a different theme in which specific questions were posed – such as (un)employment, poverty, housing, health care and potable water provision. In some sections, open-ended questions were included where participants had to elaborate or clarify their answers.

FINDINGS

Aspects directly impacting on the status of the informal Bekkersdal community's Ecohealth and well-being in the IMD Baseline questionnaire are highlighted. They are, among others, housing, poverty and income sources as indicators of poverty (sections 3, 7, 9 and 10); unemployment (section 4), Ecohealth issues (sections 11 and 12) and well-being (sections 5, 6, 8 and 14). These were duly considered during the analysis and interpretation of data for the discussion to follow, and will now be presented.

Levels of Education

Education levels of the population under scrutiny in 2013 reveal that 20% of the interviewees had no school qualifications whatsoever; 33% had primary education only; 44% had secondary school qualifications, while 2% had no schooling at all. The remaining 1% indicated that they either attended trade school, college or university.

The low education levels remain worrying and must be addressed if the RWCLM is to diversify the economy by steering away from only mining for residents to find employment or develop enterprises. Education is the key variable in determining: a) whether an individual secures a job in the first place; and b) the nature of the employment and the level of remuneration (compare Leibbrandt, Wegner & Finn, 2011:9).

Source of Income and Resources to Cope with Poverty

Households were firstly requested to indicate the source of income of the breadwinner. The options available to them were, among others, to indicate the availability of full or part-time jobs or income received, for example, from rental income (as already mentioned, there were almost 5 400 backyard rooms in the Bekkersdal informal settlement in 2013).

A mere 18% of respondents indicated that they had full-time jobs, while 28% had part-time jobs, and 54% were permanently unemployed. Most households were consequently living in impoverished circumstances, utterly vulnerable to any calamity that might befall them.

Secondly, households were probed on the resources they had to best cope with poverty:

- Eighty-nine percent were growing food gardens to sustain themselves versus 11% that did not.
- Sixty-nine percent indicated that they relied on generating income activities such as rental income, spaza shops, waste picking, selling wood, etc., as opposed to 31% that did none of the above.

It was evident that some informal households did not wait on government or expect government to provide a means of income even though their efforts to liberate themselves from the so-called "poverty trap" that we defined earlier in the discussion, were insignificant.

Receiving Grants and Income Protective Measures

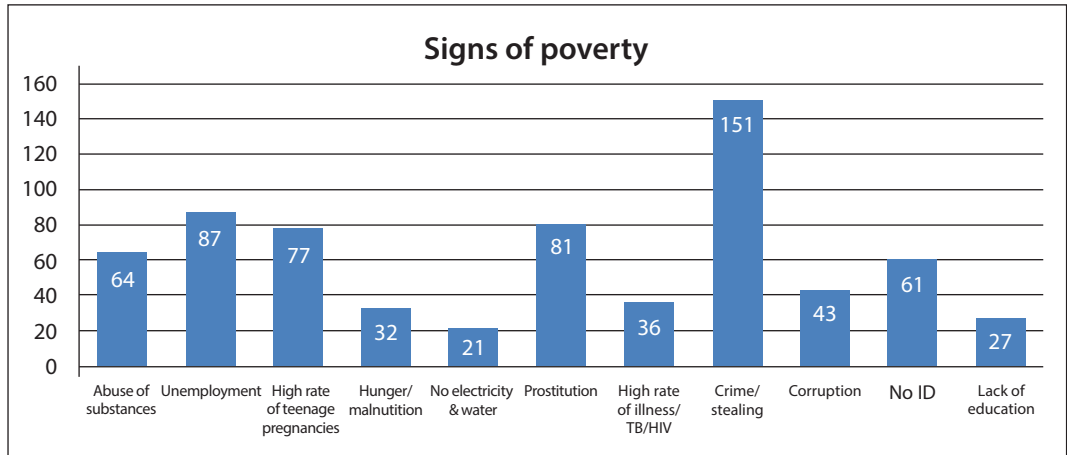
Households were requested to indicate whether they were receiving any form of government grants, e.g. child support grant (CSG), grants for older persons, grant in aid, disability grant and war veterans' grant. Fifty percent of the respondents indicated that they were dependent on government grants – especially CSGs. The dependency on CSGs in the area is not unusual. According to Brynard (2006:836), child poverty is a substantial societal problem and is therefore one of the main targets of the previous Millennium Development Goals. The CSG is a South African policy instrument aimed at alleviating child poverty, an object that seems to be achieved successfully because it is provided monthly to millions of poor children. Furthermore, the CSG and other

grants find expression in the South African Constitution, 1996, sections 27 and 28, which state that everyone has the right to social security and, if they are unable to support themselves and their dependents, appropriate social assistance.

Despite this dependency on the CSG, it also provides for interesting outcomes. Thus, for instance, it is speculated that it contributes to fewer children attending school, contributing to teenage pregnancies (compare Brynard, 2006:837). However, households in Bekkersdal are more dependent on social networks as main cushioning mechanism than government grants, meaning that they rely on family members and friends for some sort of financial assistance. In this regard, 61% of households indicated that there were always friends and neighbours to help them in times of dire financial need (Van Eeden, 2016).

Respondents were also requested to indicate the type of private income protective measures available to them to deal with vulnerability. Income protective measures include policies and actions that enhance the capacity of poor and vulnerable groups to escape from poverty, and to better manage risks and shocks (OECD, 2009:17). Furthermore, it supports human capital development, expanding the capabilities of poor and vulnerable individuals and helping to break the inter-generational transmission of poverty. In this regard, households indicated that they had the following income protective measures in place: a) funeral plans in order to bury loved ones with dignity, which is important in African culture; b) "stokvel", which is a popular saving scheme among black ethnic groups in SA (compare

FIGURE 1: Indicators of Poverty in the Bekkersdal Informal Settlement



Source: Self-generated diagram from the IMD Baseline questionnaires analysed (IMD Team, Bekkersdal baseline household questionnaire, 2013)

Verhoef, 2008:51-79); c) financial assistance from family and friends, as mentioned above; d) receiving government grants from the Department of Social Security (SASSA); and e) income-generating activities such as rental income, spaza shops, waste picking, and selling wood. As can be concluded from the findings, households up to 2013 relied on government grants such as the CSG, but they were moreover mostly dependent on financial assistance from family and friends to evade severe poverty. Some households exercised income-generating activities, but these efforts were viewed as inadequate to deliver them from abject poverty.

Signs of Poverty in Bekkersdal Informal Settlement

In section 10 of the questionnaire, households had to name, from their point of view, the major indications of poverty in the Bekkersdal informal settlement. Several experts on the poverty topic in SA and globally have confirmed that it may, among other

things, include issues or signs such as poor education (compare Leibbrandt, Wegner & Finn, 2011), poor health (Murali & Oyeboode, 2004:216), lack of access to basic services such as potable water and electricity, sanitation, solid waste management, affordable and safe energy, transport, public space and shelter (Pieterse & Van Donk, cited in Pillay *et al.*, 2013:99) and, lastly, inadequate nutrition (DiNitto & Dye, 1983:48; Ribar & Hamrick, 2003:5), to name but a few.

In Figure 1 above, there is a graphic display of the issues identified by the respondents as indicators of poverty. The graph does not display percentages, but illustrates responses from the actual number of households in every circumstance.

The responses received, showed that most households reckoned that the high crime level, including theft, was a prominent indicator of poverty in the area. Unemployment ranked second as a sign of poverty, while substance abuse and a high prevalence of

teenage pregnancies were also identified as root causes of poverty. Respondents thus identified the connection between CSG and teenage pregnancy in the community.

Not having access to water and electricity was ranked lowest as respondents settled in the area in order to first find employment and to be near family and were therefore not prioritising the privilege of having access to potable water and electricity (Diedericks & Van Eeden, 2016:157-158). Unemployment was also identified by respondents as one of three most critical issues. As already pointed out above, unemployment results in economic hardship and increases the inequality gap due to living in abject poverty.

Households, however, seemed to attach slight importance and value to education in an economically active environment. It was as if they failed to grasp the significance of education being key to freeing oneself from abject poverty (see also the argument above by Leibbrandt, Wegner & Finn, 2011:9). Only 27 of 503 households recognised inadequate education levels as a root cause of poverty. The impact of poverty on the general well-being of a community also clearly surfaces in the references to the high rate of substance abuse, pregnancies and prostitution. Interestingly, the effects of poverty – such as malnutrition or hunger – were limited to a mere 6% of the 503 households. This implies that the supporting network between families is a stronghold against the effects of poverty.

Vulnerable Groups Prone to Poverty

Respondents were requested to indicate which groups in the community were specifically

susceptible to poverty. Most respondents indicated the following categories:

- Girls under the age of 14, as well as older teenage girls.
- Women – including elderly women.
- Boys under 14 years of age, as well as older teenage boys.
- Migrant women.

From the above, it can be deduced that the community believes that mostly women (including young girls) and young boys are highly susceptible to poverty. This view is in line with targets of the previous MDGs, as well as the 2015 SDGs aimed at women's empowerment and the eradication of poverty among children and women.

Government Anti-Poverty Interventions by Assessing Access to Basic Services

As mentioned earlier, Pieterse and Van Donk (in Pillay *et al.*, 2013:99) describe antipoverty interventions by local government, among other things allowing the poor access to basic services, including the provision of water and sanitation, solid waste management, affordable and safe energy, transport, education, health, public space and shelter. It also involves facilitation of democratic participation by the poor in public decision making to ensure effective control over public resource allocations and service delivery and the monitoring thereof. Households were required to respond to the effectiveness (or lack thereof) in which the community's Ecohealth and well-being were affected by

service delivery problems in the area. The responses were measured according to the Likert scale indications of (i) very bad; (ii) not so bad; and (iii) no problem.

- **Lack of public services:** 78% of the respondents indicated that the status of public service provisioning affected them very negatively, 19% indicated that services were not so bad. Only three percent (3%) said that it was not a problem.
- **Inadequate housing:** Sixty-nine percent (69%) indicated that the lack of adequate housing was extreme, while nineteen percent (19%) specified that it was not that bad. Only 12% believed it was not a problem.
- **No/unreliable electricity:** 92% agreed that the lack of or no access to reliable and safe electricity provision was very bad. Only 6% reckoned that it was not that bad, while a mere 2% stated that it was not a problem.
- **Visible sewerage overflows in streets:** 74% of the respondents indicated that the sewerage overflow in streets was very bad, while 14% indicated it was not so bad. Only 12% reckoned that it was not a problem.
- **Litter/waste/rubbish polluting the area:** 87% reckoned that waste pollution in the area was very bad, while 9% believed it was not so bad. Only 3% said it was not a problem.

The above responses related to service delivery problems in the area create a negative perception of the capability of the former

Westonaria Local Municipality (WLM) – now amalgamated into the RWCLM – to render these services effectively. This perception was confirmed when households were asked for their experience concerning the contribution of local government (the Municipality) to promoting their health and well-being. Only 38% were positive about government's contribution, while the majority, 46% of the respondents, were negative. The remaining 16% were unsure about government's contribution concerning their well-being.

SYNTHESIS: GOVERNMENT RESPONSE TO DEALING WITH POVERTY, UNEMPLOYMENT AND INEQUALITY IN SA AND BEKKERSDAL IN PARTICULAR

Ever since the end of apartheid in 1994, poverty eradication in SA has been a long-term government project. Racial and sexual discrimination also became taboo when the Bill of Rights was enshrined in the most supreme law of the country, the RSA Constitution of 1996. Following the 1994 elections, the introduction of relevant policies such as, for example, the Reconstruction and Development Plan (RDP) to eradicate poverty, were introduced. The central theme of the RDP was the need to reduce the poverty afflicting a large portion of the country's 40 million people back then by redressing the inequalities and injustices of the past (Aliber, 2003:475). Priorities were access to water, jobs, land, education and healthcare. The SA Government started out with massive infrastructure investments including a focus on economic strategy as well as by introducing the framework for Growth, Employment and Redistribution (GEAR). The delivery of services remained poor in the

light of expectations created by national government. However, a palpable change was wrought about regarding people's lives in respect of the following initiatives:

- An increase in access to potable water.
- Improved sanitation services.
- More households legally connected to the electricity grid.
- Increased access to RDP housing.
- New clinics for better health care.
- Increased access to grants (CSG, old age, disability and war veterans' grant).

Despite the aforementioned service-delivery improvements, the significant challenges of poverty, unemployment and inequality have sadly prevailed. Poverty has been only slightly alleviated by the monthly social grants that indigent families and children are awarded, and without which these impoverished families simply cannot survive. The inequality gap between the rich and the poor has, however, increased. The South African Government in charge of this developing country is nevertheless committed to improving the living conditions of its impoverished citizens. The country has therefore put a long-term plan in place to address nine identified critical areas by 2030. These critical areas include, among others, too few jobs; divided communities; corruption; poor service delivery; high disease burden; poor education; spatial divides; a resource-intensive economy; and a crumbling infrastructure (RSA, 2011a). In response to the Diagnostic Report, the

country's National Development Plan (NDP) (SA, 2011b) proposed the following items to form part of the corrective plan to address these challenges: create jobs; unite the nation; fight corruption; build a capable state; provide quality health care; offer quality education; plan inclusively; use resources responsibly; and expand the infrastructure (RSA, 2011b).

The discussion and the empirical findings above clearly illustrate that the South African triple challenges (poverty, unemployment and inequality) will undoubtedly require considerable time before they can possibly be totally eradicated, given the backlog – that is, if it is at all possible. The SDGs provide direction while the National Development Plan of SA is a commitment by government to, through various initiatives, undertake whatever is required to improve the living conditions of those living in abject poverty.

As mentioned earlier, the capacity and capability of the local government sphere must be assessed in relation to the services provided to citizens. In this instance, the identified signs of poverty include: historically rooted problems impacting on the economic status; social problems of a community that can only improve if proper planning is done in advance; and relevant resources (financial, social, economic, environmental) allocated for the mammoth task. It is equally important that essential information regarding local services must be equally, efficiently, ethically and honestly communicated to serve the best interests of everybody in the local community (Van Eeden, 2014).

Capacity in the above sense, especially within the RWCLM, can be summarised as

the ability to perform appropriate tasks effectively, efficiently and sustainably while capability would refer to the institutional capacity as well as the increasing ability of government to assume responsibilities, to operate more efficiently and to put into execution accountability in all spheres of government (Cloete, in Parnell *et al.*, 2013:279). The list of government programmes below was initiated or successfully implemented in this regard, while others were abolished in the Bekkersdal area (Van Eeden, 2016):

- Government's low-cost housing efforts in 1995, where 4 500 houses were built, benefitted Bekkersdal.
- In 2003, the previous WLM was the recipient of the Vuna awards, but was suspected of corruption and inefficiency and regarded as the poorest region in Gauteng from a GDP perspective.
- In 2005, the former WLM wrote off debt to the amount of R25 644 124 owed by Bekkersdal consumers for residential stands they were occupying in Bekkersdal.
- From 2004 to 2013, an urban renewal project of R1.2 billion was launched, but was regarded to be a farce after it enriched only a few, while not being done in conjunction with the community. Currently, local government undertakes some projects with a limited budget and empowered mandate due to insufficient financial backing and provincial support.
- Efforts to educationally uplift the area also include a Mayoral Bursary Scheme and a Library Outreach Programme.

Despite these initiatives, the problems in the informal sector of Bekkersdal persist – mainly due to poverty, high unemployment rates, political and economic issues with their concomitant broad complexity rooted in the past. These issues have created the present-day Bekkersdal in which local inhabitants have difficulty paying their monthly services in order to receive effective and efficient basic services (Diedericks & Van Eeden, 2016:163). The negative impact that these issues have on service delivery is a predictable observation. The previous WLM annually fell short of adequate revenue to provide basic services, resulting in dissatisfaction and the vandalising of community property, thus sadly hampering sustainable growth. The newly merged RWCLM was established with the purpose of improving service delivery in the region, but at this stage, it is too early to tell whether issues of poverty, unemployment and inequality will finally be addressed satisfactorily.

CONCLUSION AND RECOMMENDATIONS

The focus and purpose of this article was to assess the Ecohealth and well-being of the Bekkersdal informal settlement in SA by gauging dire conditions of poverty and unemployment in accordance with the SDGs. Furthermore, the authors also explored initiatives by local government in terms of service delivery provisioning and ultimately addressing the triple challenges in SA. Although there have since been relevant achievements in terms of greater access to public services, significant challenges remain – such as improving the local economy to create employment opportunities. Such employment opportunities will undoubtedly

and to a large extent limit dependency on social grants.

The Bekkersdal informal settlement community was somehow able to fairly cope with poverty on their own. More than 80% of the respondents indicated that they could grow vegetables in their own gardens and thus sustain themselves, but there remain other serious issues to address as well, such as prevailing crime and a dependency on illicit substances to escape the effects of poverty, albeit but temporarily.

The South African government's commitment to eradicating poverty is impressive as demonstrated by the allocation of resources towards this problem and the implementation of different anti-poverty initiatives (see discussion in previous section). However, sadly lacking is the remaining poor quality of public services that result in inadequate and unsafe housing while the slow pace of job creation in the formal sector is totally inadequate to ever eradicate poverty. Poverty may be alleviated in future, but will certainly

not be eradicated any time soon and therefore, at this juncture it is ill-fated to conclude that a noticeable achievement in terms of SDGs 1, 2, 3, 8 and 10 have not yet nearly been achieved.

In view of the discussion above regarding the three constraints or challenges in SA, we recommend that the focus of government policy must be on more effective spending in the interests of the extremely poor sector of the South African populace. There are far-sighted policies in place with which to address poverty, unemployment and inequality. However, the challenge remains to proceed from merely having good policies on paper (including budgeting for the implementation thereof) to direct, effective spending (Pillay *et al.*, 2013:90) to achieve the SDGs as well as the NDP targets. Underlying problems such as corruption, poor governance, unaccountability, a lack of service delivery, under- or overspending – including a spending mismatch – must be dealt with vigorously and drastically.

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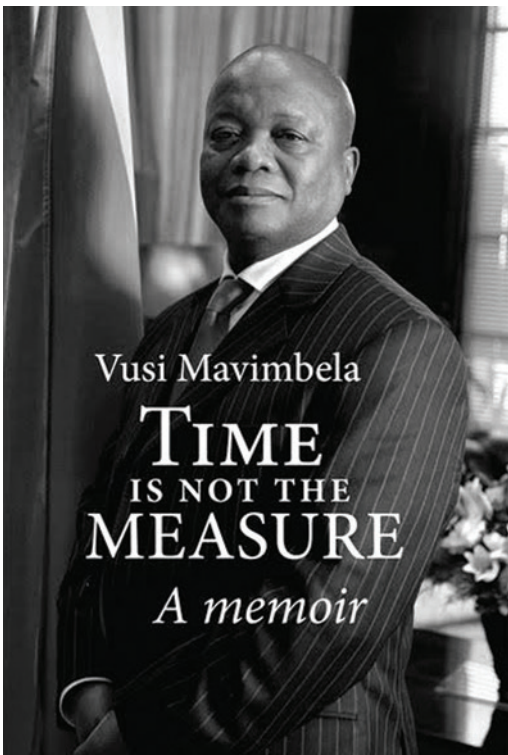
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Vusi Mavimbela has served South Africa in various capacities, as described in his book. He was first a freedom fighter who joined the liberation struggle in realising a free and democratic South Africa, and then became a senior government official serving in two crucial government departments, the Presidency and the National Intelligence Agency (NIA). He served as adviser to former President Thabo Mbeki before he was deployed as Director General of the NIA. He then moved to the private sector for a short stint before he returned to the public service again as Director General to the Presidency under President Jacob Zuma between 2009 and 2010. After this, he became ambassador to Zimbabwe from 2011 to 2015. He is currently serving as South Africa's ambassador to Egypt.

It is necessary to highlight this background information about the author in this review because the *Journal of Public Administration*

has as its target market, circulation and readership the public sector where public officials are mostly employed.

TIME IS NOT THE MEASURE: A Memoir is written in language accessible to both practitioners and readers interested in the governance mechanics and fundamental features of the South African state. The Memoir contains 16 highly captivating chapters and provides a historical account of Vusi Mavimbela with a critical perspective on his experiences before and after liberation, as well as during his days as a senior public official in government.

The experiences of Mavimbela, who came from an African family and was raised in a township in what was then KwaZulu Bantustan during the height of apartheid South Africa, resonate with many of the public servants in South Africa today. This is imperative in order for a review of this nature to find itself in the pages of JoPA, where it will inspire and form a model of resilience and success in the face of many adversities. This is what is recorded by this author of his youth as an activist, a soldier in exile and a senior public official in the infant South African government.

The awareness of the issues of separate development became an important factor determining the degree of reaction by oppressed communities to the then apartheid government of the National Party. In Chapter three of the book, Mavimbela highlights a highly sensitive and critical moment of his life in Dlangezwa High School after he had moved there from Vryheid High, in northern KwaZulu-Natal. Although his new school was academically excellent, Mavimbela

considered its culture suffocating. He recounts moments where dormitories and extramural activities were often considered monotonous by students. Mavimbela reminds readers that Dlangezwa High School catered mostly for children from the families of government officials and ministers of the KwaZulu Bantustan, and because of this, most learners had a stake in defending the Bantustan system. However, it was during his time there that Mavimbela was made aware of Steve Biko's Black Consciousness Movement through its regular newsletters.

This led to the development of a political consciousness and mind and to his involvement in two important events at the school during his time there: the first student strike and the drama that was political and sought to highlight the brutality of the apartheid regime.

The story of Mavimbela's life in exile provides some insights into a purpose-driven individual who had resolved to serve his own people in the liberation struggle. This book provides a detailed context for anyone who wants to understand the liberation struggle experiences of many in South Africa who refused to accept the status quo. As with many freedom fighters, their sacrifices were obvious in that they paid the highest price.

He joined the liberation struggle of a well organised African National Congress system that sought to ensure that young people who left the country were received, trained and supported. His recounting of their lives in exile conscientiously mentions several individuals such as Thabo Mbeki, Jacob Zuma, Joel Netshitenzhe, Chris Hani, Jacky Selebi, Collins Chabane and Solomon Mahlangu, who have been in the public domain. Their

struggles and difficulties at the camps in Mozambique and Angola are telling. Their situation was often worsened by the intelligence infiltrations of the apartheid regime spies. The realisation over time of the challenge of distinguishing between individuals who left the country because of their 'criminal' activities and the apartheid agents presented some of the difficulties they were dealing with. The other prime examples of difficulties included cases of food poisoning and the bombing of Novo Catengue Camp in Angola, clearly some of the highly traumatic experiences for him and many in the camp.

Mavimbela records in some detail that, after his military training in various countries as an MK combatant, he travelled around the world mainly to advance the work of the liberation struggle in South Africa and the ANC in particular. His ideological training regarding Marxism is sound and he shares some fond memories of lessons he provided to his own students. His considered belief regarding socialism is that it should be based on a thriving capitalist system that is able to afford the provisioning of a sustainable welfare system to provide social services, as is the case in South Africa today, with social grants, primary health care and education services, among others.

Support from an international community was always intended and planned by the ANC. However, Mavimbela cogitates about the fact that the United Kingdom Government of Margaret Thatcher and that of Ronald Reagan in the United States of America were known allies of the apartheid regime and needed to be viewed in that light. He considers the two countries as representing a strong voice in a Western World that

continued to trade with apartheid South Africa despite the glaring problems faced by the majority of its citizens.

Mavimbela's work and commitment to the newly established democratic government of South Africa requires special attention in this book review. His role started as an advisor to the Deputy President, Thabo Mbeki, and he highlights critical moments of consolidation, where the first layers and foundations of our democratic system were instituted, and where the role of Nelson Mandela and Thabo Mbeki were clearly defined, thus allowing each to focus accordingly.

But what is even more compelling to take into consideration is Mavimbela's role and involvement in building the new South African state. South Africa had experienced decades of colonialism and apartheid where discrimination against black people was not just a policy position but normalised. One of the main purposes of the new government was to undertake to restore the dignity of its people. His first opportunity to enter the new government was as security advisor to Thabo Mbeki, who was Deputy President, was an important entry to that level and engendered further interactions with many in government. He later became the Director General of the NIA. In his memoir, Mavimbela is expansive on the role of Thabo Mbeki and his political and governance views regarding many government policy choices of influence, such as the Constitution, Mbeki's seminal speech and GEAR.

But what is also a striking revelation in this book is that many of the important occasions where the former President Nelson Mandela was required to make a speech, Thabo Mbeki

would be responsible for drafting it. What is interesting is that Mandela, with his deep Xhosa voice, was not publicly perceived as quick-witted by many of the black intelligentsia, as was Thabo Mbeki himself often viewed. As President after Mandela, Thabo Mbeki handled some of the most pertinent and difficult topics where he was in many ways able to set the intellectual debate and agenda for the various sectors of the country, for example, his seminal speech 'I am an African' and a document on 'The State and social transformation'. Thabo Mbeki also used his ANC presidency to write a weekly online letter 'ANC Today'. This approach assisted him in not only debating national political discourses, but also setting the agenda in that regard. Despite his critical approach in this book, Mavimbela's view of Thabo Mbeki is unclouded and he sees him as an adored leader and has high regard for his acumen and patriotism. This is despite the serious differences that led to his departure from the NIA to join the private sector.

Mavimbela's account is a compelling one and continues to provide some critical details regarding many issues that have been in the public domain, such as:

- The HIV/AIDS policy under Thabo Mbeki.
- OR Tambo's briefing of the Kabwe conference and his difficulty in meeting with Mugabe to garner support for the ANC.
- Mbeki's government position regarding Zimbabwe's controversial land reform.
- The fallout between Thabo Mbeki and Jacob Zuma.

The second opportunity came when Mavimbela rejoined government as DG in the Presidency after the ANC's watershed Polokwane Conference during, which Jacob Zuma was elected its president and became South Africa's new president. This became an interesting development because Zuma made significant changes in the organisation and structuring of government, including new mandates for government departments.

This period is well captured in the book. Within a short time, the ructions and tensions with Zuma's private office became unbearable for Mavimbela. There is a projection of Jacob Zuma's presidency in the book that provides a view of an incompetent and informal system. For example, this is where consequential decisions and key appointments not merit based were made without due process. In essence, Mavimbela highlights that Jacob Zuma's way of operationalising his decisions in government involved undermining state institutions. The Private Office was also enjoying the privileges of advising the President on key policy issues instead of the appropriate line function department person in the Director General's name.

Mavimbela's account and narrative seeks to portray himself as a public servant whose dreams and aspirations are centred on a functioning government system that is able to lead to a prosperous South Africa. A developmental and capable state, as is the case in South Africa, is in essence reliant on both the competencies and positive ethos of public officials.

Mavimbela is able to delve into the finer details of many events and arrangements in an attempt to highlight his involvement

and experiences in the liberation struggle and later in government. The messages of his experiences in government as an adviser to Thabo Mbeki, NIA DG and DG in the Presidency during the Jacob Zuma period clearly seek to project a public servant who is sedulous about the values espoused in Chapter 10 of the South African Constitution.

Mavimbela's book, together with the many revelations at the Commission of Enquiry into State Capture, provides a glimpse of how institutionalised corruption became

normalised at some point, and of how this corruption led to the stagnation of what had been South Africa's rising economy.

This book is worth reading for those public officials and general members of society who need understanding of South Africa's political and governance challenges. The readers will be inspired by realising the fact that there are many in the public sector who are dedicated, espouse high moral standards and to make South Africa a better place through good governance deeds.

CONTRIBUTIONS

Contributions to the *Journal of Public Administration* are invited from academics, experts, and practitioners in the field of Public Administration and Management. Before publication, contributions will be subject to adjudication. Contributions must be accompanied by a certificate that the language editing had been done by a suitably qualified person.

The *Journal* is intended to provide the widest possible coverage of the various aspects of the comprehensive field of Public Administration and Management. Public officials of all grades and specialities, academics, as well as others, are invited to submit articles for publication to the Chief Editor.

A variety of contributions may be made to the *Journal*. These include full articles, review articles, viewpoints, and research results. It should be noted, however, that these articles are weighed differently for the purposes of publication.

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COMMENTS

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