

**DECENTRALISING HOUSING FUNCTION FROM PROVINCIAL TO LOCAL  
GOVERNMENT IN SOUTH AFRICA: A CASE STUDY OF THE MUNICIPAL  
ACCREDITATION PROGRAMME**

BY

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THESIS

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## DECLARATION

I, **NTSAKO SIMEON MATHONSI**, wish to declare that the thesis on the work titled: **DECENTRALISING HOUSING FUNCTION FROM PROVINCIAL TO LOCAL GOVERNMENT IN SOUTH AFRICA: A CASE STUDY OF THE MUNICIPAL ACCREDITATION PROGRAMME** hereby submitted to the University of Limpopo for the degree of Doctor of Philosophy in Humanities (Sociology) has never been previously submitted by myself or any other person for degree at this University or any other university. The project is a product of my own work in both design and execution, and that all material belonging to other authors contained herein has been duly referenced and acknowledged accordingly.

It is also hereby declared that, at the time of conducting the study, I (the researcher) served as a manager at the National Department of Human Settlements responsible for the facilitation of the Accreditation Programme. As such, permission to conduct the study was requested and granted by the Department. Proof of such permission is annexed to this thesis document.

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**NS Mathonsi**

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**DATE**

## DEDICATION

This product is hereby dedicated to the following (cluster of) people:

- My immediate and extended Mathonsi Family: Thank you very much for your love, support, prayers, guidance, advice, as well as your tears, sweat, and blood that went into nurturing me. I will always do my best for you (1 Timothy 5:8-KJV).
- My parents - Mr Ganyani Yobert Mathonsi and Mrs Maria Mathonsi, you are my source of strength and my support structure. May your spirits live *saecula saeculorum* (forever)! (Deuteronomy 5:33; Exodus 10:12-KJV).
- My Daughters - Vun'we Blessing Mathonsi (Thipy-Thipy) and Xiluvelo Abundance Mathonsi (Batipa) who had no choice but to get used to seeing their “Papa Daddy” surrounded by what they referred to as ‘donkiments’ day and night. I love you so much my little angels and I hope you will forgive me for the time you had to miss me due to this ‘academic quarantine’ of books, documents, and articles. Thank you for your patience (Psalms 127:3-NLT).
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- My spiritual authorities (five-fold ministry) who serve God in all truth and dedication upon whose foundation I stand, I salute you. Without you, this project could not have been possible. May God bless you (Ephesians 2:20; 4:11-13).

This work was done in what was probably the hardest time of my life where only God and the support of the people mentioned above were my only source of strength. I wish to summarise and identify this period as *MGHMAFAWHMEDTDPOML* for my own memory of it and testimony of God’s power. I wish to salute all of you, and thank you from the bottom of my heart for being who you are to me and for playing the important roles that you have been playing in my life. Thank you very much for the invaluable love, care, prayers, and support. Against all odds, we made it possible. This product is hereby dedicated to you. I love you all, and may God bless you.

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## ABSTRACT

The debate on decentralisation has intensified on various global platforms wherein both developed and developing countries demonstrate interest in the subject. It is acknowledged by scholars and practitioners in the fields of social sciences and management sciences that decentralisation increases power and authority in sub-national governments. In the South African context, the Constitution of the Republic South Africa (RSA) (Section 156(4)) provides that functions such as the housing function must be assigned to local government. The Municipal Accreditation Programme as implemented by the Department of Human Settlements (DHS) is a classic case of decentralising (delegating and devolving) the housing function from one sphere of government to another in South Africa (DHS, 2012). Regardless of the constitutional provision for decentralisation, the challenge encountered is that the provincial sphere of government is unwilling to delegate and devolve the housing function to local government. As such, a scientific investigation was more than likely to unearth some of the reasons for the unwillingness and challenges affecting the Accreditation Programme in order to provide possible solutions and policy recommendations regarding the problem identified. The purpose of the study was to explore the challenges and perceptions on decentralising the housing function to the local government in South Africa using the case of the Accreditation Programme. The study was anchored by the Weberian Theory of Bureaucracy and Rationalisation. Also, Peter Evans's embedded thesis was utilised as ancillary to Weberian theory. A qualitative research study was conducted wherein an exploratory case study design was adopted. Purposive sampling was utilised to single out relevant participants for the research problem identified. Interviews were conducted to gather data and thematic data analysis was utilised to analyse data. Besides the solutions provided which are more on the applied dimension for the empirical contribution of the study, this study also provides a theoretical contribution by suggesting some fundamental basis of a Weberian developmental state theory in the South African context. The empirical and theoretical contribution that this study provides address the researcher's quest to contribute in generating knowledge on the subject of decentralisation.

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## **ABBREVIATIONS AND ACRONYMS**

ADB - Asian Development Bank

AGSA - Auditor-General South Africa

ANC -African National Congress

ANCYL - ANC Youth League

ASGISA – Accelerated Shared Growth Initiative of South Africa

BNG – Breaking New Grounds

CAR - Central African Republic

CODESA - Convention for a Democratic South Africa

CoGTA - Cooperative Governance and Traditional Affairs

COSATU - Congress of South African Trade Unions

DA – Democratic Alliance

DDM – District Development Model

DG - Director-General

DHAs - District Health Authorities

DHS - Department of Human Settlements

DIMAFO - District Mayors Forum

DoRA - Division of Revenue Act

DPLG - Department of Provincial and Local Government –

DPME - Department of Performance Monitoring and Evaluation

EFF - Economic Freedom Fighters

EPWP - Expanded Public Works Programme

EU – European Union

FFC - Finance and Fiscal Commission

FLISP - Finance-Linked Individual Subsidy Programme

GCIS - Government Communication and Information System

GEAR - Growth Employment and Redistribution

GNP – Gross National Product

HOD - Head of Department

HSDG - Human Settlements Development Grant

HSSP - Human Settlements Sector Plan

ICHRP - International Council on Human Rights Policy

IDEA - Institute for Democracy and Electoral Assistance

IDP - Integrated Development Plan

IGR – Intergovernmental Relations

IGRFA - Inter-Governmental Relations Framework Act

IMF - International Monetary Fund

IUDF - Integrated Urban Development Framework

MECs - Members of Executive Councils

MFMA - Municipal Finance Management Act

MinMEC – Minister and MECs Forum

MITI - Ministry of International Trade and Industry

MTEF - Medium-Term Expenditure Framework

MuniMEC - Municipal Mayor and MEC

NATT - National Accreditation Task Team

NCoP- National Council of Provinces

NP – National Party

NDP – National Development Plan

NGOs - Non-Governmental Organisations

NHFC - National Housing Finance Cooperation

NPC - National Planning Commission

NUA - New Urban Agenda

NUSP - National Upgrading Support Programme

OECD - Organisation for Economic Co-operation and Development

PDGS - Provincial Growth and Development Strategy

PHDAs - Priority Housing Development Areas

RDP – Reconstruction and Development Programme

RSA – Republic of South Africa

SABC - South African Broadcasting Corporation,

SACN - South African Cities Network

SACP - South African Communist Party

SACPCMP - South African Council for the Project and Construction Management Professions

SALGA - South African Local Government Association

SANDF - South African National Defence Force

SAPS - South African Police Services

SAPs - Structural Adjustment Programmes

SDGs - Sustainable Development Goals

SEM - School Excellence model

SEZs - Special Economic Zones

SGTs - Self-governing territories

SHIs - Social Housing Institutions

SHP - Social Housing Programme

SHRA - Social Housing Regulatory Authority

SPLUMA – Spatial Land Use Management Act

StatsSA - Statistics South Africa

TBVC - Transkei, Bophuthatswana, Venda, and Ciskei

TREC - Turfloop Research Ethics Committee

UK – United Kingdom

UN – United Nations

US – United States

USAID - United States Agency for International Development

USDG - Urban Settlements Development Grant

## CHAPTER 1: GENERAL ORIENTATION TO THE STUDY

### 1.1 Introduction and Motivation for the Study

#### 1.1.1 Introduction

This study focuses on dynamics involved in the decentralisation of administrative powers for the housing function in South Africa. The debate on decentralisation has intensified on various global platforms wherein both developed and developing countries demonstrate interest in the subject (Antwi-Boasiako, 2010; Martinez-Varquez, 2011). It is acknowledged by various authors that decentralisation increases power and authority in sub-national governments (See Rondinelli, 1981; Saito, 2001; Miller, 2002; John and Chathukulan, 2003; Yuliani, 2004; Falleti, 2005; Crawford and Hartmann, 2008; Ekpo, 2008; Antwi-Boasiako, 2010; Martinez-Varquez, 2011). It is also understood that the power and authority that decentralisation transfers to sub-national governments include, but not limited to, the following: (i) administration and provision of social services, (ii) consolidation of democratic institutions, (iii) consolidation of governance institutions, (iv) development of legislation and policies, (v) management of fiscal and finance related matters; local development; conducting elections, and (vi) management of sub-national councils and local parliaments (Miller, 2002; Ekpo, 2008; Edoun and Jahed, 2009; Torrissi, Pike, Tomaney, and Tselios, 2011). In this study, decentralisation simply means the delegation and devolution of powers to administer a government function from one level/tier of government to another.

The Municipal Accreditation Programme as implemented by the Department of Human Settlements (DHS) is a classic case of decentralising (delegating and devolving) administration powers over the housing function from one sphere of government to another in South Africa (DHS, 2012). According to the Municipal Accreditation and Assignment Policy Framework (2012), the Municipal Accreditation Programme seeks to achieve two (2) objectives, namely: (i) *Coordinated development (horizontal integration across sector departments and stakeholders)* by locating the decision-making authority on the housing function at the local sphere for improved effectiveness

on human settlements processes, (ii) *Accelerated delivery (vertical integration across government spheres)* by improving efficiency on issues such as funding allocations, decentralising delivery authority, and improved expenditure patterns (DHS, 2012). Section 156(4) of the Constitution of the Republic of South Africa (hereafter referred to as *the Constitution*) provides that functions/matters listed in Part A of Schedule 4 and 5 (for example, housing function) must be assigned to local government: (i) if such function can be more effectively administered locally, and (ii) if there is capacity to administer such function in local government (Republic of South Africa (RSA), 1996). The housing function is important in local government in order to address the constitutional mandate of developmental local government as provided for in sections 152 and 153 of the Constitution (RSA, 1996; RSA, 1998; Siddle, 2011; Siddle and Koelble, 2016). Van Dijk and Croukamp (2007) and Madumo (2012) indicate that developmental local government in South Africa is an important ingredient for the *South African developmental state*. Gumede (2009), Edigheji (2010), Evans (2010), Mabasa (2014) as well as Mabasa and Mqolomba (2016) among others authors share the sentiment that South Africa could be a developmental state. Thus, the local government mandate is an important factor for development in South Africa.

In order to be accredited with powers to administer the housing function, "...municipalities have to apply to provincial government to become entities accredited to administer national housing programmes..." (Christmas and De Visser, 2009:113). An independent panel assesses applicant municipalities to ascertain their state of readiness for accreditation and recommends to the Members of Executive Council (MECs) responsible for human settlements in provinces as the legislated authorities to decide on accreditation, and when an MEC accepts the panel's recommendation, municipalities join the Accreditation Programme (DHS, 2012). The Accreditation Programme is one of the eighteen (18) housing programmes in the Housing Code (2009). In its execution, the programme has four (4) main stages/phases, namely: (i) the strategic identification of municipalities (*prioritisation of municipalities*); (ii) building capacity of municipalities (*training on implementing human settlements and provision of funding to municipalities*); (iii) delegation of the housing function to municipalities (*allowing municipalities to implement human settlements on behalf of provinces as capacity building continues*) and, (iv) assignment of the housing function to municipalities (*formal transfer the housing function to local government*) (DHS, 2009;

DHS, 2012). The execution of the programme has not been smooth due to challenges that have since affected the programme which make it difficult for it to achieve the objectives as spelt out in the Accreditation Policy.

The decentralisation of administrative powers over the housing function to municipalities has benefits for both government and citizens (Koelble and Siddle, 2014). The benefit that the government receives is that all three (3) spheres of government are actively involved in the delivery of housing and human settlements, and thus, the pace of delivery and number of units to be delivered increases (DHS, 2004; Community Law Centre, 2007). On the part of the citizens, the benefit of decentralisation is on the maximisation of delivery such that citizens do not stay in the waiting list and National Housing Needs Register (NHNR) for much longer because in some instances, potential beneficiaries wait for their housing assistance for a period of between seven (7) to more than ten (10) years (Public Service Commission, 2003; Greyling, 2009; Statistics South Africa, 2016). The researcher was privileged to be part of the human settlements sector at the time when the study was conducted and this assisted him to take note of some of the challenges that affected human settlements delivery. At the time of conducting the study, the researcher was involved in the implementation of the Accreditation Programme and he observed, through experience, some of the challenges that affect the programme. As such, the issues of the researcher's positionality, objectivity and management of bias concerning this study are disclosed and discussed in the Ethical Considerations Section of the study in this chapter.

### 1.1.2 Motivation of the Study

The motivation for conducting the study can be summarised in three (3) key interests of this study. The first one relates to the quest for establishing scientific knowledge (truths) on the existing perceptions and challenges (dynamics) on the decentralisation of the housing function for implementation in municipalities. The researcher acknowledges that bottlenecks exist around the poor implementation of the Accreditation Programme. Thus, empirical evidence should be gathered regarding the source of such bottlenecks. It is also acknowledged by implementers of the programme in the human settlements sector that there was less political will to

delegate and devolve the housing function to local government. Therefore, it becomes important for a study to establish scientific facts around the programme and its dynamics. Through this study, lessons would be provided to assist in future attempts for the decentralisation of the housing or any other social service in South Africa and in other countries that would be interested in implementing decentralisation. The second issue relates to the interest in contributing to the body of knowledge and literature on decentralisation of government functions. Linked to this, the study will provide policy recommendations for possible consideration on the decentralisation of the government powers and functions. Such recommendations will assist in addressing the challenges on the decentralisation of the housing function and also contribute towards addressing some of the housing delivery challenges in South Africa. The third drive for conducting the study was that it appeared that there was not much scientific studies conducted on the subject of decentralisation of government functions specifically in South Africa and this is confirmed by authors such as Wittenberg (2003), Edoun and Jahed (2009), and Feinstein (2015) among others. The researcher attempts to bridge the gap and provide a unique account of a study in political sociology that brings together a management subject of decentralisation and how this has an effect on the citizens' need for shelter. The study is be located within the broad theme of sociology of governance. As such, the study outlines the manner in which human settlements delivery which addresses citizens' social need for shelter is compromised through the dynamics surrounding the implementation of housing decentralisation. Although this will be done with recommendations for possible solutions to the challenges experienced.

## **1.2 Research Problem**

The researcher's observation, experience, and interactions with officials dealing with the Accreditation Programme in the human settlements sector provide the basis for the formulation of the research problem. The researcher took note that the Accreditation Programme is not implemented in accordance with the applicable regulatory framework. Section 156(4) of the Constitution provides that functions such as the housing function must be assigned to local government if there is adequate capacity to implement the function, and if the function can be more effectively administered locally. Section 10 of the Housing Act 1997, Act 107 of 1997 provides

that it is the responsibility of relevant MECs in provinces to accredit municipalities when certain conditions are met (RSA, 1997a). Section 10 of the Municipal Systems Act 2000, Act 32 of 2000 provides that it is the responsibility of MECs to assign the administration of their functions to local government when certain conditions are met (RSA, 2000). Regardless of these legislative provisions, the challenge encountered by implementers of the housing Decentralisation Programme is that MECs in the provincial sphere appear reluctant to decentralise the housing function to the local sphere of government (Community Law Centre, 2007). This reluctance seems to create administrative challenges on the execution of the Accreditation Programme.

It is noted from the literature that opposition parties such as the Democratic Alliance, Economic Freedom Fighters, and other parties are gaining strength and support in some municipalities as compared to the Ruling Party which is much dominant provincial and national spheres except in the Western Cape Province (Pasquini and Shearing, 2014). As such, transfer of administrative powers over government functions and resources could be seen as strengthening the opposition especially in sub-national governments that are governed by different political parties to the central government (Sabatini, 2003). Literature also notes that unwillingness to decentralise can be a political ploy to hold on to power by politicians (Enemark, Gibson, McCubbins, and Zimmerman, 2012). In this case, decentralisation of housing goes along with funding to implement the function, and as such, the experienced reluctance to decentralise is at the expense of possible improved delivery opportunities by local government to communities (citizens and residents) due to possible fear of losing financial resources (power) to local government. Regardless of political dynamics surrounding housing decentralisation, the reluctance to decentralise is unlawful since it is against Section 156(4) of the Constitution, and granted that, it constitutes non-compliance on the part of responsible authorities. Therefore, the central research question that drives this study is: ***why is there reluctance while the law says that they should decentralise administrative powers over the housing function to local government in South Africa?***

Based on the literature cited on the reluctance to decentralise administration powers to local government (See Sabatini, 2003 as well as Christmas and De Visser, 2009), the researcher observes that the unwillingness to decentralise the housing function is

likely to cause other administrative challenges on the Accreditation Programme since it manifests in ways that make the programme to stall in its implementation. The unwillingness manifests through delays by MECs in decision-making on matters concerning the Accreditation Programme, dearth of political will, and lack of strategic direction. The researcher observed an instance where an assessment and audit were conducted for one municipality and every stakeholder was satisfied with the process. However, when reports were provided to MEC's offices to decide on accreditation as the final authority, the MEC was silent for a period more than a year regardless of persistent follow-ups made by bureaucrats concerning the MEC's decision on the matter. MECs can easily delay the process without any reason especially because there is currently no law that compels them to take an action or decision within a specified timeframe.

In some instances, MECs choose to ignore or decline recommendations provided to them by the independent panels of assessors especially when the recommendations support the accreditation of municipalities. The challenge of this ostensible reluctance to decentralise the housing function has negative repercussions such as intergovernmental disputes. For example, in the Western Cape Province, an intergovernmental dispute occurred in relation to the decentralisation of the housing function. What happened was that the City of Cape Town applied to the Province for accreditation on several occasions, and the Province "consistently denied the City of Cape Town's application to be accredited to perform the housing function, prompting the metro to declare an intergovernmental dispute with the Province" (Christmas and De Visser, 2009:114). Fortunately, the two (2) spheres of government were able to resolve it without involving the judiciary although the possibility for such was high. The dispute was subsequently resolved and the City of Cape Town was accredited as part of the resolution. The dispute that occurred between Western Cape Province and the City of Cape Town sets an example of possible repercussions of the reluctance to decentralise and also indicate that such intergovernmental dispute may occur in future concerning a different government service or in any other province.

The reluctance to decentralise the housing function to municipalities is likely to have a negative effect on the overall delivery of housing and human settlements to the citizens, and as such, compromising their constitutional right for shelter. The model of

delivery by the provincial sphere of government alone does not serve justice to the citizens' dire need for shelter when one considers the slow pace of delivery as compared to the increasing backlog on housing which stands at over 2.3 million (Rust, 2006; Ojo-Aromokudu, 2013). The human settlements sector has been delivering about 120 000 housing opportunities on average per annum after 1994, however, the delivery trends indicate a decline from 2006/2007–2014/2015 financial years (South African Broadcasting Corporation, 2016). From the time indicated, delivery of units has been 99 904 in 2015/16, 89 186 in 2016/2017, 86 006 in 2017/2018, and 77 684 in 2018/2019 financial years (DHS, 2019; DHS, 2020). This downward trend in delivery is counter-directional with the upward trend in the backlog figures across the country (DHS, 2020). As it currently stands, in terms of the delivery model, it is apparent that the provincial sphere alone does not match up to the required delivery pace judging by the increasing backlog and this require municipalities to assist in human settlements delivery (DHS, 2004). As noted in the Accreditation Policy Framework (2012), the programme is one among other options designed to improve human settlement delivery by involving local government in human settlements delivery. It is the researcher's view that government cannot afford the repercussions of the challenge of provincial reluctance to decentralise since the repercussions are directly linked to overall housing delivery. Thus the Breaking New Ground Policy (2004) suggests that local government's role should be expanded in order for municipalities to assist in human settlements delivery thereby addressing their constitutional mandate of developmental local government as provided for in Section 153 of the Constitution towards contributing their part in building a developmental state (DHS, 2004). The same idea is supported by Trusler (2009) and Madumo (2012).

Literature testifies that the challenge of unwillingness to delegate and devolve government functions due to political stratagems and ploys negatively affects the decentralisation agenda globally far more than any other challenge (Sana, 2011; Opare, Egbenya, Kaba, and Baku, 2012; Mooketsane, Bodilenyane, and Motshekgwa, 2017). As such, the researcher sought to conduct a study to explore some of the challenges that are herewith noted in the problem statement by obtaining perceptions and experiences of implementers of the Accreditation Programme. In order for the researcher to make a meaningful contribution on both theoretical and empirical levels, it became important for him to problematise the Housing Decentralisation Programme

and study it by exploring the glaring challenges associated with it. For empirical purposes, the research problem requires a scholarly analysis to explore and unravel the challenges associated with housing decentralisation in order to generate knowledge, and by extension, suggest some crucial recommendation towards achieving maximum objectives for which the Accreditation Programme as purposed in the Accreditation Policy Framework (2012). For theoretical purposes, the identified research problem warrants scholarly analysis towards generating new theoretical approaches as well as enhancing existing theories by generating more knowledge on the subject of decentralisation. Granted the desire for empirical and theoretical contribution, the researcher opined that a scientific investigation would study the dynamics on the reluctance to decentralise which causes challenges on the implementation of the Accreditation Programme. Therefore, simply put, the focus of the study is on the dynamics surrounding the decentralisation of administrative powers on housing function amongst different spheres of government in South Africa and the ultimate effect that decentralisation dynamics have on the delivery of human settlements to citizens and residents.

### **1.3 Purpose and Objectives of the Study**

#### 1.3.1 Purpose/aim of the Study

The aim of the study was to explore the challenges and perceptions on decentralising the administration/implementation powers of the housing function from the provincial government to the local government in South Africa with specific reference to the Accreditation Programme. A more simplified version of the aim of the study can be noted as to analyse dynamics on the decentralisation of administrative powers on housing function amongst different spheres of government in South Africa. This aim has been broken down into the objectives outlined below.

#### 1.3.2 Objectives of the Study

The study sought to address the following objectives:

- (i) To identify the stage/s at which the implementation of the Accreditation Programme stalls across the four (4) stages (municipal identification,

capacity building, delegation of housing function, and/or assignment of housing function) of accreditation process value chain.

- (ii) To ascertain whether housing decentralisation disempowers provinces in relation to the housing function.
- (iii) To determine ways in which decentralisation of the housing function empowers opposition parties at local government level.
- (iv) To determine the appropriateness of the allocation of powers to accredit and assign which currently rest with MECs.
- (v) To assess the likelihood for future intergovernmental disputes from the decentralisation of housing functions.

As can be seen in the annexed interview guide, the objectives of the study influenced the drafting of the questions that were asked during the interview sessions. The discussion on the findings in the empirical chapters further breaks down the study objectives as it addresses each objective separately using the analysed data.

## **1.4 Research Methodology Highlights**

This section provides a synopsis of the overall methodological approach that was adopted to conduct the study. Chapter 4 goes into more details on the manner in which the overall methodology was applied in this project.

### **1.4.1 Philosophical Paradigm**

In order to methodologically justify the nature of the research and methods applied, the researcher considers it crucial to discuss the philosophical paradigm adopted in this project. MacNaughton, Rolfe and Siraj-Blatchford (2001) indicate that a research paradigm is constituted by three (3) important elements which are: (i) belief about the nature of knowledge (ontological and epistemological foundations), a methodology (logic steps to conduct research) and criteria for validating the research outcomes (quality criteria for research). Ontology can be understood as a branch of philosophy that deals with assumptions in order to believe that a phenomenon is real/makes sense (Scotland, 2012) whereas epistemology is about human knowledge and understanding that can be acquired using different types of investigation methods (Hirschheim, Klein, and Lytinen, 1995). Thus, ontology and epistemology

(philosophical paradigms) are about researchers' abstract beliefs/principles that the manner in which they view (lens), interpret, and act, and this makes paradigms important because they guide and influence scholars on what and how phenomena should be studied, and how the results should be interpreted (Kivunja, 2017:26). Between the two (2) epistemological foundations which are objectivists/positivist and interpretivist/constructionist as argued by Neuman (2003) as well as Thanh and Thanh (2015) among other research scholars, the researcher aligns himself with the interpretivist paradigm in this instance especially because of the nature of the research problem, purpose, and objectives of the study which require the researcher to explore the phenomenon in a real world setting.

Creswell (2003) as well as Schwartz-Shea and Yanow (2012) argue that interpretivist researchers determine reality using views, experiences, and background of research participants. In seeking the answers for research questions, researchers who follow interpretive paradigm use those experiences to construct and interpret their understanding from the data that they collect. Specifically, interpretivism supports scholars in terms of exploring their world by interpreting the understanding of other people (Thanh and Thanh, 2015). The methodological paradigm that the researcher aligns with for this project dictates the suitable methodology for the study which is the qualitative researcher methodology. Willis (2007) indicates that qualitative research designs yield rich reports that are essential for interpretive researchers in order to fully understand human contexts and this is mainly because qualitative methods examine social reality in naturalistic settings. As such, Creswell (2009) posits that qualitative research design is ideal for exploring and understanding the meaning that people ascribe to a social problem that is studied.

#### 1.4.2 Research Design

Flowing from the applied research paradigm, the researcher adopted the qualitative research methodology for this project in order to explore the challenges involved in decentralising the administration of the housing function to local government in South Africa with specific reference to the Accreditation Programme. The choice of the design, methodological justification for case selection, and description of the case study are explained below:

#### 1.4.2.1 *Explorative case study design*

In the researcher's view, the identified research problem could best be studied from the qualitative research approach in which the project adopted an exploratory case study design, and this is due to its qualitative nature. Yin (2009), Bhattacharjee (2012), as well as Higson-Smith, Sithole, and Bless, (2013) posit that case study research allows for the exploration and understanding of phenomena, and it is a robust research method especially when a social phenomenon requires an in-depth investigation. From the three (3) qualitative research case study designs (exploratory, explanatory, and descriptive), the researcher reckoned that an exploratory case study design would be best because it addresses questions that seek to answer the *what* question (Yin, 2014). The *what* question aligns with the purpose of this project as indicated above.

#### 1.4.2.2 *Case study highlight*

The simple description of the case (phenomenon) under study is that the Accreditation Programme is a mechanism that government (human settlements sector) utilises to decentralise (delegate and devolve) the administration/implementation of the housing function from the provincial to the local sphere of government. This study examined the Accreditation Programme and sought to explore the challenges and perceptions associated with the delegation and devolution of the housing function in South Africa.

Guidance for case selection was adopted from the methodological approach provided by Seawright and Gerring (2008) who outline various approaches for selecting cases in case study research designs. For the purposes of the study at hand, the typical case selection method was adopted as a suitable approach for this study. Typical case selection is adopted for representative/typical cases of some phenomenon in order to effectively explore commonalities that are applicable on a general and cross-case relationship basis (Seawright and Gerring, 2008). In this case, the implementation Accreditation Programme as problematised in this study represents a population of other government programmes whose implementation and challenges are typically similar. Therefore, the programme serves as a sample/representative case for other government programmes that are facing the same conditions, and this phenomenon

made the researcher to select the typical case study design because it is best suited by the dynamics on the Accreditation Programme as problematised in this project.

### 1.4.3 Sampling

Since the researcher planned to conduct the research in government, officials dealing with the Accreditation Programme across the three (3) spheres of government were purposively sampled. Purposive sampling can also be understood as judgemental sampling (Babbie, 1990). Palys (2008) indicates that purposive sampling signifies that one sees sampling as a strategic choice of participants with whom one conducts a research project because this type of sampling strategically links the sample directly to the objectives of the project. This means that in purposive sampling, the population is “non-randomly selected based on a particular characteristic” (Frey, Botan, and Kreps, 2000:132). Such characteristics constitute the selection criteria in this case. The criteria for selection was based on two (2) issues, namely: (i) involvement in the Accreditation Programme for at least five (5) years which is herewith considered adequate for minimum knowledge and experience on the programme and also that five (5) years is a period linked to a political term of office (government administration), and (ii) forming part of the National Accreditation Task Team (NATT) Forum which is a forum designed as an institutional arrangement to plan, discuss, and make recommendations on the Accreditation Programme.

The NATT forum designates the population groups that deal with the Accreditation Programme which were interviewed in the study. The population groups are: (i) officials from accredited municipalities (local government), (ii) officials from provinces (provincial government), (iii) officials from national government (National Department of Human Settlements, National Department of Cooperative Governance and Traditional Affairs (CoGTA), Department of Performance Monitoring and Evaluation (DPME), and National Treasury), and (iv) official from the South African Local Government Association (SALGA). Forty-two (42) officials were targeted to represent the identified institutions. The breakdown of the sample is twenty-eight (28) officials from accredited municipalities, one (1) from National Department of Human Settlements, nine (9) from provinces, one (1) from National Treasury, one (1) from DPME, one (1) from CoGTA and one (1) from SALGA.

#### 1.4.4 Data Collection

Semi-structured interviews were conducted in order to collect data. The interview guide for the semi-structured interview was prepared and is annexed to the thesis as **Appendix 1**. In-depth interviews were helpful to obtain information from participants and it was also be helpful to probe for more information from the participants. The researcher also requested participants to substantiate their responses as and when a need to do so arose. Semi-structured interviews were the best data collection technique that could be adopted in this case considering the qualitative nature of the research problem. The researcher also ensured that the data that was collected (recordings and the transcripts) was kept safe.

#### 1.4.5 Data Analysis

Inductive thematic data analysis was adopted as a suitable data analysis method in this project. The reason for choosing this method can best be captured by citing Braun and Clarke's (2006:97) observation on the importance of thematic analysis. According to them, "rigorous thematic approach can produce an insightful analysis that answers particular research questions". The other reason for adopting thematic data analysis is due to its flexibility to be utilised in both inductive and deductive approaches/methodologies of analysis (Hayes 1997; Frith and Gleeson, 2004). For the purposes of the study at hand, thematic data analysis was considered because of its inductive character wherein the data collected provides specific content as a starting point for theory development. This approach assisted the researcher to shift to generic conclusions and ultimately create a theoretical contribution on a phenomenon under study (Braun and Clarke, 2006; Alhojailan, 2012). This is exactly what the researcher sought to achieve by opting for thematic data analysis. Categories, themes, and patterns were identified and emergent understandings tested in line with the research problem and the objectives of the study. The steps followed in applying thematic data analysis are demonstrated in Chapter 4.

#### 1.4.6 Quality Criteria

As noted in the outline of philosophical paradigms of qualitative research projects as highlighted in this chapter, researchers consider issues of credibility, authenticity, and trustworthiness as key determinants of quality criteria for qualitative research findings (Guba, 1981; Schwandt, Lincoln, and Guba, 2007; Anney, 2014). The researcher addressed the quality criteria of this study in order to ensure that the study yield relevant data. In addressing the quality criteria of the study, the researcher focused on ascertaining credibility, authenticity and trustworthiness of the findings. With regards to ensuring *credibility*, the researcher conducted pilot interviews with relevant people in the human settlements sector. From the pilot exercise, the researcher conducted preliminary analysis in order to determine the relevance of data that would be obtained in the study towards addressing the research problem. This happened before the data collection instrument could be utilised to collect data in order to test it and make necessary alterations when a need to do so arose. In order to ensure *authenticity*, the researcher focused on the data provided by the participants objectively without influencing them to respond in a particular way. This was also done to ensure the independence and genuineness of the participants to share their views without being influenced by the researcher's presupposition and perceived ideas. In order to ensure *trustworthiness* of the findings, the researcher examined the findings of the study against findings of other similar research studies to determine the coherence and veracity of the findings of this study towards the confirmability thereof.

The overriding approach in ensuring the quality criteria of the study was that of determining the manner in which the research problem as well as the research objectives were adequately addressed. The selection of a typical case provides some guarantee that the study findings can easily be replicated to other contexts (government departments) in South Africa. By selecting a typical case, the issue of replicability of the findings of the study was ascertained to the extent that whenever the same methodology can be applied for the similar research problem in a different context, more or less the same findings would be obtained. This was done to ensure that if another study would be conducted in a different period under yet similar all other

conditions remain the same, the same kind of findings would be produced. Therefore, ensuring the replicability of the findings was important.

## **1.5 Ethical Considerations**

The researcher ensured that ethical considerations were taken care of in the following ways:

### **1.5.1 Application for Ethical Clearance**

The researcher applied for ethical clearance from the Turfloop Research Ethics Committee (TREC). This was done in order to, among other things, ensure and confirm that the study does not expose participants to any form of danger, harm, or jeopardy. In this way, the study avoids dangers that participants are usually exposed to when research studies are conducted. Thus, an ethical clearance was obtained and it is annexed to this thesis as **Appendix 2**.

### **1.5.2 Obtaining Permission to Conduct the Study**

The researcher prepared a letter to the National Department of Human Settlements in order to request for permission to conduct the study. The letter to the Department is attached to this thesis as **Appendix 5**. A response letter which gave the researcher an approval to conduct the study in the human settlements sector concerning an existing programme in the applicable Housing Code (2009) was granted. The permission letter is annexed to this thesis as **Appendix 6**.

### **1.5.3 Ensuring Ethical Consideration**

A number of issues were considered and some of which included anonymity, confidentiality, informed consent, and debriefing, among others. These were addressed as follows:

### 1.5.3.1 *Anonymity*

The researcher ensured that the names of participants or their institutions were not provided or reflected on any document pertaining to the study. The researcher also ensured that nothing in the form of a mobile number/contact detail or anything that can link back to the identity of the participants was available for traceability. As such, the identity of participants were carefully protected by the researcher for *anonymity* purposes. This was done to avoid any form of victimisation especially political victimisation. Babbie (2008) supports the idea of anonymity as he argues that revealing the identities of participants may injure them, hence researchers should always be ethically considerate. This is what the researcher adopted in this case in order to protect participants' identities and also to protect them from possible victimisation since the subject of decentralisation as problematised in this project is of a political nature.

### 1.5.3.2 *Confidentiality*

The data obtained was be kept and treated with confidentiality. The researcher made sure that all written texts and recorded audio files were kept in his own personal folders that were safely lockable in order to ensure that no one got hold of the content that was meant for this research project. The researcher understood that if confidentiality is not ascertained, the whole study might be compromised. The researcher had to ensure confidentiality to avoid compromising the study and to protect the content provided by participants for the intended rightful utilisation as findings. As such, both participants and inputs provided by them for the study were handled with confidentiality. Wiles, Crow, Heath, and Charles (2008) emphasise the importance of confidentiality in social science research so that data provided cannot be leaked to unauthorised parties and/or utilised for any other purpose except for studies conducted. This is a standard practice in qualitative research studies.

### 1.5.3.3 *Informed consent*

Denzin and Lincoln (2011) consider informed consent as the cornerstone of an ethical social science research study especially because participants should not be forced to

take part in research process processes without their agreement. In terms of *informed consent*, the researcher explained what the project was all about in order to obtain voluntary consent from the participants to take part in the research project based on what they understood about the study as explained by the researcher. The researcher had to obtain informed consent in order to ensure that no participant was forced to take part in the study without their willingness to do so. All participants gave their own consent on the basis of understanding what the study was all about. Participants indicated that they were comfortable to participate and confirmed to the researcher that they would share their responses without pressure and prejudice in a way of ensuring quality and objectivity of the outcome of the project. Participants signed the consent form which is annexed to this thesis as **Appendix 3**.

#### 1.5.3.4 *Provision of debriefing*

Debriefing is considered as a standard ethical requirement in research studies that involve human subjects as participants (Miller, Gluck Jr, and Wendler, 2008). Regarding the *provision of debriefing*, the participants were notified about what was going to happen during the data collection sessions in order to avoid ambushing them and bringing up what they did not expect in the course of data collection. The researcher indicated the possibility of probing during interviews in order to understand the responses that were provided. Proceedings of the interview process were explained in details by the researcher, and this was in addition to the explanation of what the study was all about. The researcher drafted a consent letter in addition to the consent form in order for participants to satisfy themselves that they understood what the study entailed and they understood the process that would be undertaken for obtaining data from them. As such, a debriefing letter to that effect is annexed to this thesis as **Appendix 4**.

#### 1.5.3.5 *Other generic ethical issues*

The researcher promised to provide feedback about the study to the participants and all relevant parties. As noted above, confidentiality and anonymity were upheld taking into account the nature of the study and its domain which are political, and participants were officials whose work responsibilities were under the strategic leadership of

politicians. Thus, the researcher understood that some of the responses could be career-terminating and career limiting, and therefore, adherence to ethical measures as outlined above were very imperative.

#### *1.5.3.6 Managing biasness and objectivity*

At the time of conducting the study, the researcher held a position of Manager: Accreditation and Assignment Facilitation at the National Department of Human Settlements. As such, he coordinated and facilitated the implementation of the Accreditation Programme nationally. As part of the work that the researcher did was to coordinate meetings and workshops with stakeholders, interact with provinces and identified municipalities for accreditation, provide policy advocacy and policy guidance on matters of accreditation, and conduct research on matters pertaining to governance and human settlements delivery in local government. The researcher was also responsible on matters research on governance and human settlements delivery in accredited and identified municipalities.

The researcher's positionality brings to question issues of dealing with biasness and striving for objectivity in the process of conducting this study. In order to strive for objectivity, the researcher had to ensure awareness of bias throughout all stages of the project. Thus, across all stages the researcher would ask himself how would an outsider who is not attached to the process handle the responsibility in a professional and procedurally correct manner. The main bias type that the researcher had to deal with due to his positionality issue is the confirmation bias. Confirmation bias is the most common and pervasive form of biasness in qualitative research wherein researcher psychologically focus on responses and data that confirms their own preconceived knowledge, preferences, and beliefs (Nickerson, 1988; Peters, 2020). In her work on Reflexivity: Situating the Researcher in Qualitative Research, Patnaik (2013) provides some crucial guidance for social science researchers which the researcher adhered to in this study. She indicates that reflexivity assists in directing scientific enquiry for researchers towards exposing inter-subjectivity that is inherent in qualitative research studies (Patnaik, 2013). This takes place by examining how researchers' beliefs, values, and attitudes impact choices on research topics to explore epistemological basis of knowledge claims (Patnaik, 2013). As such, reflexivity across research stages

is crucial in order to contribute to the richness of a research project and also to contribute to the credibility of the study outcome by minimising biases (Patnaik, 2013). In order to minimise biases, the researcher had to apply reflexivity and re-evaluate the impressions from the participants continually and challenge his own pre-existing assumption and impressions about the phenomenon under study.

## **1.6 Significance of the Study**

Three (3) main issues account for the significance of this study. Firstly, the study will enhance the global debate on the subject of decentralisation. It should be acknowledged that social scientists, bureaucrats, politicians and public managers, among other concerned parties, are interested in the subject of decentralisation and power transfer among spheres/tiers of government (Falleti, 2005; Crawford and Hartmann, 2008; Ekpo, 2008; Antwi-Boasiako, 2010). The theoretical contribution that the project brings to the debate and literature on decentralisation would surely provide a perspective for enhanced analysis on the subject. Secondly, the project will provide an empirical contribution which will assist in addressing challenges in the implementation of decentralisation. It is envisaged that the outcome of the study would contribute towards the improvement of efficiency of decentralising government functions across spheres of government. Thirdly, the study provides South Africa's *sui generis* experience in the analysis of the decentralisation of the housing function. This contribution is important to the researcher because it is consistent with the argument that each decentralisation project/experimentation produces its unique lessons, experience, and peculiar dynamics (Borhaug 1994; Saito, 2001; Falleti, 2005; Antwi-Boasiako; 2010; Bergh, 2010).

## **1.7 Scope/Limitations and Possible Risks of the Study**

With regards to the scope of the project, out of the eighteen (18) human settlements programmes in the Housing Code (2009), this study was about the Accreditation Programme. The study covers all nine (9) provinces which is the domain in which the Accreditation Programme was being implemented. The government function in which decentralisation was being explored in this project is limited to the housing function which is covered in the Accreditation Programme. With regards to possible risks, the

main risk that the researchers foresaw was that of possible refusal by some of the participants to be interviewed. This risk was likely because the Decentralisation Programme is a highly politicised subject in South Africa. As such, the researcher was aware that fear of career jeopardisation and victimisation exists for the implementers of the programme due to the fact that the programme is more politically driven. However, the researcher managed this risk by explaining the ethical implications of the study which protects participants and their responses. Otherwise, the researcher had to also maximise on taking notes and request participants to repeat themselves in order for him to capture all parts of responses.

## **1.8 Chapter Outline**

The study seeks to explore challenges and perceptions on the decentralisation of powers to administer the housing function in local government in South Africa. Eight (8) chapters have been developed each focusing on its area towards addressing what the study is about. Herewith, the researcher outlines what is contained in each chapter:

**Chapter One** introduces the study by providing the general background and study orientation. In this chapter, the researcher provides the context of the study by defining the research problem. What the researcher aims to achieve through this study is also outlined in this chapter. The researcher also highlighted the contribution that this study seeks to bring into the body of literature as well as on empirical terms towards dealing with some of the challenges around the subject of housing decentralisation. A highlight on the methodology that would be applied to conduct the research is also provided in this chapter. Without attempting to highlight all issues that the chapter deals with, safe to indicate that the chapter serves as a prelude for further discussions.

Having established the focus of the study, **Chapter Two** reviews the literature on decentralisation in order to examine the state of knowledge on the subject. In this chapter, the researcher attempts to analyse both national and international literature in order to pick up issues associated with decentralisation both in theory and practice. With regard to the practical part, the researcher pays attention to challenges affecting decentralisation experiments/projects globally. Most importantly, the researcher examines the South African context in order to analyse how decentralisation is

implemented in the country. Linked to this, the researcher zooms into the South African local government sphere in order to examine its status quo against the constitutional mandate of developmental local government. In the process, the researcher exposes some of the challenges facing the South African state and which necessitate a need for a developmental theory whose implementation would possibly assist in addressing those challenges.

In **Chapter Three**, the researcher provides a theoretical framework of the study where he looks at two (2) relevant theories which focus on effectiveness and development of states. For the purposes framing a developmental theory in South Africa in order to take care of the challenges experienced in the country, the researcher integrates the Weberian theory of bureaucracy and Peter Evans' theory of the embedded autonomy of developmental states. This is done in this chapter in order to pre-empt a South African developmental theory that would be relevant for the South African circumstances. In the discussion of the theoretical framework, the researcher picks up on key theoretical ideas which would be integrated into the findings of the study towards framing out a developmental theory in South Africa.

A detailed account on the methodology that was applied in conducting the research is provided in **Chapter Four**. The researcher discusses the philosophical foundations, research design, sampling, data collection, and data analysis that are applied in the study and provide methodological and practical justifications for each method/approach. Selection of each method is in line with the nature of the study as well as its aim and objectives. Granted that the study sought to explore challenges and perceptions, the researcher adopted a qualitative research methodology and complimentary methods that align to the qualitative research design in order to conduct the study. The researcher also provides a research procedure where he indicates steps by step process on the researcher conducted and challenges experienced in the process.

**Chapter 5** deals with the findings of the study. The researcher discusses the findings on the challenges experienced in the implementation of the Accreditation Programme as provided by participants. As an empirical chapter, the researcher utilises an approach of describing, analysing and interpreting the findings. Findings are linked

and integrated to some of the key literature issues on the subject of decentralisation in the quest for interpreting and making sense of the findings of the study. This chapter begins to address some of the objectives of the study.

In **Chapter 6**, the researcher examines perceptions on the Accreditation Programme. This chapter effectively constitutes the second chapter that deals with the empirical findings of the study. In this chapter, perceptions by participants are examined in order to make sense of the realities around the Accreditation Programme. Perceptions from participants that the chapter discusses do not only assist in addressing the objectives of the study, but also assist in the quest for generating knowledge which the researcher is interested in as one of the key contribution of this study.

In **Chapter 7** which is the last chapter that deals with empirical findings, the researcher consolidates the findings into practical and theoretical in a manner that is solution oriented towards addressing decentralisation challenges in South Africa. In the discussion, the researcher drew linkages between the empirics to the attempt towards theory development and application. Drawing lessons from the findings, the chapter provides some useful details that can be applied in framing a developmental theory that takes into account both contextual and practical realities in South Africa.

The researcher lays the study to rest in **Chapter 8**. In this chapter, the researcher summarises the key findings of the study and makes some inferences regarding challenges and perception on the Accreditation Programme and the decentralisation experimentation in South Africa. Linked to this, a highlight of both empirical and theoretical contribution of the study is provided. Some deductions are also made regarding the South African developmental state theory. Based on the findings, recommendations are also provided ahead of concluding remarks for the study.

## **CHAPTER 2: LITERATURE REVIEW**

### **2.1 Chapter Overview**

This chapter focuses on the review of literature on the subject of decentralisation (delegation and devolution). In this review, the researcher focuses on existing arguments on the subject of decentralisation. Again, this literature review is configured in two (2) parts. The first part focuses on the theoretical discussion/debates on decentralisation whereas the second part deals with practical/applied cases where decentralisation is actually implemented both internationally and nationally. In the first part, the researcher starts off by providing a context within which decentralisation can be understood. As part of providing context, the researcher provides an overview of decentralisation and discusses the conceptual framework of decentralisation. The researcher will continue by examining existing arguments on the subject of decentralisation. In examining existing arguments on subject, the researcher will highlight some of the dominant arguments in the literature which are arguments that most authors frequently write about on decentralisation. In the same vein, the researcher will examine what most authors do not (necessarily) mention about the subject of decentralisation. The concluding section of the chapter, the researcher looks at the South African case of decentralisation and its contextual issues. It is prudent for the researcher to indicate upfront that this literature review does not attempt to discuss everything regarding the subject of decentralisation, however, in keeping with the context of this study, most of the key areas will be highlighted for discussion. Where applicable in this literature review, the researcher attempts to interact with the literature by providing critical views, observations, and demonstrating some of the possible gaps in the literature.

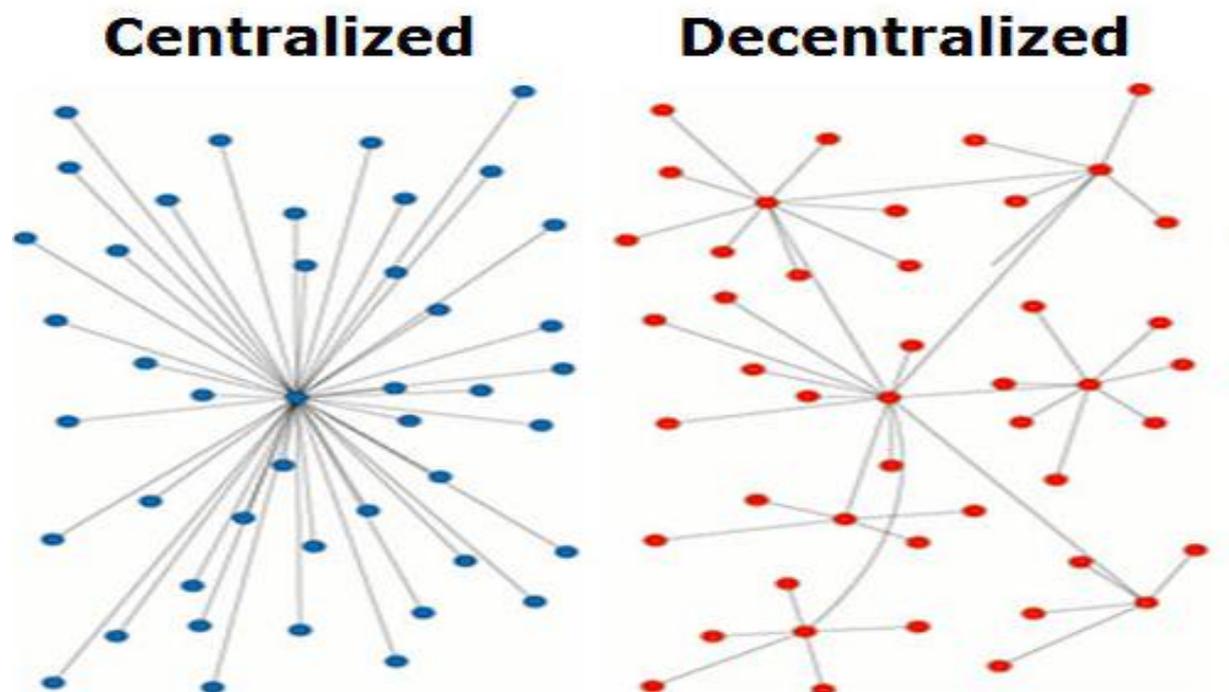
### **2.2 Understanding Decentralisation in Context**

#### **2.2.1 Overview of Decentralisation**

The historiography of the term *(de)centralisation* makes a link to the period of the French Revolution (1789-1799). The term “centralisation” is reported to have been in use first in France back in 1794 towards the end of the French Revolution (Levick,

2012:22). The term “decentralisation” is reported to have been in use from the 1820s where Alexis De Tocqueville (a French political sociologist and former French Minister of Foreign Affairs, among other portfolios) is mentioned as one (1) among the early writers who mentioned the concept decentralisation in literature (Schmidt, 2007:81). Decentralisation can be understood as a process by which powers, functions, responsibilities and resources are transferred from central/national government to sub-national governments (Siddle and Koelble, 2016). Among other reasons for the emergence of decentralisation, Wunsch and Olowu (1990), Leung (2004), and De Visser (2005) indicate that it was due to the failure of centralised states on matters of development that decentralisation was introduced in order to sub-national governments on matters of development. Figure 1 below demonstrates a graphic comparison of centralised (Blue) and decentralised (Red) government systems.

Figure 1: Centralised versus Decentralised System



Source: Wandenberg (2018)

Decentralisation is a global phenomenon, and as such, literature is common on the subject. Schneider (2006) indicates that literature on decentralisation is rich and varied, however, it is less understood and confused, and it attracts contradictory hypotheses, and due to that, little is known on definite terms about decentralisation. In

his work on *Renewing the Debate on Decentralisation*, Manor (2006) indicates that the available literature on the subject of decentralisation is not exhilarating and it suffers from limitations. The researcher notes with interest the arguments by the two (2) authors and while he appreciates areas of agreements with them, he also has a diverging perspective. Therefore, the researcher is of the view that while literature on the subject is not deep (having many different themes), but to the researcher, it is quite interesting especially when analysis of such literature is done on comparative analysis of various decentralisation projects implemented in different parts of the work.

### 2.2.2 Conceptual Framework for Decentralisation

In his work on the *Sociological Analysis on Recent Decentralization Practices in Global and Turkish Contexts*, Akbaş (2007) states that it is useful to understand decentralisation and key concepts that are related to it as a starting point towards analysing it. Mewes (2011) acknowledges that the utilisation of concepts from various social and management science disciplines makes decentralisation a universal and a common concept in various disciplines. For example, the concept decentralisation is utilised in political science wherein government systems are decentralised, sociology wherein societal structures are decentralised, political economy wherein financial management and institutions are decentralised, business administration wherein firms are decentralised, and administrative science wherein administration structures are decentralised (Mewes, 2011). Thus it is useful to operationalise the concept within a context in order for the concept to be understood within a defined context. In order to understand what decentralisation is all about, it is also important to break down other concomitant concepts that go along with it. At the core of decentralisation is the whole notion of intergovernmental relations as well as the power relations between levels of government (Falleti, 2005; Devas and Delay, 2006; Siddle and Koelble, 2016). Thus, some concepts that emphasise relationships between tiers/spheres of government are clarified in this chapter.

In an attempt to breakdown the concept *decentralisation* as problematised in this study, it can be argued that the concept refers to the transfer of roles and responsibilities from central offices to surrounding offices of the same institution (Saito, 2001, Falleti, 2005; Antwi-Boasiako, 2010; Torrissi, Pike, Tomaney, and Tselios, 2011).

In government and organisational settings, administrative powers and functions are transferred from the central office to the peripheral/satellite offices in order to, among other things organise a bureaucratic arrangement within government in order to effectively achieve government objectives (Falleti, 2005; Nyanjom, 2015). This therefore refers to the shifting of sovereignty over powers and functions from one level of government to another. The notion of *Sovereignty in Transition* as argued by Walker (2003) bears reference. The United Nations (2009) clarifies that powers, functions, responsibilities, and resources are transferred from central government to local government under decentralisation. This means that the relationships between central offices and peripheral offices of government are synchronised through decentralisation. This brings some form of rationalisation of government which Nyanjom (2015) discusses about in his analysis of the Tanzanian case of decentralisation using the 2014 Tanzanian constitutional review process. The researcher links the argument by Nyanjom (2015) to the theory of bureaucracy and rationalisation which has been applied in different states to restructure governments and support the concept of developmental state as argued by Evans (1995). This pre-empted the discussion on the theoretical framework of the study.

When decentralisation is aptly implemented, it provides a mechanism through which crucial issues of a state can be recognised in a way of strengthening intergovernmental relations among spheres of government and organs of state for the purposes of effective governance and delivery of social services (Robson, 2006; United Nations, 2009; Siddle and Koelble, 2016). Those crucial issues can include deepening democracy and citizen involvement, among others. There are four (4) main categories/forms of decentralisation, and these categories are administrative, fiscal, political, and market decentralisation/privatisation (Rondinelli, 1981; Smith 1985; Ribot, 2002; Yuliani, 2004; Lai and Cistulli, 2005; Popic and Patel, 2011). Although there are commonalities across the four (4) categories of decentralisation, however, the discussion of the decentralisation categories will assist to surface the differences among them. For the purposes of this project, administrative decentralisation is given more focus since the research problem of this study is linked to it. Therefore, the researcher prefers to start off by discussing administrative decentralisation ahead of other forms.

### 2.2.2.1 *Administrative decentralisation*

Siddle (2011) argues that administrative decentralisation is the process in which powers and authority to administer government functions is transferred from the national government to sub-national governments resulting in deconcentration of powers over administration of such functions. This form of decentralisation comprises the set of policies that transfer the administration and delivery of social services such as education, health, social welfare, or housing to sub-national (spheres below the central/national) governments (Neven, 2003; Falleti, 2005). Administrative decentralisation entails the delegation and devolution of authority to take decisions over policies. If revenues are transferred from the centre to meet the costs of the administration and delivery of social services, then such administrative decentralisation is funded and thus it coincides with a fiscal decentralisation (Falleti, 2005).

O'Dwyer and Ziblatt (2006) consider administrative decentralisation in terms of the extent of autonomy bestowed to lower levels of government in terms of the control on local revenue. Schneider (2006) looks at it in terms of relieving the central government control by granting local jurisdictions autonomy to administer government responsibilities. Manor (1999) considers administrative decentralisation in terms of deconcentration wherein the agents of the central government are dispersed to sub-national government for service, thus at time, the two concepts (administrative decentralisation and deconcentration) can be used interchangeably.

### 2.2.2.2 *Fiscal decentralisation*

Fiscal decentralisation is the process in which revenues of a government, as well as powers and authority to generate such revenues are transferred from the national government to sub-national governments (Siddle, 2011). This form of decentralisation empowers lower levels of government with the authority to raise revenue to fund their governmental responsibilities. O'Dwyer and Ziblatt (2006) consider fiscal decentralisation with regards to lower government expenditures as a proportion of overall expenditure by the government. In this form of decentralisation, policies are designed to empower lower level of government with fiscal autonomy to generate

revenue. Fiscal decentralisation policies can take diverse institutional forms such as increased transfers from the central government, creation of sub-national taxes, delegation of tax authority which initially belonged to the central government (Falleti, 2005). Schneider (2006) indicates that fiscal decentralisation is about the proportion of fiscal impact at levels of government below the central government. Fiscal decentralisation is considered as a system downward fiscal transfer where the higher level of government cedes its influence over budgets and financial decision-making to lower levels of government (Manor, 1999). Treisman (2007) indicates that it involves decision-making on tax or expenditure-related matters where lower levels of government are accountable for a large share of total government revenue expenditure.

### *2.2.2.3 Political decentralisation*

Political decentralisation is the process where sub-national governments as elected by citizens in are formed within a constitutional framework and given political authority to govern in specific geographical jurisdictions (Siddle, 2011). Under political decentralisation, some political powers and authority are transferred to sub-national governments in order to balance the exercise of those powers and authority between the central and other levels of government (Siddle, 2011). Falleti (2005) adds that constitutional provisions and electoral reforms are designed for representation of lower government spheres/tiers. As such, political decentralisation policies devolve political authority and electoral capacities to sub-national government. A common example of this in most democratic states is the administration of local government elections. Kauzya (2007) indicates that political decentralisation involves either or combination of transferring power to elect political leadership and representatives from central governments to local governments and transferring power and authority for decision-making on social, political, and economic matters from national governments to local governments. For O'Dwyer and Ziblatt (2006), political decentralisation takes into account the importance of municipal and provincial government elections without the interference of the national government. This form of decentralisation focuses on the implementation of political activities such as representation public (citizens) participation, and government organisation at the local level as opposed to the central level (Schneider, 2006). This form of decentralisation is implemented in South Africa

through the administration of local government elections that occur without interference from the provincial and national spheres of government (Wittenberg, 2003).

#### *2.2.2.4 Market decentralisation/privatisation*

Mollah (2007) argues that economic or market decentralisation is about the transfer of functions exclusively performed by government to the private sector through privatisation. This form of decentralisation promotes engagement of private sector, communities, societal cooperatives, associations, and other non-government organisations (Mollah, 2007). Market decentralisation supports the new public management practise the involvement of private sector in government work. Market decentralisation transfers government powers and authority to the private sector which can include companies, Non-Governmental Organisations (NGOs), and individuals (Bardhan, 2002; Popic and Patel, 2011; Halaskova and Halaskova, 2014). In this form of "decentralization...public goods and services are provided primarily through the revealed preferences of individuals by market mechanisms" (Rondinelli, McCullough, and Johnson, 1989:59). The defining factor of market decentralisation is that it involves privatisation. Privatisation is a form of market decentralisation which allows for companies to perform functions for the government in the form of contracting out the provision and management of public services and facilities to commercial enterprises (Lai and Cistulli, 2005). Ahmed (1990) adds that privatisation transfers government functions to non-government institutions in order for the institutions to implement the transferred functions on behalf of government. Developing countries such as Bangladesh, Brazil, Malaysia, among others, have adopted privatisation wherein responsibilities on planning and administration of government functions are transferred from government to private/voluntary agencies as facilitated under the processes of decentralisation (Ahmed, 1990; Estrin and Pelletier, 2015). In South Africa, this form of decentralisation is being implemented, and it has been supported by the Growth, Employment and Redistribution (GEAR) Policy through advocating for privatisation (Hart, 2013).

## 2.3 Arguments/debates on Decentralisation

In this section, the researcher seeks to discuss existing arguments from the literature on decentralisation. In trying to present such arguments, the researcher configures this section into two (2) parts, namely: (i) the one focusing on dominant arguments on decentralisation literature, and (ii) the other one focusing on less dominant (recessive) arguments on decentralisation literature.

### 2.3.1 Dominant Arguments on Decentralisation

The sub-section on dominant arguments on decentralisation is constituted by arguments that are common in the literature on the subject. It is the researcher's observation that nearly every author who wrote on the decentralisation subject has in one way or the other make reference to such arguments. For the purposes of this project, the researcher considers such arguments as dominant arguments.

#### 2.3.1.1 *Decentralisation empowers sub-national governments*

Each time the concept of decentralisation is mentioned, the connotation that is brought to the researcher's mind is that of shift of power and responsibilities from the central office to the peripheral offices of the same institution. This is the case because academics, practitioners, and analysts were able to influence a common understanding on the decentralisation concept, and this is clear from the works of authors such as Miller (2002), John and Chathukulan (2003), Yuliani (2004), Falleti (2005), and Antwi-Boasiako (2010), among them. All these mentioned authors attest to the same argument that the practise of decentralisation empowers sub-national governments. The researcher opines that it is not common to think of anything else besides the notion of power shifts across one level of office to another whenever the subject of decentralisation is brought to the fore. This is one area that literature on decentralisation emphasises, and thus, decentralisation is commonly understood as power shift and transfer among offices of an institution (John and Chathukulan, 2003; Falleti, 2005; Crawford and Hartmann, 2008; Antwi-Boasiako, 2010; Martinez-Varquez, 2011). The Organisation for Economic Co-operation and Development (OECD) argues that decentralisation empowers sub-national governments through

supporting local economic development and building requisite capacity in order to deliver on the legislative and policy mandates (OECD, 2019). The researcher holds a critical view regarding the argument by literature on the manner in which decentralisation empowers local government because this form of empowerment appears to be coming from the central government. From the researcher's reading of literature, what this debate does not consider is an argument on capacity building from within the sub-national government themselves as a way of positioning themselves to receive additional powers and functions from central governments. This thus make sub-national governments to be always reliant on central government after decentralisation in the researcher's observation.

### *2.3.1.2 Decentralisation is a global phenomenon*

In the researcher's observation of the literature, all continents have implemented decentralisation in one form or the other. There is general acceptance across all continents that there are benefits of decentralisation which can be yielded through implementing it (Crawford and Hartmann, 2008; Faguet, 2011). An important question to the researcher is whether or not each case of its (decentralisation) implementation yields the intended benefits. This question will be entertained in this chapter when an assessment of decentralisation projects that are implemented in various parts of the world are examined in order to determine whether or not they yield intended outcomes. Of course the basis and rationale for decentralisation may differ depending on contextual differences across continents, however, the standard practice is that they all implement decentralisation, and literature is quite clear about that as attested by Smoke (2003), Falleti (2005), Hankla (2006) as well as Crawford and Hartmann (2008). Although it is not practised in all countries, however, it is practised in all continents and that makes it a global phenomenon (Devas, 2005; Falleti, 2005; Faguet, 2011). The researcher observes arguments in the literature which indicate that decentralisation is a global phenomenon that is implemented in different parts of the world, however, the researcher wonders why is it that countries seems not to be adopting lessons from other countries to ensure that their decentralisation projects do not suffer the same challenges as do others since the practise is a global phenomenon. As such the researcher wonders why is it that there seems to be not

much of adopting lessons from other cases of decentralisation especially because there are more cases to draw lessons from.

### 2.3.1.3 *Decentralisation has various forms and types*

While there is no general classification on the taxonomy of decentralisation that commands universal acceptance across authors, there seems to be general acceptance among most authors (notable below) that there are different forms of decentralisation as literature provides. As a way of demonstrating this acceptance, different authors indicate that there is administrative decentralisation, fiscal decentralisation, market decentralisation (privatisation), political decentralisation (See Rondinelli, 1981; Rondinelli, Nellis, and Cheema, 1983; Manor, 1999; Smoke, 2003; Falleti, 2005; Torrissi, Pike, Tomaney, and Tselios, 2011; Hendricks, Buch, Seekoe, Bossert, and Roberts, 2015). Other authors may argue and indicate that some forms can be classified under other forms and also that some forms can be rationalised into one form, however, what remains is that they accept that there is no single form of decentralisation right across (See Gyan-Baffour, 2003; Okidi and Guloba, 2006; Crawford and Hartmann, 2008; Feizy, Moghali, Gramipour, and Zare, 2015). The different forms of decentralisation are already clarified above in the section on the *conceptual background of decentralisation*.

### 2.3.1.3 *Decentralisation improves governance*

Most countries that adopt decentralisation envisage improved governance because of the implementation of decentralisation and most of them report improvements on decentralisation because of the implementation of decentralisation (Gyan-Baffour, 2003; Hankla, 2008; Faguet, 2011). In most cases, decentralisation is implemented as a panacea for defective governance (Heller, 2001; Barankay and Lockwood, 2006; Hetland, 2007; Faguet, Fox, and Poeschl, 2014). Among other reasons for that account for why decentralisation gained popularity especially in Africa was to improve governance (Bardhan, 2002; Hankla, 2008). Most of the developing countries strengthen their implementation of their constitutional democracies through the adoption of decentralised governance approach (Heller, 2001; Hetland, 2007; Faguet, Fox, and Poeschl, 2014). Barankay and Lockwood (2006) also support this argument

through their analysis of decentralisation and governance in Switzerland where they discovered that decentralisation yielded positive results in the both governance and implementation of social services. The researcher observes this literature argument with an understanding that some of the functions that are decentralised require public participation and citizens' preferences in service delivery.

#### 2.3.1.4 *Decentralisation has inherent challenges*

Literature demonstrates a variety of challenges that are inherent in the phenomenon (Breton, 2002; Gyan-Baffour, 2003; Devas, 2005; Matovu, 2008). Regardless of the literature argument that decentralisation is understood as a solution to most governance challenges, it has its own inherent challenges as well (Smoke, 2003). The inherent challenges on decentralisation are also clear in instances where criticisms are raised against (Miller, 2002). Its challenges may not be common across countries and continents, however, the fact that they exist is worth noting. One of the challenges experienced on the phenomenon is that it inherently involves more than one level of government which makes it possible for disagreements to occur among those levels of government on which level is best suited to have power to administer certain functions (Sana, 2011). This can be a source of intergovernmental disputes as noted in the case of the Western Cape Provincial Government and the City of Cape Town in South Africa (Christmas and De Visser, 2009). The challenges associated with the subject are thus noted as a dominant area of argument in the literature.

#### 2.3.2 Recessive (less dominant) Arguments in Decentralisation Literature

Having had a careful consideration of the literature on decentralisation, the researcher takes note that there are some arguments that are less discussed in the literature. For the purposes producing a balanced perspective in this literature review, the researcher considers it vital to discuss what he considers as less dominant arguments.

##### 2.3.2.1 *Decentralisation can fail*

The researcher observes that literature is shy from utilising the word *fail* for the decentralisation projects that are not yielding results and it is clear that the situation

will not change. Most decentralisation projects have not yielded the desired results especially in developing countries (Mohmand and Cheema, 2007; Siddle and Koeble, 2013). In the researcher's observation, most pieces of the literature as noted in the preceding sub-section focused on the fact that decentralisation is implemented everywhere, however, the fact that those decentralisation projects are not as successful as they were intended to be is less reported. In some cases, it is noted that the causes for such failures are due to accountability issues, poor designs of decentralisation projects, lack of capacity, political instability, defective/lack of institutional arrangements, poor coordination, and lack of political will (Breton, 2002; Mukwena, 2004; Heller, 2006; Mohmand and Cheema, 2007; Siddle and Koeble, 2013; Feintein, 2015). Not so many authors would prefer to discuss the failures of decentralisation directly probably because of the aura that has been created around it by international institutions such as the World Bank and the International Monetary Fund (IMF) which are the key proponents of decentralisation and funders of most international research projects on the subject in the researcher's observation.

#### 2.3.2.2 *Decentralisation depends on political will*

It is acknowledged that one of the principal aspect that makes decentralisation effective is political will among political principals (Heller, 2006). The researcher is of the view that political will serves as a *sine quo non* of the success of decentralisation across the board. Smoke (2003), Mukwena (2004), Heller (2006), Enikolopov and Zhuravskaya (2007), and Hetland (2007) discuss the importance of political will in decentralisation projects for the success thereof. The researcher observes that the regardless of how less literature reports that decentralisation is dependent on political, the practical reality of it points to that direction. As such, deducing from the arguments that if the political elites in government do not support decentralisation, it cannot succeed. The researcher deems it appropriate to highlight this as a recessive argument on the subject.

#### 2.3.2.3 *Decentralisation has no uniform approach*

Although there is wealth of literature on the implementation of decentralisation in different parts of the world as noted from authors such as Rondinelli, Nellis, and

Cheema (1983), Manor (1999), Gyan-Baffour (2003), Smoke (2003), Falleti (2005), Hankla (2006), as well as Crawford and Hartmann (2008), all these authors do not provide a common methodology of implementing decentralisation. In some cases, decentralisation is practised through allocation of administration/implementation powers of key developmental function across spheres of government and in some cases, a function is decentralised from one sphere of government to another through a government programme. This emphasises the argument by Feinstein (2015) that each decentralisation projects is on its own in terms of its practice and yielding its own peculiar lessons, experiences, advantages, and disadvantages. As such, it is not possible to copy decentralisation approach implemented in oriental states and implement it in the Sub-Saharan Region of Africa, as an example. Feizy, Moghali, Gramipour, and Zare (2015) conducted a study on method to implement administrative decentralisation, still they could not come up with one standard method that can be applied everywhere in order to implement administrative decentralisation. One observes that this is one area that literature does not emphasise.

#### 2.3.2.4 *Decentralisation cannot resolve all governments' problems*

As noted in the examples below, literature demonstrates variety of challenges and problems that decentralisation can address. For example, in Western World, decentralisation is implemented to improve systems for the provision of public services (Wildasin, 1997; Ebel and Yilmaz, 2001). Bird and Vaillancourt (1999) argue that decentralisation is implemented in order to address defective governance and economic instability in developing countries. In post-communist countries of Europe, decentralisation is implemented to enhance democracy and market economies (Bird, Ebel, and Wallich, 1995; Ebel and Yilmaz, 2001). In Latin America, decentralisation is applied as a result of political pressure towards democratisation (Rojas, 1999; Bossuyt, 2013). In most parts of Africa, decentralisation is implemented in order to build and enhance national unity (World Bank, 1999; Rothchild, 1996; Crawford and Hartmann, 2008). All the purposes for implementing decentralisation are tied to challenges and problems faced by governments in different parts of the world, however, not all problems can be resolved by implementing decentralisation (Smoke, 2003). The researcher's observation of the literature is that authors are not necessarily writing about this,

### 2.3.3 Perspectives for and against Decentralisation: Advantages and Disadvantages

The discussion on perspectives for and against decentralisation basically makes a reflection on advantages and disadvantages of decentralisation. Literature arguments for and against decentralisation are presented below, and it will be an area of interest for the researcher to make an analysis on which argument between two (for and against decentralisation) outweighs the other based on substance and merits of the debate that authors provide. The two (2) arguments are discussed below by looking at advantages and disadvantages of decentralisation.

#### 2.3.3.1 *Advantages of decentralisation*

According to Bednar, Eskridge, and Ferejohn (1999), governmental structures that are decentralised offer advantages more than unified/centralised forms, and this is also emphasised by the rational choice theories of politics which explain that decentralised system satisfies popular preferences in governments and countries with heterogeneous individual preferences. Thus, states with decentralised governments usually do not have more dissatisfied citizens because if there is mobility within the polity, citizens greater satisfaction under the decentralised government system (Bednar, Eskridge, and Ferejohn, 1999). Smoke (2007) summarises advantages of decentralisation as: improved efficiency, improved governance, improved equity, and improved development as well as poverty eradication. Among other advantages for decentralisation, it is noted that: (i) decentralisation can produce greater democratisation which will be accountable to citizens, (ii) it results in diversity of choices for the electorate and participatory democracy, (iii) it allows for obtaining of relevant information about citizens' needs in a region, (iv) it improves checks and balances through participation and comparison of services delivery among neighbouring regions, (v) it supports innovation and development, (vi) it has lower transaction costs, and (vii) improves government efficiency (Cheema and Rondinelli, 1983; Miller, 2002; Feinstein, 2015).

Miller (2002) provides a detailed analysis of advantages of decentralisation in local government and argues that the advantages/benefits of decentralisation assume that

decentralisation makes local government strong and autonomous. This means that decentralisation produces a participatory model of governance which enjoys authority for both local self-management and spearhead the local sustainable development activities. The same argument is raised by Edoun and Jahed (2009). Lockwood (1998) and Miller (2002) argue that decentralisation provides a framework for sustainable local development in various regions and promotes plurality as well as dynamism. Miller (2000) also argues that devolution results in curbing excessive concentration of power at nation government level as part of decentralisation which facilitates public participation in governance. Decentralisation is conducive for mobilisation of resources to support local development and improves efficiency in delivery of social services and facilitates rational division of labour in the management of government affairs (Miller, 2000; Manor, 2006; Siddle and Koelble, 2016). It also increases government flexibility and facilitates tailor-made solutions for challenges facing local government and foster social cohesion, reconciliation among local interest groups, and stability (Miller, 2002).

#### *2.3.3.2 Disadvantages of decentralisation*

Some of the disadvantages of decentralisation point to the fact that decentralisation leads to other negativities such: (i) corruption, (ii) patronage and nepotism, (iii) inefficiency due to limited technical capacity, (iv) high cost due to a loss of economies of scale, (v) less regard for central macroeconomic stability, and (vi) extreme bureaucratisation and concomitant costs (Cheema and Rondinelli, 1983; Miller, 2002; Devas, 2005; Feinstein, 2015). With regards to the challenge of corruption, Devas (2005) argues that the solution to it is not re-centralisation but the development of effective instruments that will assist in checking the utilisation of resources, especially financial resources at local government level and promote accountability. Another disadvantage that is brought by decentralisation is local elites' interest and government capture which require understanding of power relations and networks that could jeopardise decentralisation at local government level (Devas, 2005).

Miller (2002) and Baltušnikienė (2009) conducted an analysis on the disadvantages, risks, and criticisms of decentralisation. Miller (2002) argues that notwithstanding advantages and benefits associated with decentralisation, it also has its

disadvantages and risks. This makes understanding of the disadvantages and risks very crucial towards setting up mitigation measures (Miller, 2002). Some of the disadvantages and risks of decentralisation are: inter-regional inequalities can widen intra-national poverty gaps, risk of power and resource capture by interest groups and elites in sub-national governments, economies of scale can reduce which may result in cost escalation (Miller, 2002; Tahina, 2015). Other disadvantages include possibility of misusing of authority because of inadequate supervision and weak accountability mechanisms, shortage of implementation arrangements in sub-national governments, potential for conflict between local and national interests, and complex forms of governance and bureaucracy (Miller, 2002; Tahina, 2015).

## **2.4 Assessment of Some Decentralisation Projects**

As noted above, each decentralisation project has its own challenges and success stories. In the narrative below, the researcher discusses what literature relatively points out as successful and unsuccessful decentralisation projects implemented in some countries. The researcher starts off by discussing unsuccessful decentralisation projects and thereafter successful ones as classified by literature.

### **2.4.1 Unsuccessful Decentralisation Projects**

Mukwena (2004), Stanton (2009), Hetland (2007), Smoke (2007), Opare, Egbenya, Kaba, and Baku (2012) provide some of the basis that make decentralisation unsuccessful. These factors are: (i) political influences, (ii) poor capacity in local government, (iii) poor institutional arrangements, (iv) inertia to change, interference by national government, and (v) anxiety for losing power. Matovu (2008) argues that the main challenge affecting decentralisation projects especially in developing countries (Africa in particular) is inadequate capacity, and based on this, he recommends that developing countries should build technical capacity and cross-cutting capacity in order to implement decentralisation successfully. Smoke (2007) argues about the importance of political will as a key requisite for decentralisation without which decentralisation cannot be implemented successfully. The researcher is critical of this view since it overlooks African experiences or lived realities, hence the researcher believes that some of the solutions for Africa have to come from within the continent.

Smoke (2007) also indicates that other challenges for approaching decentralisation relate to defining decentralisation in context, coordinating actors and creating linkages among them, and management of decentralisation strategy. Devas (2005) contributes his bit in arguing that challenges affecting decentralisation relate to resources, institutional capacity, auditing and accountability, and information-sharing as well as civil society participation. The most grievous challenge for decentralisation political interests which is also noted as part of the problem statement of this project as the researcher observes from the literature arguments.

There are various examples that literature suggests as unsuccessful decentralisation projects. In Ghana for example, decentralisation has been applied in order to increase political participation and to ensure accountability at local government level. However, Crawford (2009) and Sana (2011) argue that the decentralisation project is failing because of politics wherein central government in Ghana is unwilling to relinquish control over its powers to the local government. Barcson (2016) indicates that involvement of politicians negatively affected the decentralisation project in Papua New Guinea because they focus on advancing their own interests ahead of those of the society. Panday (2017) discusses Bangladesh's failed attempt to transfer power from central government to local governments because of political interference that are prevalent in most of the Asian countries.

Montalvo (2011) argues that in Latin America, politics have negatively affected decentralisation projects. In Argentina, among other Latin American countries, politics negatively affect decentralisation and render it ineffective (Montalvo, 2011). Spina (2014) discusses empirical evidence on the failure in decentralisation projects in Europe because of politics. Mukwena (2001) indicates that decentralisation in Zambia is affected by politics. Indonesia's case of decentralisation provides another example of what is not a successful story for decentralisation. Alm and Roy (1999) and Green (2005) indicate that decentralisation implemented in Indonesia was designed to ensure autonomy to the cultural diverse region in the country and its success is essential in terms of improving good governance, public participation, political and economic stability. They also note that due to corruption and poor cooperation across levels of government, among other challenges, decentralisation in Indonesia has not really taken off and what is being implemented as decentralisation is "vague",...as

such improvements can be made on the implementation of decentralisation in Indonesia (Green, 2005:9). Suratman Nur (2013) supports this argument. The Indonesian example is a unique one among the rest since it does not cite political interests as a cause for challenge.

From the cited examples, it is clear that literature seems to suggest that political interference is the major enemy to the successful implementation of decentralisation projects. Crawford (2009), as well as Siddle and Koelble (2013) argue that decentralisation is often negatively affected by challenges that are of a political nature which led to its failure in most of the African countries. The researcher observes the arguments by various authors regarding the causes of failure in decentralisation projects, however, the researcher is of the view that the arguments by authors cited above do not feature the notion of buy-in by stakeholders for decentralisation. Feinstein (2015) argues that all stakeholders have to be willing and committed to support decentralisation in order to implement it successfully. It is the researcher's view that causes of failure for decentralisation should not only be considered from one angle which is politics notwithstanding the fact that politics are the leading causes of challenges as literature provides.

#### 2.4.2 Successful Decentralisation Projects

As demonstrated by authors cited below, intergovernmental relations and cooperative governance among spheres/tiers of government are important for decentralisation to take place. As such, all spheres of government should demonstrate support decentralisation. Mdliva (2012) and Zulu (2014) posit that cooperative governance is an important aspect of a unitary state. South Africa is considered as a unitary state with elements of federalism in practice and in its legislation (Wittenberg, 2003; Wright, 2014; Williams, Sommadossi, and Mujais, 2017). The researcher's reading of the literature is that decentralisation needs commitment and willingness from all spheres/tiers of government in order to ensure its success in yielding the intended outcomes, among other key ingredients. Feinstein (2015) provides other ingredients as he argues that what results in a successful decentralisation is a combination of a number of elements which include: capable institutions; appropriate, transparent, accountable legal frameworks; competent and honest financial management system;

cooperative governance. Other key elements include: transparent oversight and accountability, proper service delivery mechanisms; proper communication mechanisms with citizens, and stakeholder engagement and all these factors require which political will and good governance (Feinstein, 2015). Below are some examples of successful decentralisation projects.

Given that there is no best practice that commands universal modelling on decentralisation, there is only what the researcher can best describe as better implementation of decentralisation projects comparatively, and such better decentralisation projects are considered as successful projects in this context. The first example of a successful (better) decentralisation project in comparative analysis when considered against those of other African contemporaries, is the South African decentralisation project. This example is from the researcher's analysis of the existing literature as demonstrated below. While criticisms exist for South African decentralisation, the researcher is of the view that a lot of other African counterparts can assimilate a lesson or two from the manner in which decentralisation is implemented in South Africa. Both Stanton (2009) and Siddle (2011) acknowledge aspects that are commendable about South Africa's decentralisation which is actually what possibly set the country apart when compared with other African countries. Although they largely argue that its success has not been as much as it would have been expected already in the third decade of democracy (Stanton 2009; Siddle, 2011). Hendricks, Buch, Seekoe, Bossert, and Roberts (2015) analyse decentralisation in South Africa in terms of health service utilising the example of the District Health Authorities (DHAs) and demonstrate the structural suitability of the South African local government for the success in the decentralisation of the health function. Notwithstanding the success on decentralisation in South Africa as noted by Hendricks, Buch, Seekoe, Bossert, and Roberts (2015), the researcher is of the view that the country has not done best in decentralisation. For example, the Accreditation Programme which is problematised for exploration in this study is not yielding intended objectives due the challenges affecting the programme.

Another example of better implementation of decentralisation project is Switzerland. Barankay and Lockwood (2006) make analysis of decentralisation and government productivity in Swiss cantons. They analysed applicable legislation in the Swiss

cantons in order to provide evidence on the relationship between expenditure on decentralisation and the autonomy of cantons on taking decisions, and they discovered that decentralisation has a positive effect on educational attainment (Barankay and Lockwood, 2006). They also found out that expenditure under decentralisation is effective when national governments are less involved on matters pertaining to local affairs since the involvement of central governments undermines autonomy of local government in decentralisation. Without limiting himself to the argument on continental dynamics by focusing specifically on central and sub-national governments relations, the researcher observes the comparative better practice of decentralisation in Switzerland and considers a dissimilar practice when compared Ghana as raised by Opare, Egbenya, Kaba, and Baku (2012). In Ghana, the central government interferes in the decentralisation project by withholding power that should be transferred to sub-national governments and by encroaching on their mandated jurisdiction of work (Opare, Egbenya, Kaba, and Baku, 2012). These are some of the instances wherein the researcher embraces a view that there should be some form of modelling across countries in order to customise and improve on the implementation of decentralisation.

Another example of better implementation of the decentralisation project comparatively is Singapore. Mok (2002) makes an analysis of decentralisation and marketisation in Singapore and highlights the successes that the country has attained using the school excellence model (SEM) for self-assessment and self-improvement in schools. In another example of better implementation of decentralisation, Cox, Henderson and Raikes (2014) analyse decentralisation in England as part of the implementation of the Localism Act. They argue that evidence from countries like Germany France, and Japan have inspired systemic attempts to make decentralisation a cross-cutting principle for good governance (Cox, Henderson and Raikes, 2014). The countries noted here are considered as some of the best practices of decentralisation and this is because they were able to ensure greater well-being for the citizens, reduced inequality and ensured more cost-effective public services while sub-national government played an important part in achieving that (Cox, Henderson and Raikes, 2014). In an attempt to develop a systematic decentralisation programme in England, a study was conducted in 13 government departments where a matrix of functions and sub-functions were developed for assessment of how those functions

were administered in order to see what function can best be implemented at which level of government (Cox, Henderson, and Raikes, 2014). They conclude that successes in yielding the intended results were noted which emphasise decade of continuous improvement of the decentralisation project although a lot can still be improved (Cox, Henderson, and Raikes, 2014). Notwithstanding the controversies that followed, Kenya provides another example in this class of decentralisation projects where the 2013 elections brought a major political transformation for devolved governance with checks and balances between the national and sub-national governments (Cheeseman, Lynch, and Willis, 2017).

## **2.5 Relationship between Federalism and Decentralisation**

As a way of considering federalism in relation to decentralisation, the following two (2) questions are posed: The International Institute for Democracy and Electoral Assistance (IDEA) (2017:16) asks “which powers should be exercised at which level (of government)?” whereas Inman and Rubinfeld (1999:662) ask “which level of government is best suited to make public policies, given that we want those policies to be democratically decided, respectful of personal rights, and economically efficient?”. Inman and Rubinfeld (1999) conjecture that the answers to the questions raised require rational analysis of costs and benefits of centralisation and decentralisation. Along such rational analysis, the answers also require a well-thought approach of constitutional allocation of functions based on various purposes of government spheres. A proposed response to the questions is provided after addressing some of the related issues which lead to the discussion on the section of *Power and Sovereignty in Federalism* in this chapter. From the existing literature, it is noted that a decision to allocate functions in different spheres of government is a tricky one to take (Khemani, 2001; Robson, 2006; Oelofse, 2010). Thus the study of federalism gives sense to the allocation of function across different levels/tiers of government for particular reasons. However, the bottom line is that allocation of powers and function to certain spheres of government and or decentralisation of government functions to sub-national spheres of government should be well-considered and carefully thought of in the researcher’s observation. Therefore, in this instance, federalism is considered in relation to decentralisation. One’s starting point

is that of looking at the conceptual framework and evolution of federalism in theory and practice.

### 2.5.1 Conceptual Framework and Evolution of Federalism

Perhaps it will be a good idea to start off with the etymology of the concept *federalism* in order to establish a conceptual understanding of it. The concept *federal* has a Latin origin in the form of *foeder/foedus* which refers to a *covenant* (Elazar, 1995; Aliff, 2015). Elazar (1995) indicates that this covenant is understood to be between different tiers of government. In theory and practise, federalism has been constantly evolving. Elazar (1995), Inman and Rubinfeld (1999), and Feeley (2012) are of the view that federalism is a current subject of intellectual debate throughout the world and it has been applied in all continents in one way or the other. By 2015, statistics show that about 40% of the world's population comprised of above 2 billion people who lived in 480 federal units from mega-federations like by Russia to micro-federations like the Comoros (Aliff, 2015). A number of countries have adopted some form of federalism, and notable examples of those are: South Africa, Brazil, Canada, United States, and countries in the former Soviet Union (Bednar, Eskridge, and Ferejohn, 1999; Wright, 2014; Inman and Rubinfeld, 1999, IDEA, 2017). Among African countries, Nigeria is a typical example of federalism.

The practise of federalism appears to have been in existence in ancient times when alliances were formed and cities, regions, and states were connected one to another for the purpose of defending themselves against the conquest ambitions of stronger and dominant kingdoms such as Macedonia, Rome, and Sparta (Bataveljic, 2012). Bataveljić (2012:21) adds that confederations were established in the middle ages, "thus alliances of independent states or, as they are mostly considered; only reinforced alliances of states by which however no "super-state" ("superior state") was created. From the seventeenth (17<sup>th</sup>) century, in Europe, government relationships between some Western countries have been organised in a way of structured interactions between different sovereign states under the rally which was referred to as the Westphalian system (Rubin, 2017). These relations were not only meant to enhance and punctuate the sovereignty of the states under what is commonly known as the

*Peace/Treaty of Westphalia*, but also to concretise international relations among the states in what is referred to as *confederations* (Warren, 2016).

Bednar, Eskridge, and Ferejohn (1999) argue that federalism is the division of sovereign authority among various levels of government in order to stabilise, decentralise, and ensure credibility of governmental structures. Federalism can also be understood as an institutional arrangement with three (3) defining features occur, namely: (i) government authority is shared between different levels/tiers of government, (ii) each tier of government has some issues has matters to which it presides over and have final decision-making powers, and (iii) a high court for federalism arbitrates on disputes concerning that particular federalism arrangement (Kelemen, 2003). Rubin (2017) concurs in arguing that federalism can be considered as a transformation of the national sovereignty principle. The IDEA (2017) defines federalism as a constitutional mechanism for separation of powers among various levels of government in order for federal government units to have substantial and constitutionally guaranteed autonomy over some policy areas while sharing power in accordance with the agreed rules over other areas. This definition shares common features of the definitions of the same concept as provided by authors such as Wheare (1963), Elazar (1987), Wright (2014) and Aliff (2015). The IDEA (2017) also argues that there are typically two (2) main levels, namely: (i) a national/central/federal level, and (ii) a state/provincial/regional level in a single political system. Although literature considers two (2) typical levels of government in a federal system of government, the researcher observes that other sections of literature considers the third level below the state government as the local government. For example, Khemani (2001), Steytler (2005), and Hueglin and Fenna (2006) discuss the third tier of government as the local government in a federal arrangement. Steytler (2005) goes on to discuss roles of local government in countries such as the US, Canada, Australia, Germany, Spain and Switzerland. Elazar (1987) argues that federalism ensures partial shared government powers and partial self-government powers across different levels of government.

The South African government, among other countries acknowledges that good governance involves blending of local government and national government decision-making powers and processes (Inman and Rubinfeld, 1999). Federalism is linked to the sovereignty of states. Bataveljic (2012) argues that in a federal government,

primacy belongs to the federal constitution, and member states adopt constitutions that align to the constitutional principles of the central government. As such, sovereignty is held by the central government. For example, the United States follows this approach wherein states develop constitutions that align to that of the federal government. Bataveljic (2012) also provides three (3) fundamental objectives of federalism as: (i) to safeguard the diversity and different identities, (ii) to protect specific features of every minority community, and (iii) to protect the individuality of every nation, state or region.

Ziblatt (2004) argues that William Riker is the most influential theorist among the rest of other theorists who theorise about the origins of the modern federalism theory. Riker (1964) indicates that modern federalism started in the eighteenth century in 1786. Elazar (1995) agrees that the modern theory of federalism started in the eighteenth century although he mentions 1787. Both Riker (1964) and Elazar (1995) concur that the United States is acknowledged as the first federal system and founder of the modern federalism through its Constitution of 1787. The two (2) theorists Riker (1964) and Elazar (1995) also indicate that the history of ancient federalism dates far back than the eighteenth century which is the period of American federalism. They argue that the first reported system of federalism was that ancient Israelite tribes in the thirteenth century before the Common Era (Riker, 1964; Elazar, 1995). The researcher acknowledges from the arguments cited herewith that although federalism has changed in its form as part of its evolution, however, it is an ancient phenomenon.

Regardless of its change in form, there are some of the key aspects that are prevalent today which were also practised in the federalism of ancient days. Elazar (1995) indicates that federalism is discussed in the sacred book (the holy Bible) as a phenomenon that contains both a common constitution which is the Torah of Prophet Moses which was binding to all Israelites and a great deal of non-centralization whereby sovereign authority rested with each of the twelve tribes among and the locus of authority on day to day governance in the townships of each tribe. Elazar (1995) adds that the Israelite federal system existed for almost 700 years with various modifications along the way such as the introduction of kingship, a division of the kingdom into two (2) separate political systems, one consisting of ten (10) tribes and the other of two (2) tribes. Elazar (1995) adds that the subsequent destruction of the

ten (10) tribe political system and then, 150 years after that, the other ones were destroyed. Therefore as one of the oldest books, the Holy Bible provides the basic principles of federalism as practised in ancient days (Williams and Sakhong, 2005; Devine, 2012).

It is the researcher's view that the practice of federalism continues to evolve in modern age societies. Ronald Watts is among the theorists whose work on the subject of federalism has shaped the manner in which federalism is characterised especially in the modern era. Watts (1996) makes a comparative analysis of federal systems before he worked on the international evolution of federalism in the twentieth century (Watts, 2001). He outlines what can be the key characteristics and basic tenets of federalism, and his characterisation is also supported by authors such as Auclair (2005), Bataveljić (2012), as well as Simbine and Oladeji (2015). Watts (2002) argues that the six (6) basic tenets/characteristics of federations are:

- (i) more than one government order which have direct contact with citizens,
- (ii) sharing of legislative powers, executive powers, and revenue sources between the governments for autonomy,
- (iii) elected public representation for regional opinions in federal decision-making structures and institutions,
- (iv) supreme constitution that cannot be unilaterally changed without the consent of a large proportion of federation members,
- (v) adjudication and mediation mechanism to resolve intergovernmental disputes among the levels of government, and
- (vi) procedures and institutions designed to facilitate intergovernmental collaboration in cases of shared domains or inevitable overlapping of responsibilities.

Authors such as Auclair (2005), Bataveljić (2012) as well as Simbine and Oladeji (2015) among others, concur with Watts (2002) regarding some of the basic tenets of federations as outlined. These tenets are crucial to identify forms of government, and this provides an exemplar approach through which the South African government can be identified because some of these tenets are prevalent making it identifiable as a federal government system. In line with such an identification, the researcher links

federalism to the practise of decentralisation as problematised in this study. The researcher does this in the relevant sub-section (2.5.4) below.

### 2.5.2 Taxonomies of Federalism

According to Elazar (1995), Aliff (2015), and IDEA (2017), federalism provides for different nomenclature of federal states which include, among others: *competitive federalism, coordinate-authority, asymmetric federalism, market-preserving federalism, confederal government, and multi-level governance*. However, Aliff (2015) adds that, in general, federal states align to either of two (2) models of federalism which are dual federalism or cooperative federalism. Shah (2008) concurs that the two (2) models are the most common models of federalism that are practiced in all continents. Drawing from the work of Riker (1964), Aliff (2015) as well as Simbine and Oladeji (2015) argue that in dual federalism, the responsibilities of the federal and state governments are separate and distinct. They provide an example of the working of the federations of Australia, Canada, India, Pakistan, and the United States which resembles the coordinate-authority typology of dual federalism (Shah, 2008; Aliff, 2015; Simbine and Oladeji, 2015). In dual federalism, two (2) spheres of government govern on the same territory and each sphere has at least one area of action wherein it is considered autonomous and the applicable constitution guarantees such autonomy on the spheres of government (Riker 1964).

In cooperative federalism, responsibilities of orders from different spheres/tiers of government are interweaved/interlinked one to another (Simbine and Oladeji, 2010; Simbine and Oladeji, 2015). In both dual and cooperative federalism, fiscal tiers are arranged in such a manner that allows the national and state governments to have independent authority in their areas of responsibility and to act as equal partners on a defined area of jurisdiction (Salami, 2011; Aliff, 2015; Simbine and Oladeji, 2015). Dual federalism occurs in two (2) forms, either on what is referred to as *layer-cake* form or what is known as *coordinate-authority* form (Shah, 2008; Simbine and Oladeji, 2015). In layer-cake form, there is ranked and unitary relationship among different spheres of government, and this form is common in federal systems of countries such as Mexico Malaysia, and Russia, (Shah, 2008; Simbine and Oladeji, 2010; Aliff, 2015). In a coordinate-authority, both national and state governments are separated,

autonomous, and independent with their own authority and limits in their area of jurisdiction. One does not interfere with the other only the central government has powers to deal with issues at the local tier either directly or through state governments. In such context, local government is part and parcel of the state and it is not autonomous and cannot play a role on its own (Shah, 2008; Simbine and Oladeji, 2015).

Shah (2008), Aliff (2015), as well as Simbine and Oladeji (2015) argue that the cooperative federalism has three (3) forms, namely: (i) interdependent spheres, (ii) marble cake, and (iii) independent spheres. With regard to the interdependent spheres as implemented in countries such as Germany and South Africa (which are considered unitary countries with federal features), the national government determines policy, and other levels of government (the provincial/state and local) act as the implementers of the national policies (Simbine, and Oladeji, 2015). Considering the domination of national governments in the policy-making processes in the interdependent spheres form of cooperate federalism, states/provinces have a voice in the national policy-making process through the Bundesrat and the National Council of Provinces (NCOP) in the cases of South Africa and Germany (Simbine and Oladeji, 2015). Some of the basic tenets outlined by Watts (2002) are applicable in both the German and the South African contexts. It is the researcher's observation that there is some similarity in the manner in which developed and developing countries have adopted federalism and the implementation thereof is quite similar. Thus, the researcher opines that countries can model best practices of federalism from other countries although the practice in non-Western countries has been that of adopting the style of the Western world without necessarily customising them to suit their dynamic conditions. This perpetuates the practice that literature considered as Western hegemony especially in developing countries (Apple, 1990; Wade, 2002; Abumilha, 2016).

Cooperative federalism is also practised in Belgium, among other countries (Fabre, 2009; Romainville, 2015). Fabre (2009) and Aliff (2015) argue that Belgium has three (3) territorial and four (4) linguistic jurisdictions and strong territorial affinity as part of its cooperative federalism approach. Belgian federalism is quite unique since it takes an aspect of language homogeneity, among other issues. Shah (2009), Aliff (2015), as well as Simbine and Oladeji (2015) also argue that in cooperative federalism

whereby spheres of government are independent, all of them have autonomous and equal power and authority status, and they coordinate government policies vertically and horizontally. They add that Brazil was the country that was practising this form of federalism (Shah, 2008; Simbine and Oladeji, 2010; Aliff, 2015). The researcher likens this cooperative coordination of governance policies and power status to what in South Africa is considered as intergovernmental relations as governed by the Intergovernmental Relations Framework Act of 2005. Although in the South African context, the Constitution is clear in terms of powers and functions for the three (3) spheres of government.

Another typology of federalism which involves a number of sovereign member states is referred to as a *confederation*. In a confederal system, the confederal government serves as the agent of the member states which usually do not have independent powers to administer taxes and spending powers within the confederation (Aliff, 2015; Simbine and Oladeji, 2015). Examples of confederations are organisations such as the United Nations, European Union, and Commonwealth of Independent States which was constituted by 11 of the erstwhile republics of the Union of Soviet Socialist Republics (USSR). A confederal system of organisation suits communities and polities that are internally homogeneous but, as a group, completely heterogeneous (Shah, 2008; Aliff, 2015). Over the years, the European Union has consistently moved to take on a federal role (Shah, 2008; Aliff, 2015; Simbine and Oladeji, 2015). In the case of the South African state, the literature provides that South Africa is not necessarily a federal state, *e contrario* (on the contrary), it is a unitary state with federal features where the national/central government determines policy whereas provincial and local governments act as implementing agents for the policies as in the case of Germany (Simbine and Oladeji, 2015).

### 2.5.3 Power and Sovereignty in Federalism

According to Althusius (1932), the federalist theory is linked to sovereignty and the principle of subsidiarity among spheres of government. The principle of subsidiarity can be understood as the assurance that involves power sharing between several levels of (government) authority which operates in a principle which forms the institutional basis of federal systems of government (Raffaelli, 2017). In the

researcher's observation, the practice of the subsidiarity principle generally resembles decentralisation and federalism in the sense that powers over functions are shared across various levels of government. Breton, Cassone, and Franschini (1998) argue that the subsidiarity principle must be understood as part of the political-legal-constitutional machinery which implements the assignments and reassignments that are called for by the competition that drives those assignments as they relate to the sovereignty of states. Sovereignty is about the powers of independent states to take decisions and implement their own affairs across levels of government, and this approach to sovereignty stems from the works of Bodin and Schmitt since power and authority are held by states as opposed to monarchs and kings (Bodin, 1955; Schmitt, 1985). Subsidiarity principle argues that local government is capable of exercising authority over functions and should be permitted to implement those functions (Raffaelli, 2017). It is the researcher's observation that the principle as explained by Raffaelli (2017) aligns to the decentralising of housing function as implemented under the Accreditation Programme in South Africa.

In a federal government system, sovereignty is shared and powers are divided between two (2) or more levels of government where each level government has a direct relationship with citizen (Khemani, 2001; Steytler, 2005; Hueglin and Fenna, 2006). By extension for the researcher, powers over government functions are held at various spheres of government under federal system. As such, holding powers over a function is tantamount to sovereignty over those held functions (Giddings, 1906). Therefore, when the function moves from one sphere of government to another, sovereignty over that function moves along as well. Such move in terms of functions and the concomitant sovereignty over the functions should be protected by legislation just in the case of the additional functions when they are delegated or transferred from one sphere of government to another (Christmas and De Visser, 2009).

In a federation, sovereignty is held at central/national government not to member states, however, by on the contrary, a confederation does not have any state subjectivity, and the federation is a sovereign state, respectively, whereas in a confederation, the sovereign states are comprised in the arrangement (Bataveljic, 2012). Again, in a federation arrangement, attributes of sovereign power are delegated and devolved to other levels of government (Bataveljic, 2012). Components of a

federation are not sovereign states since they cannot determine their own competence, however, the sovereign power belongs to the union which can represent the member states on matters that relate to international relations (Bataveljic, 2012). The IDEA (2017) argues that a federal system may decide on a three-fold distribution of power through a constitutional provision of the role of local government and by creation of overlapping territorial and linguistic, South Africa and Belgium are classical examples of this distribution, respectively.

Allocating of functions to different spheres of government is a tricky decision to take (Khemani, 2001; Robson, 2006; Oelofse, 2010). There is no best formula in the world that determines which function can be best suited at which level of government, however, literature provides models for allocation of powers and function which are context dependent. For example, in an attempt to grapple with issues of decentralisation and developmental local government mandate in South Africa, the Community Law Centre (2007) attempts to provide a model that could be applied for the South African context. Otherwise, the researcher identifies with the literature argument that deciding on the allocation of government function is a tricky exercise. Regardless of the model developed by the Community Law Centre (2007), the issue remains a challenge in Southern Africa. No wonder it is a source of conflict in South Africa and thus problematised through the decentralisation of the housing function in this study. Therefore, federalism and decentralisation are implemented in order to assist in rationalising government functions for better governance and delivery of social services (Inman and Rubinfeld, 1999; IDEA, 2017). Therefore, depending on what function is in question, the answer can be to centralise, decentralise, federalise, or outsource to an external agent but align accountability to the spheres of government.

Federalism can be considered as an approach that modifies the sovereignty of the national/central government (Rubin, 2017). Elazar (1995) raises the same idea differently as he argues that federalism is a way of organising power and the power relationships that flow from it. The same idea is put even much better by Bednar, Eskridge, and Ferejohn (1999) who consider federalism as the division of sovereign authority among different levels of government as a way of stabilising, or ensuring credible, decentralised governmental structures. They also argue that some

government conceptions consider sovereignty to be unitary, a divided sovereign is actually the idea of separate states (Bednar, Eskridge, and Ferejohn, 1999). This simply means that it makes sense to argue that sovereignty can be shared and it also makes sense to argue that sovereignty can be transferred across levels of government. Therefore, by dividing sovereign authority among national and sub-national governments (provinces/states), federal arrangements produce advantages of decentralisation (Bednar, Eskridge, and Ferejohn, 1999).

#### 2.5.4 Federalism and Decentralisation

There is a thin line between decentralisation and federalism, however, the line can be made clearer when one looks at the political theory of federalism by Feeley (2012). His theory of federalism makes a clear distinction between federalism and decentralisation regardless of the strong relationship that exists between them in practice. The difference will be demonstrated in this sub-section. In the analysis of literature, the researcher observes that there is general consent among a number of authors and theorists on federalism that decentralisation and federalism are strongly related and interlinked, and Oates (1999) indicates that the two (2) terms are utilised interchangeably at times although there are some notable differences between them. Some of the authors and theorists that testify to this claim are Elazar (1995), Oates (1999), Bednar, Eskridge, and Ferejohn (1999) as well as Feeley (2012), among others. Among other common features that strongly link decentralisation and federalism is that they both bridge the gap between government and communities, and their application is meant to address the needs and interests of citizens with ease and effectiveness. Both decentralisation and federalism bring government closer to communities. To demonstrate the thinness of the line, it is argued that what is often considered to be federalism, is actually decentralisation (Feeley and Rubin, 2008; Feeley, 2012). In some instances, decentralisation is utilised to achieve federalism. For example, federal states apply federal principles in order to incorporate a measure of constitutionalised decentralisation into their government systems (Elazar, 1995). Feeley (2012) emphasises the link between decentralisation and federalism as he argues that a federal government systems promotes decentralised decision making and thus, it is conducive to greater accountability, freedom of choice, public service diverse preferences, innovation, and political participation. Federalisation and

decentralisation are easily implemented in sync more especially in countries and states that are homogeneous (Elazar, 1995). Therefore, things like regional disparities, geographic distances/spatial differences, diversity of economies, and diversity in local historical experiences can make institution for decentralised policy-making efficient and responsive than central/national ones (Bednar, Eskridge, and Ferejohn, 1999).

Decentralisation operates like a social contract, it demands all actors to play their role in order for its success. Bednar, Eskridge, and Ferejohn (1999) supports this observation in arguing that decentralisation advantages are attainable, nonetheless, only if there are good justifications for the players which are citizens, regional, and central/national governments. This is on the premise that all players must not take advantage of one another and that the central government will not try to usurp power from the regional governments (Bednar, Eskridge, and Ferejohn, 1999). Otherwise, without assurance of such premise, disputes and suspicion of foul play among players would reduce enthusiasm among participants for the federation and possibly motivate governments' stakeholder to withdraw from the federation (Bednar, Eskridge, and Ferejohn, 1999). Therefore, it is crucial for agreements and implementation protocol to be agreed and signed between participating spheres of government in cases of decentralisation and federalism. It is also important to abide by the signed agreements and comply accordingly for the success of decentralisation. From this literature argument, the researcher observes that mutual trust among levels of government is important to the success of federalisation and decentralisation. Thus decentralised political polities must persuade participants to believe that every player will adhere to the federation's terms and act accordingly by ensuring compliance. This means that decentralisation should be credible in order for it to work effectively (Bednar, Eskridge, and Ferejohn, 1999).

As much as decentralisation and federalism are related and intertwined, there are some differences among them that can be noted. To account for the differences between federalism and decentralisation, Feeley (2012) indicates that federalism is a system wherein sovereignty/authority is shared between not less than two (2) levels of government, namely: the nation and its sub-units. Each government level has some area of sovereignty/autonomy/rights that are unfringeable, unchangeable by the other levels of government and no level of government can undermine the rights of the

other level/s of government (Feeley, 2012). On the other hand, decentralisation is a system in which inclusive government unit divides itself into sub-units/delegates some of its powers and authority to the sub-units (Falleti, 2012; Feeley, 2012). Decentralisation is purposed to facilitate efficiency, effectiveness, or other set of government concerns, as such, decentralisation assumes the question how best government can structure responsibilities such as defence, health care, education, the economy, and agriculture in such a way that delivery of such service can be effective and efficient (Feeley, 2012).

The researcher's interpretation of Feeley (2012) is that decentralisation rationalises government's responsibility. In federalism, power, sovereignty, and constitutional functions cannot be clawed back. However, under decentralisation, the delegation can be rescinded. The Municipal Accreditation Framework (2012) also supports that administrative decentralisation which is mainly accreditation level 1 and 2 for delegation of functions to municipalities can be rescinded (DHS, 2012). Feeley (2012) provides an example wherein Spain clawed back the functions in what is refers to as recentralisation. As much as the two (2) can be separated, it is understandable that not all countries with federal system of government are decentralised and not all unitary countries are centralised. Aliff (2015) provides an example of Canada which is highly decentralised as well as Australia and Germany which are centralised federations.

Federalism has increasingly become decentralisation and this is due to the level of power and sovereignty that central governments tend to wield. As such, Feeley and Rubin (2008) maintain that what is often referred to as federalism today has actually become decentralisation. They argue that the United States (US) has been noted as an example of the practice of federalism, however, Rubin and Feeley (1994) conclude that the US have become an example of unitary state with aspects of federalism, and thus decentralisation occurs. The central government has become more powerful. This is typical of what the Republic of South Africa is, a unitary state with federal aspects (Moeti and Khalo, 2008; Wright, 2014; Schwella, 2016). A substantial argument has been put forward for this claim for the transition of the US from federalism to unitarism with decentralised powers. Feeley (2012) maintains that there is no area of policy-making across all states that the US national government cannot control if there is a

sufficient national will to do so. He adds that even though the US might have at some point been a federal system, historical events have transformed it into what can be a unitary system in practise (Feeley, 2012). For example, he indicates that the Civil War that occurred in the 1860s consolidated a national polity and nationalisation was fast-tracked by economic development in the remainder of the nineteenth (19<sup>th</sup>) century (Feeley, 2012). Another example is the Great Depression that occurred 1930s which further expanded the trend of nationalisation and the civil rights and administrative due process revolutions of the 1960s and 1970s completed the process, and thus, the US became unitary in practice but theoretically federal (Feeley, 2012).

The researcher considers that the analysis of the theory of federalism with regards to its evolution, developments, trends, and model of federalism makes it clear that federalism is becoming a disguise of unitarism. The researcher draws some comfort from the literature to refer to such transitions as exemplified by the United States' system, of course with due respect, as *diluted federalism* which is exemplified by the United States, Russia, and Mexico, among the examples that have been swallowed by strong central authority (Feeley, 2012). Feeley (2012) also acknowledges what the researcher would refer to, of course with due respect, as *genuine federalism* which is exemplified by Switzerland. From the argument by Feeley (2012), the researcher observes that both federalism and unitarism provide fertile ground for decentralisation to take place. Hardcore unitary states such as France and Sweden have decentralised some function to their regions and districts as a way of extending the arm of the central government to reach the citizens. This brings the researcher to the point where he zooms into the South African state context and decentralisation. The next section attempts to grapple with the South African context where the subject of decentralisation is problematised.

## **2.6 South African Context of Decentralisation**

In this section, a number of issues are highlighted in order to understand the context of decentralisation in South Africa. The issues include the historic legitimisation of the South African state and its government, history of local government and decentralisation in South Africa, the mixture of the federal and unitary aspects of the South African government system, the basis of allocation of functions across the

spheres, local government and decentralisation in post-apartheid South Africa, and the decentralisation of housing function to local government. However, ahead of discussing the South African context of decentralisation, the researcher deems it crucial to discuss the notion of a developmental state in South Africa and provide a context of the crises that the country faces. The former provides key pointers for the theoretical framework discussion of the study which the researcher deals with in the next chapter. On the researcher's part, the justification for providing the context of the crises is that the crises are happening in local government, and or their effect have a reflection on local government in South Africa.

### 2.6.1 The Notion of South African Developmental State

The researcher considers it vital to discuss the notion of the South African developmental state because it begins to harbingering the theoretical discussion of the study. Chang (2003) indicates that the historical genesis of developmental state can be linked to the need for economic intervention in the epoch after the first and second world wars which was prompted by occurrence such as the Great Depression, economic decline, and the need for economic welfare. The current drive for establishing developmental state can be linked to the successes in socio-economic transformation and development noted in Asian states such as Japan, South Korea, and Taiwan, among others (Evans, 1995; Mabasa, 2014). The three (3) states, among others, have in just four (4) decades, attained economic development that witnessed a move from poor agrarian into world class producers of technological instruments and value added good between the 1960s and the 1990s. The secret to their success was that policy development and implementation in these states casted-off statist and extreme market developmental models of development which were linked to political economic models but adhered to a developmental state approach which was a combination of state and market-oriented economic development (Mabasa, 2015). For the researcher, the Asian states mentioned prove that economic transformation is possible even without the application of strict market forces developmental model. This provides a lesson from the African less developed states to apply the combination of state and market-oriented economic development in order to address their economic challenges and by so doing creating African developmental states. Therefore, the researcher conjectures that the Republic of South Africa (RSA) can take advantage of

the lessons from the oriental states in order to turn the situation around within the context and dynamics of its diverse political and social landscape.

A literature sentiment that South Africa could be a developmental state is shared among different authors and scholars which include Gumede (2009), Edigheji (2010), Evans (2010), as well as Mabasa and Mqolomba (2016), among others share. However, in the researcher's analysis of the South African context, there is a huge potential for an African class developmental state in South Africa if only the idea of building an efficient and effective South African developmental state can be put into a proper context for action which takes into account key issues such as: (i) the historical antecedents, (ii) diverse political landscape, (iii) policy direction, (iv) bureaucratic alignment, and (v) inclusive governance, among other key issues for consideration. Although it is notable that there are hybrid features of what Esping-Andersen (1990) as well as Mitileni and Sithole (2016) classify as social democratic capitalist welfare state in South Africa. However, by and large, the South African state tilts more towards the features of a developmental state. Depending on what one provides as a supporting evidence and characteristics to make a claim on the type/kind of the state that South Africa is, otherwise, as a hybrid of various characteristics, it can be classified either way. For the purposes of this study, the characteristics of a developmental state are considered in line with the theoretical discussion of this project. Presidents Ramaphosa and Zuma made reference to South Africa as a developmental state in their state of nation addresses for 2019 and 2012, respectively. President Mbeki did not explicitly refer to the South African state as a developmental state, however, in his Presidency Department Budget Vote speech delivered on 25 May 2005, he mentioned that a strong state to assist in achieving social and economic development is needed. The researcher's interpretation of President Mbeki is that he was referring to a developmental state. Although within the broad categories of developmental states, there are classification that further characterise the developmental states which the South African state can satisfy (Evans, 1995; Chang, 2003).

As it currently stands, the researcher is of the view that the idea of creating a development state exists and this is evident from the political and policy pronouncements as well as the existing structures that are needed for a

developmental state in South Africa. Mabasa (2004) posits that the ideas for creating a South African developmental state have been advocated for by relevant sections of the South African society such as the civil society, academics and government bureaucracy. For the researcher, the creation of a South African development state is a pressing need for a number of reasons but paramount to those is that millions of South Africans still live in abject destitution in the third decade of democracy. Other reasons that are provided in the literature on the subject include that a developmental state is an essential mechanism for addressing socio-economic and political challenges (Edigheji, 2007; Mabasa, 2014). Mabasa (2014) adds that a South African developmental state could: respond to current challenges and improve the citizens' quality of life, define and clarify the economic development role of the post-apartheid South African state, development of an inclusive national macro-developmental strategy, and clarification of roles for stakeholders such as the government bureaucracy, civil society, business and labour.

As noted in this sub-section, the researcher's observation is that the notion of an efficient and effective South African developmental state has a huge potential of becoming a prototype African developmental state for best practise to other African states. However, this is dependent on how the South African state make use of its existing great opportunities which are crucial for establishing an African class developmental state. The researcher seeks to highlight only three (3) of those opportunities as a starting point among others as: macro-policy development, inclusive and cooperative governance, and the state bureaucracy. Starting with the last, state bureaucracy. Literature confirms that the state bureaucracy should be *autonomous* in order to perform its roles and implement (economic) developmental policies in the absence of interference (Evans, 1995; O'Neil, 2010). The state bureaucracy should also be *embedded* in the society and key players in the economic development tract. This argument is also confirmed by Evans (1995) who discusses the embeddedness and the autonomy of the bureaucracy in the developmental state. This is the key theoretical thesis of the researcher's argument which will be discussed in details in chapter 3. The second opportunity for a possible South African developmental state is the inclusive and cooperative governance. Chapter 3 of the 1996 Constitution outlines the principles of cooperative governance among the three (3) spheres of government whereas the Intergovernmental Relations Framework Act outlines the framework for

cooperation among the three (3) spheres (RSA, 1996; RSA, 2005). In addition to government spheres and their partners, all relevant stakeholders to the government economic development agenda (developmental institutions) should be part of this cooperative governance system, and most importantly, citizens should be part of the governance system. The last great opportunity is the ability to develop comprehensive macro-economic policy frameworks. This has been evident especially in the post-apartheid South Africa by the development of the Reconstruction and Development Programme, Growth, Employment and Redistribution, Accelerated Shared Growth Initiative of South Africa, and currently the National Development Plan (Singo, 2012; Mathonsi, 2017).

The last great opportunity is linked to the implementation of developmental programmes in South Africa. In South Africa, different kinds of programmes are implemented these include the Extended Public Works Programme (EPWP), Special Economic Zones (SEZs), Social Security Programme, among others. Besides the economic development programmes related that are directly related to boosting the economy, the South African state implements these social welfare development programmes in order to address the needs of the citizens. Welfare programmes are actually developmental programmes especially for the disadvantaged South Africans whose hope for survival is on the state (Jacobs, Ngcobo, and Hart, 2010). Literature confirms that government functions such as local economic development, transport, and housing are developmental functions (Community Law Centre, 2007; Christmas and De Visser, 2009; Siddle and Koelble, 2016). With regard to the housing function, the South African government implement human settlements programmes that are directly linked to socio-economic development at micro-level especially because the products that are produced are assets for wealth creation to citizens (DHS, 2015). Smeddle-Thompson (2012) posits that the implementation of housing development programmes is an instrument for job creation and poverty alleviation strategy in South Africa. The Breaking New Ground (BNG) Policy supports this argument by indicating that the implementation of human settlements programme does not only benefit the end-users who are beneficiaries, however, partnership with private sector service providers is a major job creation strategy and a lever of growth in the country's economy (DHS, 2004). Eglin (2019) concurs in his argument where he links incremental human settlements development to job creation in South Africa.

With specific reference to its public service and public sector organisations, the South African state can be viewed as a bureaucratic state taking into account the characteristics and tenants of bureaucracy by Weber (1978). The regulatory and policy frameworks that govern bureaucracy in the South African state include the Constitution, Public Service Act (Proclamation 103 of 1994), regulations, code of conduct, practice notes, public service prescripts, and the *Batho Pele* (People First) White Paper (RSA, 1997b) among others. Mkandawire (2001) and Subira (2011) argue that a developmental state manages structural change and industrialisation to achieve socio-economic growth and development in order for the state to address its important outcome such as delivery of welfare and basic services. The bureaucratic organisation of the state is thus key towards structuring the state as a way to achieve its objectives. In order to effectively structure a developmental state for the purposes of achieving its predetermined outcomes, the application of the work *Embedded Autonomy* by Evans (1995) is useful for analysing the South African context. Simply put, the state has to be embedded in the society and all societal institutions including its organised civil societies as well as its citizens. In the same vein, the state has to be autonomous because interference of state political powers and other forces have a negative effect on the autonomy of the state (Evans, 1995). To a reasonable extent, the South African bureaucracy meets the autonomy and embeddedness qualification to address Weber's views and Evans's views on democracy and developmental states. However, it is the researcher's view that a lot still has to be done regarding the issues of embeddedness and autonomy. Literature seems to confirm this claim (See Evans, 1995; Evans, 2010; Edigheji, 2010; Meyns and Musamba, 2010; Routley, 2012; Routley, 2014; Evans and Heller, 2018). This is the theoretical idea of the researcher's argument for the development of a unique developmental state theory for the South African context.

All activities are made possible and effective provided the efforts to build a sustainable developmental state in South Africa continue in order to enable the state to address crises and challenges facing the country. It is the researcher assumption that the creation of a South African developmental state will assist in dealing with the crises discussed in the next sub-section, among other issues.

## 2.6.2 South African Crises in Context

Among other authors, Hart (2013) contributes in the literature and analysis in South African context in areas of nationalism, populism, and hegemony where her contribution extends Antonio Gramsci's work on the latter subject. Of relevant importance among her academic writings for this particular instance is her work on *Rethinking the South African Crises: Nationalism, populism, and Hegemony* (2013). This work reveals the crises that the country faces especially in the post-apartheid era in areas of the politico-geographical analysis, conflicts, racism, nationalism, and populism. In the researcher's assessment, one crucial aspect of her analysis is that of locating the country's crises at the local government sphere which is something that most analyses that study the South African context lack. Political analysts, historians, social anthropologists, economists, sociologists, and political scientists commend her work as it defines the current and future crises facing South Africa, and for her reliable methodology in building up her analysis (Hart, Leterza, and Sharp, 2014; Nyawasha, 2015; Lange, 2017).

Hart (2013) begins her analysis by making a careful consideration of the framework of the current crises that South Africa faces in its post-apartheid dispensation and their overall impact on local government. She makes a number of highlights of the symptoms of the country's crises by considering, among others incidents: the Marikana massacre, Bredell land occupation and eviction, the rise in social movements, the rise of President Zuma to mass support and power, xenophobia, the rise of Julius Malema and Economic Freedom Fighters (EFF) movement, and the cracks within the Tripartite Alliance (African National Congress (ANC), South African Communist Party (SACP), and Congress of South African Trade Unions (COSATU)) (Hart, 2013). Some sections of literature seem to agree with the argument by Hart (2013) regarding the symptoms of the crises in South Africa and the symptoms are predominantly salient and conspicuous in local government (Twala and Kompi, 2012; Booyesen, 2015; Mbetse, 2015).

Without explaining in details what happened in each of the incidents noted above, the researcher considers it appropriate to make some critical highlights drawing from the work of Hart (2013) and other authors who make a literature contribution to the subject

of South African crises. The first highlight is an incident of the 2012 Marikana massacre wherein the South African Police Services (SAPS) shot and killed 34 people and injured 78 more in Marikana (North West Platinum belt) during a strike for mineworkers (Hart, 2013). The incident was reported in such a way that made it appear that police were retaliating and defending themselves from the attack by the striking miners (Hart, 2013; Booysen, 2015), however, truth came out that there was more to the killings than what met the eye. The second highlight concerns the antecedents that led to the formation of the Economic Freedom Fighters (EFF). Around 2010, the ANC Youth League (ANCYL) advocated for economic freedom through, among other means; nationalisation of mines and land expropriation without compensation, and when this was not entertained by the ANC with the urgency that the ANCYL demanded at the time, in-fights arose between the ANC and the then President of the ANCYL (Julius Malema) (Hart, 2013). A series of disagreements occurred between Malema and some ANC Members of Parliament to a point where the former was expelled from the ANC because of his conduct (as the ANC indicates), after which he started a movement (EFF) which has since grown in support in its way to Parliament (Hart, 2013). The researcher considers this piece of literature with much interest especially on the part where a new party was formed and it quickly gained so much support which landed it in Parliament. It is the opinion of the researcher that something is not right (evidence of the crises) in the country, such that when the new came into existence, it was able to speak the language that provides hope to the ordinary citizens regarding the crises that the country is in. This is a practice that in social sciences, especially in political science is referred to as populism (Moy, 2013). Different authors seem to agree to this argument in the literature (See Twala and Kompfi, 2012; Hart, 2013; Mbete, 2015).

The researcher observes another highlight of the crises symptoms that the country faces from the work of Hart (2013) regarding the clash of ideologies in the tripartite alliance. There have been apparent altercations among the members of the tripartite which made a crack that threatened it (Hart, 2013; Mosala, Venter, and Bain, 2017). Tripartite crack is basic basically sourced from the difference in the ideologies of the tripartite parties in respect to the capitalist character of the neoliberal principle that the ANC-led government has adopted to drive the country's economic transformation and development (Hart, 2013). An argument come out strongly from the literature to concur with the idea raised by Hart (2013) and add that this ideological clash and its resultant

practices of capitalistic character occur on the expense of losing support from the union and its workers/members (Bond, 2005; Booyesen, 2015; Mosala, Venter, and Bain, 2017). According to the Business Day Newspaper article as cited by Hart (2013), all these demonstrate in one way or the other that the majority party which is the liberation movement is losing its holding grip among some blacks, the middle working class, and the so-called marginalised groups which are the base for its support. These are just few symptoms of the existing crises and all these have a bearing in local government which has since been punctuated by the so-called service delivery protests which have since taken on a violent character (Hart, 2013; Nyawasha, 2015).

While these challenges may appear unique to the South African context, the researcher is of the view that different parts of the world could be facing similar crises but the only difference could be the manner in which the symptoms are manifesting. As such, Hart (2013) predominantly makes an analysis of South Africa's case as what can be regarded as an extreme global phenomena. As she puts it, "South Africa is an extreme but far from exceptional embodiment of forces at play in many regions of the world" such as:

- (i) concentrations of wealth collateral with mushrooming of 'wageless life';
- (ii) oppositional politics that assume a multiplicity of forms. For example, the Tea Party in the United States, explosive Hindu nationalism in India, widespread anti-Muslim and xenophobic sentiments in much of Euro-America, fascism in Europe on the one hand -and the uprisings in the Arab world on the other, the occupy movement and the anti-austerity in Greece, Italy and Spain; and
- (iii) official efforts to contain ranging from liberal biopolitical interventions targeting specific populations to increase in common police brutality and rampant militarism (Hart, 2013:5).

These are symptoms that testify to the fact that South Africa is by far not an exceptional case since there are far more appalling cases of crises even in the greatest economies of the world. However, the symptoms mentioned in the case of South African crises make it an extreme case on the part of (patriotic) citizens who have their best interest of the South African society at heart. For most of the South African citizens, the current

crises defeat the hopes and expectation that the liberation in the early 1990s had begun to produce as the country has become an example of different dimensions of crises in a form that is both extreme and deeply racialised (Hart, 2013).

In relation to local government which is the subject at the kernel of this study, the crises that the country experiences are resulting in the form of contradictions in local government, contradictions among influential institutions in the country such as political movement, permutations on what needs to be done and what should have been done, and violent protests in local government (Twala and Kompi, 2012; Hart, 2013; Booysen, 2015; Mbete, 2015). With regards to local government in South Africa, Hart (2013) indicates that South African local government emerged as a key site of contradictions in the post-apartheid restructuring (1994-2000) and this was based on the historic antecedents that are discussed in the next sub-section. More than a decade later, local government continued as the fundamental site of contradictions in South Africa (Hart, 2013). This emphasises that the situation of crises in South Africa has remained in the same mode of existence but the only difference is that the number of symptomatic examples of such crises have increased across these three (3) decades of the post-apartheid democratic South Africa (Booyesen, 2015). From the argument by Hart (2013) as supported by other authors, the researcher ponders on whether or not local government in South Africa is to be blamed or punished due to the crises that the country faces which manifest through variety of symptoms and having a negative bearing in local government. Otherwise, the researcher is of the view that local government in South Africa has its own inherent challenges which have not much to do with the crises as discussed from the literature contribution by Hart (2013). Such inherent challenges are discussed in the relevant sub-sections of this chapter.

Hart (2013) argues that local government has negatively developed into an impossible environment for government efforts to address issues such as poverty and deprivation in what can be considered a racially inflected capitalist society with massive inequalities among citizens and precarious livelihoods most members of the society. She adds that contradictions in local government have their peculiar specificities and such cannot only be considered in local terms, their consideration is far reaching to different aspects of government as a whole, and to an extent globally (Hart, 2013). For

example, neoliberalism is a class project and a manifestation of global economic forces and rationality of rule, however, it has gradually become the overriding frame for most critical understandings of post-apartheid South Africa and such is happening in local government (Booyesen, 2013; Hart, 2013). In an attempt to reflect on the argument by Hart (2013), the researcher considers that the forces of capitalism which have been at play in South Africa especially because the country appears to be caught up in a hybrid of capitalist and socialist ideologies are some of the contradictions that manifest in local government as an area of interest in this study. For the researcher, this pre-empts a question of whether or not South African government lies in a state of exception that would require some radical sovereign decisions to be made concerning this sphere of government, and the challenges that it faces both inherent as well peculiar to it as a separate sphere of government and as emanating from other spheres of government but reflecting on it since it is the sphere closest to the citizens. It is the researcher's understanding that government has been at war to try and address such challenges in local government, and thus, decentralisation is one of the attempts to address local government challenges. For the purposes of putting into context issues of decentralisation and local government in South Africa, the researcher considers it vital to discuss the historic synopsis (summary) of the South African local government. The next sub-section attempts to provide such a historic synopsis.

### 2.6.3 Historical Summary - South African State and Government

Perhaps the comprehensible starting point towards understanding the manner in which decentralisation was adopted and applied in South Africa is to start off by making a little historiography to highlight the manner in which the South African state and its government came to be legitimised. Wiechers (1985) and Thompson (2001) indicate that the South African state was legitimised in 1910 through the South Africa Act of 1909 which became the Constitution that governed the state during that epoch. Through the 1909 Constitution (as passed and assented by the British Parliament and British Monarch, respectively), the four (4) colonies of Britain (Natal, Orange River/Orange Free State, Transvaal, and Cape of Good) were consolidated into the creation of the Union of South Africa while the colonies themselves remained as separate independent colonies of the Union (Wiechers 1985; Robson, 2006; Collins and Burns, 2007; Christopher, 2011). As such, the four (4) consolidated colonies

formed the South African state under the Union government. Wittenberg (2003) indicates that there were local authorities which constituted local government under the jurisdiction of the four (4) provinces, thus, the government system had three (3) levels/tiers of government which are central, regional, and local government. He also indicates that the South African state has always been a unitary state which means the central government was in charge of the governance affairs in all levels of government and it had powers to decentralise functions across the two (2) spheres (Wittenberg, 2003). The researcher is of the view that it could have been interesting to obtain from the literature how best (or not) was the decentralisation of government function done in the past. This would probably expose how much/less would political interference be a challenge for decentralisation or not.

The South African state that was formed operated on a parliamentary system where the 1909 Constitution served as the supreme law of the country allowing all races to participate on matters relating to their government in an approach that is more or less democratic (Cloete 1992; Thompson, 2001). Wiechers (1985) argues that the 1909 Constitution restricted franchise to people who were not part of the four (4) colonies during the time of the formation of the Union of South Africa on the basis of race and colour, as such, some Blacks, Indians, and Coloured could not vote in Transvaal but voted in Natal and Cape provinces. However, the number of voters from those racial groups could be limited and restricted probably in fear that the majority could take over the government (Thompson, 2001). For example, Cloete (1992) argues that during the elections that were held in 1935, black people who voted in the Cape of Good Hope were 10 628 and in Natal, only one (1). This limiting approach for non-white voters served to manage the number of voters far below the threshold that could take over or even challenge as a strong opposition (Thompson, 2001). As time went by, there emerged a standard practice of continuous attempts to limit non-white races from participating in the elections (Wiechers, 1985). Cloete (1992), and Thompson (2001) indicate that the Union government approved regulatory prescripts that disenfranchised Blacks, Coloured and Indians to take part in parliamentary elections. This is the practise that became strongly legitimised during the apartheid epoch where all other races were discriminated in all political related activities on what pertains to government matters in favour of the white minority (in number) group (Thompson, 2001; Robson, 2006).

Robson (2006) indicates that citizens designated as whites by the Population Registration Act of 1950 enjoyed full entitlement to participation of democratic activities that pertained to the Union government in order to vote and to be represented in the government and parliamentary systems. The same Act designated blacks, coloured and Indians, and these three racial groups were restricted on various matters of governance including participation in voting and representation in Parliament (Wiechers, 1985; Cloete, 1992; Thompson, 2001; Robson, 2006). As time passed, the system of government remained the same even though the Republic of South Africa Constitution Act of 1961 came into force and transformed the Union of South Africa into a Republic of South Africa which meant that the Queen was replaced by a state president, however, the government system remained unchanged as a unitary state with sub-national governments (Thompson, 2001; Christopher, 2011).

Yitirmesi (2018) indicates that regardless of the South African state being unitary in its government system, a federal-like approach was implemented through the creation of a tri-cameral legislature under the 1983 Constitution which consisted of three (3) different chambers wherein each chamber permitted membership of one ethnic group. The chambers were: the House of Assembly which had 178 white members, the House of Representatives and the House of Delegates which consisted of 130 coloured and Indian members (Yitirmesi, 2018). Although in principle the three chambers could legislate on issues that were classified in the 1983 Constitution as “general affairs”, in practice, the rights and powers of chambers were limited within their “own affairs” (RSA, 1983; Yitirmesi, 2018:165). Thompson (2001), Egan and Taylor (2003), Wittenberg (2003), and Yitirmesi (2018) indicate that this arrangement did not afford blacks political rights, however, it only permitted Indians and Coloureds some level of political rights especially because they were not part of the Bantustan policy. This argument creates curiosity on the researcher on why different rules of the game were applied across the black versus the Indian and Coloured populations especially because the Bantustan policy did not really afford the black population significant political powers and rights (Geldenhuys, 1981).

As a follow up activity to the tri-cameral arrangement which, to a certain extent, brought Indians and Coloureds to the system of government, the apartheid government sought

to involve them in provincial governments (Thompson, 2001; Wittenberg, 2003). Being a unitary state, it became easy for the central government to abolish the then existing arrangement which governed provinces in 1986 and introduced the Provincial Government Act of 1986 which provided for the appointment of executive committees by central government for the purposes of bringing Indians and Coloureds into the provincial governments in order to occupy positions which were predominantly held by whites *status quo ante* (previously), and this was “at a time when South Africa was nearing the climax of a wave of internal unrest” (Wittenberg, 2003:10). This kept on pressurising the apartheid government to legitimately recognise all racial groups. Thus, Basson and Viljoen (1988) indicate that several attempts were made to incorporate all races to the system of government while the signs of transformation and transition were impedingly threatening to occur. This was the period that led to the release of Nelson Mandela in 1990 and the subsequent Convention for a Democratic South Africa (CODESA) negotiation in 1991 which, in turn, led to the development transitional/interim Constitution of 1993.

In summary, the South African state has had five (5) constitutions thus far. The first one was the 1910 Constitution which granted the state some form of independence from Britain, and this was sequelled by the 1961 Constitution which declared the state as the Republic of South Africa and no longer a Union of South Africa ahead of the 1983 Constitution which formed a tri-cameral parliament in South Africa which included Coloureds and Indians during the pre-transition period (Wiechers, 1985, Thompson, 2001, Robson, 2006; Yitirmesi, 2018). During the transition period after the release of Nelson Mandela, the Republic of South Africa adopted the 1993 Interim/Transitional Constitution which was a harbinger for the 1996 Constitution which brought a fully-fledged democratic state with equal socio-economic and political rights for all citizens (Wittenberg, 2003; De Visser, 2005; Robson, 2006; Siddle and Koelble, 2016; Yitirmesi, 2018). Robson (2006) indicates that the 1996 Constitution is based on the content of the 1993 Constitution and it represents the conclusion of a constitutional development process which was marked initially by setting-up an interim constitution (1993) which brought in a fully democratic government system, and at the same time made provision for a *final* constitution to be written by the democratically elected representatives of the people (Robson, 2006). He also indicates that the 1996

Constitution differs from its forerunner (1993 Constitution), however, not fundamentally so due to the influence of the set of constitutional principles that was adopted by the multiparty negotiating process, and therefore, the 1996 Constitution can be regarded as the full maturity 1993 Constitution (Robson, 2006).

#### 2.6.4 Historical Summary of Decentralisation and Sub-national Governments

The historical development of decentralisation and local government has been collateral in South Africa and this is evident when one looks at the work by Wittenberg (2003) who analyses the historical development of decentralisation in South Africa in pre-1994 and post-1994 periods. According to him, the elements of South Africa's decentralisation system can be traced to two (2) major aspects: (i) the establishment of the Union of South Africa from the four (4) colonies, and (ii) the process of subjugation, incorporation and control of indigenous polities (Wittenberg, 2003). With regard to the second aspect, he indicates that it led to the attempt of partitioning South Africa into various independent states which is a radical form of decentralisation (Wittenberg, 2003). The four (4) British colonies that constituted the South African Union were therefore adopted as four (4) provinces/regions with certain levels of powers bestowed to them by the Union government (Thompson, 2001; Wittenberg, 2003). In that manner, the researcher observes that a form of decentralisation was implemented.

The central government appointed executive committees, provincial councils, and administrators for the four (4) provinces in order to manage the powers decentralised to them by the central government which included, among others, local government, education, physical planning, roads and health (Thompson, 2001). The same argument is provided by Wittenberg (2003). At the time, the National Party was the political organisation that was running the central government and also in charge of Orange Free State, Transvaal, and Cape at the provincial level while Natal was under the United Party political movement until 1986 (Wittenberg, 2003). Government funding for the four (4) provinces was sourced from taxes, licence fees, and central government transfers in order to administer the provincial government and to implement the decentralised functions. After co-opting other non-white populations in the provincial government level by the central government, provinces/regions were

allocated additional functions for the Development Boards and to control the “Black Local Authorities, outside of the bantustans” (Wittenberg, 2003:10). That takes care of decentralisation to the provincial/regional tier of government in the colonies occupied by the white population.

In the native reserves which were latter referred to as homelands, the decentralisation as well as the control of the central government was effectualised through the Native Administration Act of 1927 (Thompson, 2001; Wittenberg, 2003). Africans/blacks in native reserves have been under the governance of tribal authority before, however, with the promulgation of the Act, the central government took over and utilised chiefs to manage the local affairs in the native reserves (Thompson, 2001). Wittenberg (2003:15) argue that “this happened through the additional function of proclaiming the Governor General (later the State President) as the “Supreme Chief”. Furthermore the chiefs were induced to cooperate in two ways: uncooperative chiefs could be removed and more compliant ones installed; and chiefs received a state stipend as a sweetener”. There was however, resistance in most of the native reserves. Regardless of the resistance, ten (10) homelands were subsequently for the control of the central government (Wittenberg, 2003; Thompson, 2001; Amusa and Mabugu, 2016). Mathonsi (2017:114) indicates that “ten (10) “Bantustans” consisted of six (6) self-governing territories (SGTs) and four (4) black independent homelands that were referred to as “TBVC” states, which were Transkei, Bophuthatswana, Venda, and Ciskei”.

As the central government exercised control over some homelands and created legislatures to effect decentralisation of some powers wherein different government functions were transferred to the legislatures from the 1960s onwards, as such, those homelands became more powerful as compared to provinces. For example, KwaZulu had its own departments such as the police force, justice department, forestry and agriculture as well finance department which had powers for tax collection (Wittenberg, 2003). These were some of the functions that were decentralised for implementation at homeland level because of the nature of control that the central government sought to achieve in homelands, more powers were transferred and at times greater than those transferred to the four provinces. Wittenberg (2003) indicates that the central government also decentralised Public Service Commission service wherein officials

from the central government were appointed. The challenge was the source of funding which was problematic for most homelands, except Bophuthatswana which had mining activities going on, therefore, the homelands largely depended on the central government which would penalise homelands which did not cooperate by starving them of funds (Thompson, 2001; Wittenberg, 2003).

With regards to the independent TBVC states, Wittenberg (2003) argues that the transfer of powers was reached with the promulgation of the Status of Transkei Act of 1976 and the other one for Bophuthatswana (1977), Venda (1979) and Ciskei (1981) which provided for independence in the four (4) states. With this independence was “the remaining trappings of statehood - the creation of autonomous armies, a foreign service...and an autonomous judicial system, with independent Supreme Courts and Chief Justices” (Wittenberg, 2003:16). Thompson (2001) concurs to this argument. Regardless of the autonomy and independence that was given to the TBVC states by the central government, the national government provided funding and resources to the independent states for the purposes of sustaining their independent status (Wittenberg, 2003; Amusa and Mabugu, 2016). This means that the so-called independence was not ideally independence since the central government would intervene from time to time in order to ensure that its control is realised. Given that the South African government claimed that the regional entities were sovereign states, this meant that certain protocols had to be observed in the way in which central government intervention in the regions was handled (Wiechers, 1985; Wittenberg, 2003).

The central state controlled the TBVC states through the installation of leaders which it empowered to govern the states while protecting its (the central government) interests (Khunou, 2009; Amusa and Mabugu, 2016). This was until the seizure of power by general Bantu Holomisa in the Transkei who was not like his predecessors who protected the interest of the central government in the Transkei state (Wittenberg, 2003). In 1987, Holomisa collaborated with the anti-apartheid organisations to fight for real independence, and the government of the time punished him by restricting financial support to a point where he had to raid the pension funds of the public servants for the sustainability of his government (Wittenberg, 2003; Khunou, 2009). In the researcher’s view, this is among the historic revolutions/resistance that occurred

in South Africa ahead of the peaceful transition that was managed through the negotiation process. Although this was happening at the state level, however, it demonstrates how much states were tired of being controlled by the central government but unfortunately they could not stand up like Holomisa did.

With regard to decentralisation to local government at that time, Wittenberg (2003) argues that local authorities were within the jurisdiction of the four (4) provinces and municipalities were established in all urban areas under the British model and were under the leadership of elected city councils which had their own bureaucracies. Some of the services that the municipalities provided were: refuse removal, water and electricity, affordable housing schemes, sanitation, traffic control, urban planning, public health inspections whose costs were covered from the combination of user charges and profits from commercial services (Thompson, 2001; Wittenberg, 2003). This was taking place in local government in areas populated by whites with British origin when one of the apartheid masterpiece legislation, the Group Areas Act of 1950, was in force. The Act enforced residential segregation and its application in Durban removed the Indians who were beginning to compete with the Whites (Cameron, 1991; Wittenberg, 2003; Christopher, 2011).

In local tiers of government which were inhabited by Coloured and Indians, municipalities were established in order to keep them away from the municipalities inhabited by whites where the central government established consultative bodies in those areas referred to as Local Affairs Committees which had relatively less authority when compared to the authority that was decentralised to municipalities occupied by white people (Cameron, 1991; Thompson, 2001; Wittenberg, 2003). In local tiers where blacks inhabited white peoples' areas, the position of Africans was that of visitors, and as such, Africans would not have permanent rights to reside in urban areas. However, there would be a small and settled urban African population of working class whose residence would be permitted in order to service urban manufacturing and retail companies (Wittenberg, 2003). The other group was that of migratory labour that serviced mines and other form of production which was not a stable work force whereas the remainder was the old, the infirm, and the unemployed black people who stayed outside the urban spaces but in the native reserves/homelands (Thompson, 2001; Wittenberg, 2003).

The central government needed a local office in order to decentralise powers to manage and control the presence of blacks in municipalities designated for habitation by white people (Wiechers, 1985; Cameron, 1991). Black people were only allowed on the basis of their labour contribution in the areas that belonged to white people. Based on the need for labour, labour bureaux were created in line the Native Laws Amendment Act of 1952 in order to control and manage the entry of Africans into areas designated for whites and also to direct the towns of migrants to areas which had shortage of labour (Thompson, 2001; Wittenberg, 2003). The applicable legislation provided that African labour was not allowed in an urban spaces if there was an existing labour excess (Wittenberg, 2003). The central government was determined to restrict blacks in towns and cities designated for whites except for labour reasons, as such, while the government restricted (black) people into the urban areas, "it also moved to expand formal accommodation for the "permanent" urban residents, in order to deal with the acute housing crisis. This building programme (which led inter alia to the creation of Soweto), was financed by a new tax, the "Native Services Levy" which all employers of African labour in the urban area were subject to" (Wittenberg, 2003:13). The tax system had another objective for ensuring that African labour taxes were more expensive in order to discourage forms of production which were labour intensive production in urban areas (Cameron, 1991; Thompson, 2001; Wittenberg, 2003).

With regard to decentralisation in the homelands, the central government decentralised some powers and functions to the tribal authorities in local tiers. Wittenberg (2003) indicates that tribal authorities were the bedrock of the homeland system and exercised control on land allocation and they adjudicated on petty criminal matters, local disputes and were involved in community such as weddings, births and deaths certification. These were some of the powers and functions that were decentralised by the central government so that tribal authorities can remain as puppets of the central government. Cameron (1991) and Wittenberg (2003) argue that during the early twentieth (20<sup>th</sup>) century, an official of the central government such as a magistrate or native commissioner represented the local arm of the central administration and this official performed a prefectoral role by coordinating activities of departments while negotiating with local tribal structures. However, with the

establishment of the homelands which had their own bureaucracies, this prefectoral role of the central government officials diminished (Cameron, 1991; Wittenberg, 2003).

Wittenberg (2003) concludes by indicating that the decentralisation experiments during the apartheid regime were formulated on the basis of maintaining the control by the central government. As such, during the apartheid period, decentralisation was implemented in order to achieve, among others, two (2) objectives: (i) to disintegrate the opposition by establishing regional and ethnic interests in order to hamper African nationalism; and (ii) to relinquish sovereignty in some spaces in order to fulfil the political aspirations of the majority (Thompson, 2001; Wittenberg, 2003; Christopher, 2011). The apartheid systems was detrimental to the system of local government in the sense that it planted the seed of corruption in the government bureaucracies across all tiers. Wittenberg (2003) indicates that one of the malignant legacies of apartheid was the existence of large regional and national bureaucracies which were without a strong service ethic, but well-trained on taking bribes and corruption. He adds that another malignant legacy of apartheid was the administrative and spatial disorder created by segregation (Wittenberg, 2003). Spatial segregation of dormitories from the work places resulting in most people spending time traveling in between work places and dormitories (Wittenberg, 2003; Robson, 2006). Therefore, in the researcher's opinion, the manner of application of decentralisation influenced the local government environment to operate effectively. Apartheid government utilised the decentralised local government system to corrupt socio-economic environments where the lives of the communities were supposed to have been nourished (RSA, 1998; Siddle and Koelble, 2016).

#### 2.6.4 South African 'Federal'-'Unitary' Government System

Yitirmesi (2018) discusses federalism in South Africa and make an analysis of some of the key reasons that account for a mixed government system in South Africa. This analysis brings context to the classification of the South African government system as unitary systems with federal features. Murray and Simeon (2011) as well as Yitirmesi (2018) indicate that South Africa has a (quasi) federal government system that is defined in Chapter 3 of 1996 Constitution as cooperative governance system, however, the Constitution does not outrightly define South Africa's government system

as strictly federal but unitary. Murray and Simeon (2011) share the sentiment with Yitirmesi (2018) regarding the constitutional classification of the federal aspect of the South African unitary state. This constitutes some *sui generis* (uniqueness) in the South African government system because it is a hybrid of two (2) fully fledged government systems (Simbine and Oladeji, 2015). Simbine and Oladeji (2015) classify South African and German government systems as hybrid mix of unitary and federal systems. Murray and Simeon (2011) as well as Yitirmesi (2018) indicate that in most cases, such system may have federal aspects in theory but having strong central government system in reality which would actually make them appear as unitary systems. These systems combine the elements of different forms of government. As such, Blindenbacher and Watts (2003) as well as Yitirmesi (2018) refer to such systems as quasi-federal systems of government. The strength of the central government is dominant in such systems. As the source of the quasi-federalist nature of the South African government system, Yitirmesi (2018), posits that South African unitary and quasi-federal system was an outcome of considerations of the transition period and the acceptance of federal provisions which contributed to overcome, and avoid possible dangers of the negotiation and transition processes. Thus, the researcher observes that anything that goes wrong in the system of government is easily attributable to the flaws of the negotiation process which can easily be classified as a compromise which left some of the parties in the negotiation not fully satisfied.

The aspect of federalism in South Africa has not been entirely welcomed by the ANC because of obvious historical reasons (Murray and Simeon, 2011). The hybrid system is a result of a political settlement that resulted from the historic constitutional negotiations in South Africa although the federal government system does not enjoy good reputation in the country since the beginning of the democratic regime. The bad reputation is predominantly related with the application of a federal regime after the 1996 Constitution of South Africa Act (Yitirmesi, 2018). The same argument is made by Wiechers (1985) and Robson (2006). This federalist approach in South Africa was utilised as a form of decentralisation in order to advance the interests of the central government. The 1996 Constitution came up with the system that benefited white people and excluded blacks by denying them basic socio-economic and political rights (Wiechers, 1985; Robson, 2006; Collins and Burns, 2007; Yitirmesi, 2018). Egan and Taylor (2003), Wittenberg (2003), and Yitirmesi (2018) argue that homelands and

bantustans were formed in order to segregate people by creating homogenous groups among non-white ethnicities such that each ethnic group identifies with itself and not mix with other ethnic groups. This was within the spirit of separating non-whites and whites and also blacks from their fellow blacks. The principal idea was about separation which would also assist the apartheid system to permit citizenship rights for non-white population away from the political processes of the central government (Wittenberg, 2003). Yitirmesi (2018) cites Egan and Taylor (2003) who argue that it was therefore an approach of the apartheid government to provide an alternative to grant citizenship rights to black populations who were initially excluded from participating in political process.

Following the collapse of the apartheid system, the negotiation process (at least for the ANC) was more based on among other things, compromising for the sake of peace and avoiding bloodshed which is common in a guerrilla take over transitional revolutions (Robson, 2006). As such, Murray and Simeon (2011) argue that the hybrid mixture federalist-unitary government system in South Africa is nothing more than a compromise. The researcher is of the view that it is this hybrid compromise that informed the manner in which functions for different spheres of government were allocated in the 1996 Constitution. Yitirmesi (2018) indicates that the transition was made possible through the rigorous constitutional negotiation process. He cites Bastian and Luckham (2003) who argue that the current South African Constitution (1996) is a product of a compromise between different political actors that represented different ethnic and racial groups (Yitirmesi, 2018). The ANC leaders sought to ensure peaceful negotiations which included all representation of the society, thus, there was interaction among different groups at different stages of the process of developing the constitution for the basis of legitimising the constitution through representation of all concerned groups (Yitirmesi, 2018). It is the researcher's view that in the interest of progress and finding a common ground for the divergent interests as well as to ensure mutual understanding among parties concerned, the negotiating parties were supposed to be ready to compromise.

Yitirmesi (2018) argues that the issue of allocation of powers and functions across spheres of government was a very contentious one especially due to the divergent views of different groups as well as the debate concerning federalism which

constitutes the major dynamics of the negotiating process. This argument is also supported by Murray and Simeon (2011) who note that there were various considerations to be made in the allocation of powers and functions due to the complexity that surrounded the process. For example, Yitirmesi (2018) provides reference with regard to the *Inkatha* Freedom Party (IFP) and some right-wing parties which demanded self-determination whereas the National Party (NP) sought an integration of federal principles which included the autonomy of provinces as well as a Bill of Rights and protection of the rights of the minority to feature in the 1996 Constitution (Yitirmesi, 2018). As such, the ANC's representatives in the negotiations were hesitant to adopt fully-fledged federal principles since in their view, federalism was identified with the apartheid practice of how local government was utilised. Due to this, the ANC advocated for a strong unitary government system for coordinated development across the country since the pressing priority of the party was nation-building and economic restructuring (Thompson, 2001; Robson, 2006; Yitirmesi, 2018). As leaders in the negotiation process among the two (2) clusters negotiating parties, the ANC's preference was that of centralising whereas the National Party preferred decentralisation which would be effectively achieved through federalism (Murray and Simeon, 2011). Therefore, the researcher is of the opinion that the move towards decentralisation and federalism or unitarism in South Africa was largely informed by historical and political antecedents.

There were key issues that influenced both the process and the outcomes of the negotiations for the transition in South Africa. Wittenberg (2003) indicates that the negotiation had a backdrop of these four (4) issues which are: (i) the apartheid state was not defeated on a military basis and so appropriate guarantees were given to officials in the central state bureaucracy concerning their future, (ii) bantustans were reincorporated into the country's fabric, however, their bureaucracies also sought guarantees for their employments, (iii) townships and peri-urban areas were brought into a single system of urban administration, and (iv) the National Party (NP) and other minority groups were opposed to a strong unitary state on the basis of an assumption that in a unitary state, the previously obtained concessions and guarantees might no longer be easily enforceable. The outcome of the entire process of the formation of the new government systems was that of a quasi-federal system because the ANC sought to assure all participants' groups' interests would be taken care of in the new

Constitution and the National Party sought to maintain federalist features (Murray and Simeon, 2011; Yitirmesi, 2018). At the final analysis, the 1996 Constitution establishes the three (3) spheres of government which are national, provincial and local government spheres with characteristics of both unitary and federal systems (Hueglin and Fenna, 2006; Ahmad and Brosio, 2009; De Visser, 2010; Simbine and Oladeji, 2015). The researcher's view is that such an establishment is a compromise that sought to appease two (2) opposing ideologies (one represented by the ANC and the other by the NP) without bloodshed. Although it had negative repercussions on the manner in which functions were going to be allocated among different spheres of government. The case in point is the housing function which is discussed in the next sub-section.

#### 2.6.5 The Basis for Allocation of Housing Function

Ahead of discussing the allocation of the housing function across the spheres of the South African government, it is worth noting that allocation of functions per sphere comes along with some degree of power/authority over such functions, thus the reference is made to powers and functions. The authority over functions that is referred to here should be understood as defined by the Community Law Centre (2007:7) who defines authority as "...statutory responsibility for...policy development, planning to ensure that the function is undertaken effectively, monitoring of execution, control of funds, legislation..., regulation, and ownership of assets...and...take full responsibility for exercising the powers necessary to fulfil the function". This means that a sphere of government allocated a particular function, exercise such function on behalf of the state and such a sphere should put all necessary measures in place to ensure that such function is fulfilled (De Visser, 2005).

Having taken note of how the quasi-federal-unitary system of government came into being in South Africa, it is thus opportune to consider the manner in which the housing function was allocated as per the Constitution. The housing function/matter is listed under Schedule 4A which means it is a functional area of concurrent national and provincial legislative competence which means only the national and provincial spheres of government have the authority over the housing function (RSA, 1996). This allocation of the housing function is viewed by the Community Law Centre (2007) as

well as Christmas and De Visser (2009) as a misallocation of the function because according to them, the housing function could best be allocated at the local government in order to assist in addressing the developmental mandate of the local government sphere. In the researcher's view, this was a clear outcome of a compromised transition which created the quasi-federal system within a unitary system, therefore, the plan was to ensure that the housing function does not get allocated to local government because of its big budget. Robson (2006) conducted a study on the assignment, allocation, and demarcation of functions across spheres of government in different countries inclusive of Belgium, Germany, United Kingdom, Australia, and Spain wherein he came up with a conclusion that none of the countries has a comprehensive and clear model for the exercise. In the researcher's view, this confirms the idea that allocation of functions across spheres of government is one of the most challenging tasks. The South African manner of allocation of functions across spheres of government bares testimony to this, and this makes the researcher to wonder if there could not have been other approaches to circumvent this manner of allocation of government functions which misaligned the mandate of local government with the allocation of functions.

In Chapter 3, Section 40(1), the Constitution provides that the government in the Republic of South Africa is constituted as national, provincial and local spheres which are distinctive, interdependent and interrelated (RSA, 1996). The Constitution also establishes nine (9) provinces by de-establishing the regional arrangements and deals with issues of governmental structures, powers and functioning in Chapter 6, whereas in Chapter 7, the Constitution makes a provision for local government as a constitutionally entrenched sphere of government (RSA, 1996; Malherbe, 2008; Murray and Simeon, 2011). The provincial sphere of government has legislative authority of the functions listed under Schedule 5 of the Constitution, and share concurrent legislative authority with the national government on functions listed under Schedule 4. These are original powers that provinces may exercise on their own initiative, however, in a manner that is consistent with the Constitution" (Malherbe, 2008:21). Section 152 (1) of the Constitution outlines the objects of local government as to provide democratic accountable government for local communities, to ensure service delivery in a sustainable manner; to promote socio-economic development, to promote a safe and healthy environment; and to involve communities and their

organisations in the matters of local government (RSA, 1996). Section 153 of the Constitution provides for the developmental duties of local government as to structure and manage its administration, budgeting, planning processes to prioritise citizens' basic needs and socio-economic development, and to participate in national and provincial development programmes (RSA, 1996; Siddle and Koelble, 2016). This effectively gives a constitutional recognition of a developmental mandate to the local government sphere (Christmas and De Visser, 2009; Community Law Centre, 2007; Siddle and Koelble, 2016).

Although all these governmental arrangements are largely the outcome of the transition negotiation from apartheid to post-apartheid South Africa, however, as noted earlier, the ANC had its own misgivings with regard to the federalist nature of the multi-level government since it resembles the erstwhile apartheid arrangement of Bantustans and ethnic polities/community groupings (Murray and Simeon, 2011). With regard to the provincial sphere of government, the ANC never seemed to be comfortable about its existence from the beginning, however, the compromise was already made. This is the case because Murray and Simeon (2011) indicate that at its 52nd National Congress policy held in December of 2007, the ANC considered an internal document – *Legislature and Governance for a National Democratic Society* wherein the organisation conducted a critical assessment of the experience of multi-level governance in South Africa, and put forward alternatives for further discussion which included the possibility of abolishing the provincial sphere of government. The ANC conference concluded that there was a need for a comprehensive review multi-level governance (Murray and Simeon, 2011). The conference also considered the other options with regard to reducing the number of provinces or to leave the provinces as they are and improve on matters of governance and efficiency for better spending and improved service delivery (Murray and Simeon, 2011). Among the three (3) options, the one for the abolition of provinces attracted attention and criticisms probably for historical reasons and in the spirit of the negotiation process which resulted in the 1996 Constitution (Malherbe 2008; Murray and Simeon, 2011). Malherbe (2008) strongly rejects the idea of abolition of provinces as unconstitutional and he argues that the provincial sphere helps in ensuring the practice of democracy. The researcher is of the view that the argument by Malherbe (2008) is on the basis of the hosting of elections for political leadership in provinces as well as to serve as a

bridge for cooperative governance and intergovernmental relations between the national and local spheres of government among other means. The story of the abolishing of provinces may return into the debate for the ANC since it appears to stand in the way for ensuring a unitary state.

With regard to the local government, the developmental mandate of the local government sphere was also instructed through the 1998 White Paper on Local Government which indicates that municipalities should exercise their constitutional powers to maximise economic growth and social development, coordinate development activities of state and non-state agents, deepen democratic development through community participation, build social capital for increased sustainability (RSA, 1998). This is how the White Paper on Local Government translate the constitutional mandate of the local government. Christmas and De Visser (2009) cites the Governing Council of the United Nations Human Settlements Programme (2007) which argues that this developmental mandate is aligned to the principle of subsidiarity (decentralisation), which advocates that government responsibilities should be administered by elected authorities that are closer to the communities. Christmas and De Visser (2009) argue that the impact of the collective efforts of all three (3) spheres of government to fulfil their constitutional mandates to citizens has to be seen, experienced, and felt in the local government sphere. In the researcher's view, this is what makes the Constitution, Municipal Systems Act of 2000, and the White Paper on Local Government (1998) to position local government as the *supposed* driver and custodian of development in South Africa in what is conceptualised as developmental local government.

Community Law Centre (2007) as well as Christmas and De Visser (2009) argue that the functions listed in Schedules 4 and 5 do not keep up with the constitutional mandate of the developmental government. Functions that are supposed to be allocated to local government in order to assist them to address their constitutional mandate are allocated in other spheres of government. For example, housing and transport (Community Law Centre, 2007; Siddle and Koelble, 2016). Christmas and De Visser (2009) indicate that one of the challenges facing developmental local government is the poorly defined powers and functions which create confusion, duplication of roles, poor service delivery, and intergovernmental disputes. Community

Law Centre (2007) indicates that poorly defined powers and functions in government can have far-reaching consequences, as such, there is a concern on the manner in which functions are currently distributed in the Constitution. The manner in which national and provincial governments delegate and devolve additional functions to local government does not comply with the legislative framework enacted to regulate such transfers (Christmas and De Visser 2009). In some instances, such transfers of powers and functions only serve to propagate the gap between functional and fiscal resources of municipalities which the developmental local government mandate seeks to achieve in South Africa (Christmas and De Visser 2009). The researcher acknowledges the mismatch between the mandates of government spheres versus the functions allocated to the spheres in schedule 4 and 5 of the Constitution and the poorly defined functions as one of the biggest sources of challenges in the South African government system. This mismatch is also noted in the works by Community Law Centre (2007), Christmas and De Visser (2009) as well as Siddle (2011), and it constitutes a fundamental misalignment which has a bearing on the success/failure of mandate of the local government sphere.

It is the researcher's opinion that there should have been a thorough assessment of the objectives of each sphere of government and a careful planning as well as identification of functions for each sphere based on the objectives and mandates. Not unless if what is supposed as the misallocation was a deliberate considering the budget of the function like housing. Otherwise, due diligence could have been exercised and reasons for allocations be made manifest. This should have been done regardless of the pressures that the negotiation process came along with. Robson (2006) supports this as he argues that the current 1996 Constitution did not achieve a credible and scientific approach for the allocation and assignment of function in schedule 4 and 5, and it appears that such a scientific approach does not exist in South Africa. He adds that as one of the models for the South African Constitution, the Nazi Germany also did not get this aspect right. The mismatch in the allocation of functions across spheres of government would have been better rationalised in order to better address the constitutional mandates of the spheres of government. Otherwise, as it currently stands, the local government sphere has a developmental mandate that cannot be adequately addressed because the key functions for the mandate lies in the provincial and national spheres of government, and key among

these is the housing function (Community Law Centre, 2007; Christmas and De Visser, 2009; De Visser, 2009b; Koelble and Siddle, 2014). The researcher strongly holds the idea that rational allocation of functions across the levels of government during apartheid is one of the important tool that was applied to make the apartheid ideology successful in South Africa because functions were allocated in a manner that exacerbated separation among people based on defined characteristics. Authors such as the Community Law Centre (2007), De Visser (2009a), as well as Siddle and Koelble (2016) share the same sentiments when it come to the mismatch between mandates/objectives of spheres and functions allocated in schedule 4 and 5 of the Constitution. The allocation of the housing function in other spheres of government is a constitutional blunder and it goes against the notion of developmental local government. Therefore, delegation and devolution are an option for the housing function to be administered locally. The next sub-section examines the local government mandate and decentralisation.

#### 2.6.6 Local Government Mandate and Decentralisation

The researcher opines that decentralisation (delegation and devolution) of relevant functions can be a possible lever to assist the local government in addressing its developmental mandate as provided for in the Constitution. Decentralisation allows municipality to have authority over functions that determine implementation of their developmental role (Community Law Centre, 2007; Christmas and De Visser, 2009). However, the starting point would be a massive review of the local government functions as listed in Schedule 4B against the developmental role of local government. The Community Law Centre (2007) actually indicates that there has been a need to review the success of local government in addressing its developmental local government mandate and what is important to a review is to evaluate the extent to which original powers and functions designated to local government enable it to meet its developmental mandate or not. As such, a review of the “original” functions and powers of local government found in Schedule 4B and 5B reveals a mismatch between the notion of developmental government mandates and its powers as well as functions allocated to it (Community Law Centre, 2007:4). In addition to this, additional powers decentralised to municipalities by means of assignment, delegation and agency do not provide local government with the indispensable policy making and financial authority

to deliver in critical impact areas (De Visser, 2009; Siddle and Koelble, 2016). Thus, Community Law Centre (2007) argues that the schedules of the Constitution should represent the principal constitutional intent of municipal instruments by providing local government with the essential suppleness and capability to source localised solutions towards meeting its service delivery mandate. This argument is also supported by Siddle and Koelble (2016).

In a way of demonstrating the importance of delegation and devolution of functions towards addressing the developmental mandate of the local government sphere, Community Law Centre (2007), Christmas and De Visser (2009) as well as Siddle and Koelble (2013) argue that capacity in local government is unlikely to emerge especially in the absence of the relevant authority to administer the developmental functions in municipalities. The researcher considers this arguments as very important in the understanding of the need to delegate and devolve functions to local government and to put into practice the subsidiarity principle. As such, in order to implement the subsidiarity principle as expressed in the Constitution, functions that have immediate developmental impact on citizens such as housing and transport, among others, should be implemented and administered in local government. On the basis of this, the Community Law Centre (2007) provides a guidance in the form of six (6) indicators on what kind of functions can be best performed at local government in order to enable local government to address its developmental mandate, and the indicators are based on: (i) the extent towards achieving the economies of scale at a higher level, (ii) the extent of the effect of spill-over of a function, (iii) the extent to which necessary capacity exist or can be built, (iv) the extent to which inter-sectoral coordination can be implemented, (v) the extent to which grass roots community participation required can be achieved, and (vi) the extent to which policy control over the built environment can be achieved (Community Law Centre, 2007). Other sections of literature concur to these indicators (See Christmas and De Visser, 2009; Siddle and Koelble, 2013) Siddle and Koelble, 2016). In the researcher's view, the six (6) indicator model can be very useful in the constitutional review of powers and functions to local government because the model takes into account the developmental aspects of government.

The principles and rationale for the Accreditation Programme as outlined in the Accreditation Policy Framework (2012) directly align to the six (6) indicators noted

above. According to Community Law Centre (2007) as well as Siddle and Koelble (2016), the functions that meet the six (6) indicators criteria are only high impact functions and those are local economic development, housing, land use planning and transport. As it currently stands, the listed functions are spread across the spheres of government which makes it almost impossible for the local government to address its developmental role mandate. The Community Law Centre (2007) as well as Siddle and Koelble (2016) provide decentralisation (delegation and devolution) of the housing function as a solution. The Community Law Centre (2007) recommends that the administration of the housing function should be reviewed to Schedule 4B in order to afford local government authority over the function within the parameters set by national and provincial government. This will effectively mean that the administration of housing function is transferred to the local government sphere in order for the local government sphere to be able to plan, legislate, and receive funding directly from the national government. Thus allowing the national and provincial spheres to exercise the oversight role as well as monitoring and support just as they do with other functions that are constitutionally allocated to the local government sphere (Community Law Centre, 2007; Christmas and De Visser, 2009; De Visser, 2009b, DHS, 2012; DHS, 2017).

#### 2.6.7 Local Government and Constitutional Intervention

Within himself, the researcher ponders a question on *what does failure to address the constitutional mandate mean to local government?* This is a question worth entertaining especially because there are clear local government failures noted in literature as discussed above. In the researcher's view, there was absolutely nothing wrong in the identification of the constitutional mandate of local government as a developmental mandate for obvious reasons, among others, being that the identification was based on the history of local government as utilised by the apartheid regime to segregate people in locking them up in poverty and all sorts of unfortunate conditions. The local government sphere could be utilised as an immediate level to undo the apartheid arrangements. Just as De Visser (2005) as well as Siddle and Koelble (2016) argue that before 1994, local government existed and as such, it has been described as racist, subservient, exploitative and illegitimate. When the first democratic elections were held in 1994, South Africa was characterised by backlog in

basic services, inequalities, rural and urban poverty, and all other sorts of apartheid injustice that the new democratic dispensation had to address (Pillay, Tomlinson, and Du Toit, 2006; Siddle and Koelble, 2016). In keeping with the description of what the state of exception is as discussed in Chapter 2, it appears that the post-apartheid local government was in a state of exception by the time it was formed based on what it was facing and had to deal with even without adequate capacity. This made it necessary to carry a developmental mandate from its establishment in order to improve what was the prevailing circumstances at the time. Therefore, not only did the local government structure had to be developmental, however, it also had to be decentralised in order to meet the two (2) prime and central characteristics of local government in South Africa which are developmentalism and decentralisation (Siddle and Koelble, 2016).

From its establishment, the local government was afforded an important developmental role in order to play in rebuilding communities, as a foundation for a democratic, integrated, prosperous and non-racial society in South Africa (Siddle and Koelble, 2016). Local government was planned to have a decentralised structure in which municipalities would have a right to govern under the Constitution in their own initiative and take custodianship of local government affairs of their communities (De Visser, 2009a; Siddle and Koelble, 2016). The Ministry for Provincial Affairs and Constitutional Development 1998 as well as Siddle and Koelble (2016) argue that the post-apartheid local government system was expected to be developmental in nature in order to serve the citizens, develop integrated and sustainable human settlements, and ensure socio-economic development in the communities. This effectively mean that local government was faced a lot of challenges. The challenges included the following: (i) larger areas of jurisdiction; (ii) massive service backlogs that municipalities were tasked with eliminating; (iii) the devolution of several new powers and functions to local government; (iv) new and often difficult relationships between councillors and officials; (v) a complete re-definition of local government roles as set out in the Constitution; (vi) new concepts of service delivery; (vii) unrealistic expectations of senior governments and the citizenry; (viii) other institutional weaknesses, such as corrupt and nepotistic practices; (ix) lack of capacity; and (x) a framework that was based on idealism rather than an appreciation of the harsh realities that attend decentralisation processes (Siddle and Koelble, 2013; Siddle and

Koelble 2016). In the researcher's view, this list of challenges is not exhaustive since it leaves out local government challenges such as the absence of adequate tools, techniques and guidelines to promote a resilient governance units as well as lack of established internal systems and processes (Malalgoda, Amaratunga, and Haigh, 2016).

The new local government was ambitious to address the constitutional mandate to redress the apartheid injustices. Koma (2010) as well as Siddle and Koelble (2016) argue that local government assumed an important responsibility of rebuilding communities in order to form a democratic, integrated, prosperous and non-racial society in South Africa. The transformation of local government in the country has been noteworthy, however, to date many municipalities are still unable to fulfil their developmental responsibilities (De Visser, 2009b; Siddle and Koelble, 2016). Siddle and Koelble (2016) indicate that the demands of ambitious decentralisation experiment have affected the developmental agenda by placing demands on local government institutions which are not equipped to manage them. In the researcher's view and interpretation of the literature, this is caused by the misalignment of mandate for the local government and the functions allocated to it. The very misalignment of functions and the mandate have made local government to have challenges in fulfilling the constitutional role, and from time to time, the provincial governments intervene through Section 139 of the Constitution. This intervention does not appear to be very useful since local government rejects it. JB Marks Local Municipality in the North West is an example for this (Maphanga, 2019).

As the custodian of governance in the South African public spheres, the Department of Cooperative Governance and Traditional Affairs (CoGTA) conducted a study to review performance, governance, and service delivery issues, among others important matters. CoGTA (2014) summarises the outcome of the review which classified municipalities in three (3) categories as follows: (i) *the top third municipalities* are municipalities which got the basics right and perform their allocated functions at least adequately. In this classification, there are top performers that are doing extremely well comparatively and these constitute a small group. In such municipalities, innovative practices towards ensuring sustainability and resilience are available and this is the example that demonstrates the desired state in which all municipalities

should be. (ii) the *middle third of municipalities* are municipalities that are fairly functional with an average overall performance. The basics on governance are mostly in place, and as such, the municipalities can fairly deliver on the main local government functions as legislated. In the same classification of municipalities, there are some areas of poor performance or deterioration in performance and governance practices which are worrying signs. The *bottom third of municipalities* are municipalities that are outrightly dysfunctional, and thus, significant amount of work is required in order to get them to govern and perform properly. It was discovered during the review that corruption, dysfunctional councils, no public participation, and no sound financial management, poor service delivery record, and other problematic issues were punctuating these municipalities (CoGTA, 2014). This provides a high-level picture of the status in the South African local government. This makes it understandable that from time to time, the Section 139 is invoked in order to intervene in local government space.

As it currently stands, poor management of finances, poor service delivery, corruption, and other signs of defective governance build a perception that local government is significantly failing to deliver on its constitutional developmental mandate (Koma, 2010; Siddle and Koelble, 2016). These are the signs which may require a state of exception to be applied for radical decision to be taken regarding local government in South Africa. Therefore, this calls for a radical review of the local government system and its roles in order to effectively address its constitutional mandate. Siddle and Koelble (2016) assert to this as they argue that in order for the local government ambitions to be realised, there has to be a drastic reform of the framework that governs the role of local government in South Africa. Community Law Centre (2007) concurs to the motion of the review/reform in arguing that literature and political consideration calls for revisitation of the location of the housing function, thus the former Finance Minister Trevor Manuel, was cited by the Community Law Centre (2007) indicating that the housing function is an example of functions to be revisited in terms of its allocation. Therefore, in order to answer the opening question of this sub-section, it is difficult to justify that the South African local government qualifies for a state of exception or not considering the challenges that it inherently has as confirmed by literature and those emerge as an outcome of the crises that the country faces which reflect the local government sphere as Hart (2013) justifiably argues.

Fortunately, the Constitution allows for redress of mis/allocated functions and mismatched mandates of spheres of government with regard to control and authority over functions as listed in schedules 4 and 5. Such a redress can be managed through the approach decentralisation (delegating and devolving) of some developmental functions which are currently administered at the provincial sphere of government. The next sub-section discusses the decentralisation project implemented in the post-apartheid South Africa.

#### 2.6.8 Decentralisation in Post-Apartheid South Africa

Decentralisation in South Africa began long before the transition to democracy which is the period when the country was under the colonial and apartheid rule (Edoun and Jahed, 2009). In the current democratic era, the Constitution provides for powers and functions that are implemented at the national, provincial, local government levels and the assignment of functions to local government as part of intensifying the current form of the decentralisation agenda in the country (RSA, 1996). Among other reasons for decentralisation in South Africa, Hussein (2004), Edoun and Jahed (2009), Wittenberg (2003), as well as Nzimakwe and Pillay (2014) indicate that South Africa has embarked on decentralisation of government and development structures, among others, in order to promote democratic governance, address defective governance, improve economic instability, deepen democracy and enhance national unity, improve intergovernmental relations and participatory approaches in development. Koelble and Siddle (2012) indicate that decentralisation has been implemented in South Africa in order to instil constitutional democracy and to allow local government to drive the development of the country. Feinstein (2015:3) indicates that 'the ultimate goal' for decentralisation is to improve the delivery of social services in South Africa. He also notes that decentralising governments have better opportunities for improving service delivery to citizens (Feinstein, 2015).

Decentralisation has been implemented in various forms in South Africa. For example, through the recognition of the three (3) spheres of government with their different roles and functions, one can recognise decentralised governance since the spheres of government are given constitutional powers to govern and implement some functions

in their areas of jurisdiction (RSA, 1996). The original functions allocated to various spheres in the legislation also illustrate some form of decentralisation. Some of the functions that belong to national and provincial spheres of government are progressively being delegated and devolved for implementation by the local sphere which is a form of administrative decentralisation that this study is about (Siddle, 2011). Section 156(4) of the Constitution provides for the transfer of functions that belong to the national and provincial governments to local government for effective implementation in local government units that demonstrate necessary capacity (RSA, 1996). The functions referred to in this Section are listed under Schedule 4 Part A and Schedule 5 Part A of the Constitution (RSA, 1996).

What is important in the decentralisation agenda of governments is the idea of improving provision of social services (Ebel and Yilmaz, 2001). In most cases, basic services in South African context involves the main five (5) services which Erskine (2004), and Reddy (2016) identify as education, healthcare, housing, personal social services, and social security. Some of these functions are not listed in Schedules 4B and 5B of the Constitution which provides the functional areas that are the responsibility of local government (RSA, 1996). The functional areas of local government's powers in this context are referred to as original powers of municipalities because they are sourced directly from the Constitution (Christmas and De Visser, 2009). When considering additional powers to municipalities, the same source indicates that, in practice, delegation and agency arrangements are the most commonly used means of transferring powers to municipalities which makes them serve as service delivery agents of national and/or provincial governments (Christmas and De Visser, 2009). For municipalities, implementation of the housing function is considered as additional power and function since the function does not originally belong to local government as per legislation (Siddle and Koelble, 2016).

According to Koelble and Siddle (2012), South Africa's decentralisation promised to address democratic decision-making at local level, citizen participation, and developmental mandate. However, they argue that decentralisation has not sufficiently met its promises in South Africa to the extent that by the second decade of democracy, local government was in a state of paralysis - there were service delivery failures in municipalities, and local government was dysfunctional (Koelble and Siddle, 2012;

Siddle and Koelble, 2013). The researcher does not necessarily agree completely to this argument on the basis that the failures of local government do not mean the failure of a decentralisation project especially because local government was not allocated with some of the functions to address its constitutional mandate. As such, the researcher is of the view that required capacity should have been built in local government in order to achieve its developmental mandate. Otherwise, there are other issues that local government struggles with which have nothing to do with decentralisation. In their 2016 publication, the same authors indicate that decentralisation has yielded mixed outcome of failure and success. It is quite fair to indicate that the outcome of South Africa's decentralisation experiment are mixed (Siddle and Koelble, 2016). They indicate that services delivery is better than ever before, and some municipalities have acquitted themselves reasonably and some very well, however, most municipalities still cannot adequately perform their basic functions, let alone address their developmental role, and have thus lost their credibility amongst some their communities and citizens (Siddle and Koelble, 2016). For the researcher, this means that Siddle and Koelble (2016) acknowledge that the decentralisation project in South Africa is not an outright failure.

Stanton (2009) studied decentralisation and municipalities in South Africa analysing the local government mandate to deliver services. She explored the extent to which service delivery in municipalities is influenced by the system of decentralisation (Stanton, 2009). She argues that the South African intergovernmental relations system does not entirely promote the constitutional objectives for decentralisation. She maintains that the alignment and cooperation for concurrent functions have posed a challenge in the decentralisation project of the country and that has a negative effect on the constitutional mandate for local government to deliver basic services (Stanton, 2009). She raises a sharp argument regarding the country's decentralisation project as she argues that local government is controlled by other spheres of government in meeting its constitutional mandate especially with regard to the transfers of fiscal resources (Stanton, 2009). The ideal position should be that no sphere of government should be controlled by another because the basis of intergovernmental relations and cooperative governance principles is that all three (3) spheres are equal and there is no sphere that is greater than the other. The researcher observes the argument by Stanton (2009) and its similarities to that of Koelble and Siddle (2013) as well as

Christmas and De Visser (2009) regarding the allocation of functions which have a negative effect on the achievement of the local government developmental mandate. The researcher is of the view that there is merit in this argument regardless of the different points of emphasis that they are all arguing from.

Feinstein (2015) makes an analysis of decentralisation looking at the South African experience. He indicates that from the years of colonial and apartheid rule, the country's system of governance was designed to suit the decentralisation approach wherein all three (3) spheres of government were allocated roles and the decentralisation of functions to local government was provided (Feinstein, 2015). The Constitution provides for exclusive functions to the spheres of government as well as decentralisation of the concurrent functions which are functions that are shared between spheres of government (RSA). Considering the South African case of decentralisation and its evaluation, Feinstein (2015) makes an argument that each decentralisation project produces unique outcomes and experience. The researcher holds the same view on this argument by Feinstein (2015), and thus, merits of each decentralisation project are fundamental in determining the success and failures of each project. Feinstein (2015) adds that each decentralisation project should be evaluated and judged based on its objectives and circumstantial context. He mentions three (3) key issues that are essential for decentralisation as interaction among the spheres of government (which in South African context is known as intergovernmental relations), competent and transparent fiscal management, and building of trust as well as dispute resolution among spheres of government (Feinstein, 2015). According to him, the ultimate goal for decentralisation in South Africa is to improve service delivery to citizens (Feinstein, 2015). Thus, its success and failure is determined in terms of the efficiency and effectiveness in service delivery. Based on this argument, the researcher is of the view that decentralisation project in South Africa has not performed so badly. Feinstein (2015) notes that decentralisation should not be limited to just devolution of functions, but devolution of powers to citizens in order for them to be actively involved in the processes of government. The researcher is critical of the idea by Feinstein (2015) with regard to the devolution of powers to citizens especially because citizens can easily influence one another into engaging in violent protest as this has become a normal practise in South Africa when citizens are not satisfied with something concerning the government. Therefore, the researcher holds an idea that

citizens can be empowered within the parameters of public participation which is an aspect of good governance (United Nations' Economic and Social Commission for Asia and the Pacific, 2004).

Wittenberg (2003) provides a unique approach to his analysis of decentralisation in South Africa. In the researcher's view, his approach is unique in the sense that his analysis of decentralisation in South Africa is deeply rooted in the history of the country and influenced by it. As noted in the previous sub-section, Wittenberg (2003) argues that the pre-1994 decentralisation is marked by two (2) elements which are: (i) the formation of the Union of South Africa from the four (4) settler colonies; (ii) the subjugation, incorporation, and control of indigenous polities. He adds that the second element resulted in the attempt to divide South Africa into separate independent states which in essence can be considered as a form of decentralisation (Wittenberg, 2003). With regards to the post-1994 decentralisation, he argues that the important starting point is the transformation/transition process which was effectualised by the negotiations that sought to reach a compromise of incorporating what was considered as the constituents of local government into the national/central government to form a unitary state (Wittenberg, 2003). As part of this arrangement, tiers/spheres of government were created with overlapping competencies to operate under a system of intergovernmental relations, and this arrangement was part of the compromise that started at the negotiations (Wittenberg, 2003). This led to the recognition of the three (3) spheres of government with their constitutionally allocated functions and the provision for decentralising (delegation and devolution) some functions as provided for in the Constitution (RSA, 1996). In the researcher's view, the argument by Wittenberg (2003) in the analysis of historic antecedents that led to how the current Republic of South Africa as a state was configured is very useful in the sense that it lays out the transition mostly from a political aspect. However, the researcher had expected as much detail on the administrative aspect that could have led to decentralisation. Regardless of that, the contribution by Wittenberg (2003) is comprehensive in the researcher's view.

Christmas and De Visser (2009) make their analysis of South Africa's decentralisation by studying the gap between theory and practise in respect of powers and functions allocated to the local government sphere. In the researcher's view, their approach is

more of a critique on the constitutional allocation of powers and function in relation to the developmental mandate of local government in South Africa. They argue that the developmental mandate for local government is aligned to the principle of subsidiarity (decentralisation) which emphasises that public functions that are developmental in nature should be implemented at local government where elected public representatives are closer to the people (Christmas and De Visser, 2009). They also argue that the developmental local government mandate can be achieved if local government is allocated appropriate functions as well as powers to fulfil those functions (Christmas and De Visser, 2009). Such functions should be protected in order to avoid interference by other spheres of government (Community Law Centre, 2007). In the researcher's view, the argument raised by Christmas and De Visser (2009) regarding the misallocation of the housing function makes a lot of sense, however, their argument does not provide some guidance/model which would determine what can be considered as a proper allocation of functions across various spheres of government. However, this was done by the Community Law Centre (2007) in the six-indicator model.

It is worth noting that there are stumbling blocks towards achieving the developmental mandate, and such stumbling blocks are "autonomy" which makes the intergovernmental relations complex (decentralised governance allocation of function), "service delivery and infrastructure backlogs", "pervasive poverty", and "poorly defined functions and powers" (Christmas and De Visser, 2009:109,110). As noted in the preceding sub-section, they also argue that the originally allocated powers and function (Schedules 4B and 5B of the Constitution) do not correspond to the objective of developmental local government mandate, some of those functions that are allocated to other spheres of government are actually functions that should assist local government towards its developmental local government mandate (Community Law Centre, 2007; Christmas and De Visser, 2009). Therefore, the notion of allocation of functions to local government had to be effective, however, as it currently stands, it is not effective. Thus the decentralisation of the housing function through the Accreditation Programme is the case in point to effectualise empowerment to local government for the delivery of housing and human settlements (Christmas and De Visser, 2009).

Sithole and Mathonsi (2017) studied the accreditation of municipalities as a dilemma for the decentralisation of the housing function from the provincial sphere of government to local government. In their analysis of the Accreditation Programme, they argue that there are two (2) main challenges that affect the decentralisation of powers to administer the housing function at local government, namely: (i) lack of requisite capacity in local government, and (ii) disinclination of the provincial sphere of government to decentralise the housing function to local government (Sithole and Mathonsi, 2017). The two (2) challenges make the Accreditation Programme less effective, and as such, government is caught in-between the decisions of whether to continue and decentralise or not. The dilemma is also worsened by the outcome of the 2016 local government election which proves that opposition parties are becoming stronger in local government (Sithole and Mathonsi, 2017). The Accreditation Programme has thus been moving slowly because of this existing dilemma which is creating fear and uncertainty for the government especially the provincial sphere of government since it is the sphere which holds the powers to decentralise the housing function to the local government (Sithole and Mathonsi, 2017). The next sub-section focuses specifically on the decentralisation of the housing function through the implementation of the Accreditation Programme.

#### 2.6.9 Decentralisation of the Housing Function: Accreditation Programme

This sub-section consists four (4) related portions. The first portion deals with the relationship between administrative decentralisation and the Accreditation Programme. The second one focuses on the case of the Accreditation Programme. The third portion discusses policy and legislative frameworks governing the decentralisation of the housing functions in South Africa. The last part concludes by providing the case of housing decentralisation and its possible benefits.

##### 2.6.9.1 *Administrative decentralisation and the Accreditation Programme*

In the South African context, the decentralisation of the housing function is implemented through the delegation and devolution of administrative powers for government functions from provincial to local government which, according to the conceptual framework discussed, is referred to as administrative decentralisation

(DHS, 2009; DHS, 2012). This is elucidated on the earlier version of the accreditation framework which was adopted in 2006 which indicates that accreditation is meant for municipalities to administer national housing programmes by managing the incremental delegation of the housing function to local government (DHS, 2006). The 2012 version of the accreditation frameworks indicates that accreditation serves to decentralise administrative powers to local government in order for municipalities to administer national human settlements programmes through building capacity in municipalities towards the assignment of human settlements functions to local government (DHS, 2012). Thus, the policy framework for accreditation in South Africa uplifts administrative decentralisation among the other forms of decentralisation as guiding the implementation of the Accreditation Programme. The Accreditation Programme which is the case study for investigation can therefore be classified under administrative decentralisation because the administration for the provision of housing as a basic service is transferred to local government (DHS, 2012).

Mollah (2007:1) makes the relationship between administrative decentralisation and the Accreditation Programme clearer as he argues that “administrative decentralisation seeks to redistribute...responsibility...for providing public services among different levels of government”. He adds that administrative decentralisation transfers responsibility for planning and management of functions to local government. Rondinelli (1981) and Falleti (2005) argue that administrative decentralisation is the form of decentralisation that involves the transfer of administration and delivery of social services from one level of government to another. This framework/categorisation of decentralisation locates the Accreditation Programme as administrative decentralisation. Administrative decentralisation has in itself concomitant concepts as its tenets. Yuliani (2004) and Ekpo (2008) argue that it is imperative to make a distinction between three (3) concomitant concepts which are the tenets of the administrative decentralisation. The concepts are *deconcentration*, *delegation*, and *devolution*.

Neven (2003) argues that *deconcentration* is a type of decentralisation which distributes decision-making authority and management of responsibilities among various levels of the central government wherein responsibilities are shifted from the central government to those working at district level (Neven, 2003). This enhances

local administrative capacity under the supervision of central governments. As such, the central government still sustains its sovereignty and authority over the work that is transferred to local level. In the researcher's observation, this is still in line with the conception of hierarchy and bureaucracy by Max Weber since the central government maintains its authority and sovereignty over the function (workload) shifted to the local government level as part of a bureaucratic arrangement. In this form of administrative decentralisation, central government retains authority over the local office and exercises the authority through hierarchical channels of the central bureaucracy (Schneider, 2006). Deconcentration allows the national government to design a structure that enables its agents to work with local people in field units as well as agencies of the national government (Kauzya, 2007). Deconcentration reflects the decentralisation of policy administration and implementation thereof whereas ownership and development of such continues to be held at central government level (Oxhorn, 2009). Deconcentration has been described as the first important step in decentralising government to improve service delivery (Work 2002; Kauzya, 2007). Deconcentration applies in South Africa in respect to the decentralisation of the management of some of the responsibilities on education and health functions which is deconcentrated to district level (Hendricks, Buch, Seekoe, Bossert, and Roberts, 2015).

*Delegation* is a type of administrative decentralisation wherein central governments transfer decision-making powers and administration responsibilities to semi-autonomous organisations not wholly controlled by the central government, however, those organisations are accountable to the central government (Neven, 2003). Neven (2003) adds that as part of implementing delegation, governments delegate responsibilities when they create public organisations such as: transportation authorities, housing authorities, regional development corporations, semi-autonomous school districts, or even special project units at local government level to implement related functions. Under delegation arrangement, the responsibilities policy development, implementation, and management are transferred to local governments and no longer controlled by the central government as the sub-national government take accountability of the responsibilities transferred (Schneider, 2006; Kauzya 2007; Siddle, 2011). The central government reserves authority over key aspects of policy which is implemented at local government agencies (Oxhorn, 2009). Mollah (2007)

concur in arguing that delegation is about transfer of responsibility for decision making and administration of government functions from the central government to semi-autonomous government institutions which are not entirely controlled by the central government, however, such institutions are ultimately accountable to the central government. Under this type of administrative decentralisation, the national government has to put into effect its control using the contractual relationship that enforces accountability on the part of local government.

*Devolution* is a type of administrative decentralisation wherein central governments devolve authority to sub-national governments (Neven, 2003; Falletti, 2005). The transferred authority assists sub-national governments to take decisions, manage finances, and manage quasi-autonomous units of local government with corporate status to elect their own mayors and councils, raise their own revenues, and have authority to make investment decisions (Neven, 2003; Schneider, 2006; Onyango-Paddy, 2013). Devolution transfers significant powers, including the authority to legislate on functions and revenue raising by law to locally elected representatives (Conyers, 1986). Massoi and Norman (2009) argue that devolution transfers decision-making authority and much policy-making authority more especially development and social service delivery policy to elected local government authorities or units or to autonomous public enterprise. Fisher (2008) adds that effective devolution does not only relocate administrative functions from the central to sub-national government, however, it also relocates the power to make decisions and set objectives on the functions relocated. In a devolved administrative system, local governments have legally recognised jurisdictions over which they exercise authority and perform public functions (Neven, 2003).

In the researcher's view, the decentralisation of the housing function as implemented through the Accreditation Programme in South Africa cuts across the three types of administrative decentralisation. The housing function is transferred on the basis of the Supreme Law of the country as well as other Acts of Parliament from the national and provincial spheres of government to the local government. Granted that housing function is a concurrent function among the two (2) spheres of government, responsibilities have been divided in the sense that the national sphere is responsible for determining policy and funding for the housing function whereas the provincial

sphere is responsible for the implementation of the housing function (RSA, 1997a). The Accreditation Programme is concerned with the decentralisation of the implementation aspect from the provincial sphere to the local sphere (DHS, 2009; DHS, 2012). An implementation protocol as a way of formalising the delegation is signed between the two (2) spheres (provincial and local) in accordance with Section 35 of the Intergovernmental Relations Act of 2005 (RSA, 2005). Some level of authority over the housing function is thus transferred to the local government (RSA, 1997a). Local government can thus take decision in relation to the implementation of the housing function. Financial management of the function takes place at the local government as part of the Accreditation Programme (DHS, 2012).

#### *2.6.9.2 The case of the Accreditation Programme*

The municipal accreditation process is a classic case on the manner in which the delegation and transfer of the administration of the housing function moves from the provincial sphere of government to another takes place. The housing function (matter) is a Schedule 4A function, which means that it is a concurrent function shared by national and provincial spheres of government (RSA, 1996). Thus, municipalities have to apply to provinces in order to become entities accredited/assigned (delegated/devolved) to administer national housing programmes as they assume the role of becoming housing developers in their areas of jurisdiction (Christmas and De Visser, 2009). The programme is among the eighteen (18) housing programmes in the Housing Code 2009 which the human settlements sector utilises for policy approach to implement human settlements development. The programme is mainly concerned with four (4) main aspects, strategic identification of municipalities in line with government developmental priorities, capacity building of local government, provincial delegation of the housing function to local government, and assignment/transfer of the housing function to municipalities which is the ultimate part of the Accreditation Programme (DHS, 2009; DHS, 2012).

According to the Municipal Accreditation Framework (2012), accreditation can be defined as a recognition by an provincial MEC for Human Settlements that whilst a municipality has satisfied criteria and standards such a municipality requires additional support and capacity towards assuming full responsibilities for administering national

housing programmers (DHS, 2012). The Accreditation Programme empowers local government to implement the housing function for the purposes of enhancing housing delivery in South Africa (DHS, 2012). The delivery of housing by local government is among the approaches of housing delivery in South Africa in addition to the traditional delivery approach which is by provinces as the main implementers of the housing programmes provided for in the Housing Code 2009 and in the Housing Act of 1997 (RSA, 1997a; DHS, 2009). The other method is the agency delivery model which involves delivery by the institutions of the human settlements sector which deal with specific programmes such as the Social Housing Programme (SHP) which is implemented by the Social Housing Institutions (SHIs) and regulated by the Social Housing Regulatory Authority (SHRA), Finance-Linked Individual Subsidy Programme (FLISP) implemented by the National Housing Finance Cooperation (NHFC), among others (DHS, 2009).

As a way of summarising the application process for accreditation according to the Municipal Accreditation Policy Framework (2012), a municipality should follow this process: (i) a municipality packages an application to a province by directing an application to an MEC responsible for human settlements. The application should be supported by documents such as the accreditation business plan, human settlements sector plan, municipal annual report, Auditor-General South Africa (AGSA) report, and municipal IDP, among other key documents. (ii) the Department of Human Settlements assists in preparing the applicant municipality for assessment through pre-capacitation and pre-assessment exercises in order to assist a municipality to be ready for a formal assessment that is conducted by an independent panel of assessors. (iii) a municipality gets assessed by an independent panel whose work of assessing municipality gets audited by an independent auditor in order to ascertain the credibility and the fairness of the assessment process. The panel thus develop an assessment report with recommendations to the MEC. (iv) the MEC then evaluates the capacity and compliance of the applicant municipality as demonstrated in the assessment report to determine if the applicant municipality will be able to administer the national housing programme(s). (v) if the MEC is satisfied/not satisfied, he/she approves/disapproves the application and provide reasons, and or conditions for such approval/disapproval consistent with national policy. (vi) in case of an approval, the,

MEC and the Mayor conclude an agreement referred as an implementation protocol/executive assignment agreement which is developed and signed in terms of the Section 35 of the Intergovernmental Relations Framework Act of 2005, wherein the agreement defines, among other things: powers, duties, functions and responsibilities for each sphere, financing arrangements, minimum capacity specification, performance standards, and reporting standards (Community Law Centre, 2007; DHS, 2012; DHS, 2017).

The Accreditation Programme is implemented under the following principles: efficient and integrated human settlements delivery, accountability must accompany responsibility and funding follows function, accreditation must build capacity, adequate, transparent, and realistic resourcing, prioritised universal and flexible application across the country, and cooperative governance (DHS, 2012). Programme is also implemented as a capacity building mechanism and municipal support for the identified/delegated municipalities until they ultimately get assigned the housing function in accordance with Section 156(4) of the Constitution (RSA, 1996; DHS, 2012; Sithole and Mathonsi, 2017). From an intergovernmental relations perspective, the programme obliges the three (3) spheres to work together in the spirit of cooperative governance as set out in Chapter 3 of the Constitution. The programme also compels the housing sector within the spheres of government to work together with other sector departments and organs of states as key stakeholders for human settlements development (DHS, 2009; DHS, 2012).

The National Department of Human Settlements liaises with the nine (9) provincial departments of human settlements, and accredited municipalities in an effort to build partnerships for human settlements delivery under the Accreditation Programme (DHS, 2012). Stakeholders and partners such as the Department of Cooperative Governance and Traditional Affairs (CoGTA), South African Local Government Association (SALGA), National Treasury and other stakeholders are involved on all policy issues concerning accreditation of municipalities. As such, a structure/forum was established (National Accreditation Task Team) comprising all the stakeholders was established as an institutional arrangement for the programme (Sithole and Mathonsi, 2017). Sithole and Mathonsi (2017) indicate that the forum is presided over

by the National Department of Human Settlements and it discusses policy and implementation issues with regards to the Accreditation Programme as well as make recommendations to the strategic fora of the human settlements sector in order for the later to take decision on matters.

According to the Municipal Accreditation Framework (2012), accreditation of municipalities has three (3) levels, which are level 1, level 2, and assignment level (Community Law Centre, 2007; DHS, 2012). The Framework indicates that accreditation levels 1 and 2 are mainly characterised by continuous capacity building based on the capacity development plan and delegation of provincial functions to local government (DHS, 2012). However, when municipalities are accredited at the ultimate level (assignment), such municipalities are assigned with the housing function in terms of the provisions of the Municipal Systems Act of 2000 (RSA, 2000). The *assignment* is the permanent transfer of the administration of the housing function to the municipal sphere which entails shifting of planning, financial, and legal accountability from the assigning authority to the receiving authority, shifting over financial accountability for the housing function which also implies the right to receive human settlements funds as well as all assets necessary to perform the housing function (DHS, 2012). The Municipal Accreditation Framework indicates that when a municipality is assigned an executive assignment agreement is signed with a province allowing to administer housing programmes in the Housing Code 2009 which gives such a municipality the status/role that is played by provinces (DHS, 2012). In such an instance, the housing function is no longer an unfunded mandate to such a municipality since the principle that says funding follows function becomes enforceable into law through the Division of Revenue Act which gets published annually (Community Law Centre, 2007; DHS, 2012; Sithole and Mathonsi, 2017). The table 1 below makes a comparison between accreditation and assignment as noted in the Municipal Accreditation Framework (2012).

Table 1: Comparison between Accreditation and Assignment

Assignment	Accreditation
Assignment denotes full authority over the function.	Only confers control over one of the aspects or functions of the national housing programme.
While the national and provincial legislature does not give up its legislative powers through assignment, assignment is considered to be more or less permanent.	Accreditation may, subject to review by the MEC, be revoked. This decision falls squarely within the discretion of the MEC.
Assignment is subject to the procedures outlined in the Systems Act and the Financial and Fiscal Amendment Act, 2003.	The accreditation process is not subject to the procedures for assignment as outlined in the Systems Act and the Financial and Fiscal Amendment Act, 2003. This implies that funding arrangements in the accreditation process are not as rigorous, which may leave room for municipalities having to bear ancillary costs in fulfilling its functions
Full control over funds and budgeting is exercised.	The provincial accounting officer retains control of funds transferred.
No rigid reporting requirements at regular intervals to the assigning authority	No rigid reporting requirements at regular intervals to the assigning authority

Community Law Centre (2007) and DHS (2012)

## 2.6.10 Policy Framework for Housing Decentralisation

With reference to the housing function in South Africa, decentralisation is expressed in the policy instruments discussed below. The policy instruments herewith discussed do not entirely exhaust the policy context for housing decentralisation in South Africa since provinces are permitted to develop their own guidelines and strategies around the management programmes in the Housing Code 2009. At the national government level, the following policies are recognised on the decentralisation of the housing function:

### *2.6.10.1 Reconstruction and Development Programme, 1994*

According to the Reconstruction and Development Programme (RDP), the responsibility of the national/central government is to disburse funds to other spheres of government whereas the responsibilities of provincial and local governments should be the delivery of housing and rental housing stock (RSA, 1994a). This means that municipalities which constitute the local government sphere in South Africa are critical and important towards the achievement of the RDP ideals. The RDP also suggests that there should be involvement of municipalities in the allocation of resources for the purposes of assisting communities (RSA, 1994a). Interesting to note is that before housing could be recognised as a constitutional right in 1996 through the Bill of Rights of the Constitution, the Reconstruction and Development Programme (RDP) had endorsed it as a basic human right in that it argues that all South Africans citizens have a right to a secure a place in which to live in peace and dignity. The RDP emphasises that among its principal priorities is the notion of providing secure shelter for the homeless. The importance of local government as a key player is acknowledged by the RDP in that it indicates that the approach to housing, infrastructure and services must involve and empower communities (RSA, 1994a). This is supposed to be the case today when one looks at the Integrated Development Plan (IDP) process which has to involve communities for proper planning of housing, among other services in municipalities.

### *2.6.10.2 Comprehensive Plan for Sustainable Human Settlements Development: BNG Policy, 2004*

The Comprehensive Plan for the Development of Sustainable Human Settlements: Breaking New Grounds (BNG) Policy 2004 was introduced to provide a ten-year review of the implementation of the housing programmes in South Africa since 1994 to 2004 (DHS, 2004). With regards to decentralisation, the BNG Policy (2004) supports the decentralisation agenda by proposing the development of a policy framework to govern the accreditation and assignment of municipalities to administer the housing function in South Africa (DHS, 2004). The BNG indicates that in order to be accredited, municipalities should demonstrate ability to plan and implement projects on the three-year rolling cycle as linked to the Medium-Term Expenditure Framework (MTEF) of government (DHS, 2004). The Policy states that it envisages the accreditation of municipalities, and therefore, an accreditation framework should be established to address policy, constitutional, and legislative aspects towards enabling municipalities to manage housing programmes in their areas of jurisdiction (DHS, 2004). In order for municipalities to be accredited, they should demonstrate capacity to plan, implement, and maintain programmes and projects that are well integrated in their Integrated Development Programme (IDPs) and in their three (3) year rolling capital investment programs as mandated by the Municipal Finance Management Act (MFMA) (DHS, 2004).

#### *2.6.10.3 National Housing Code, 2009*

The National Housing Code 2009 was developed and published in accordance with Section 4 of the Housing Act of 1997. The current Housing Code 2009 was also developed as a review of the edition that was first published in 2000 and another one in 2007. The Code sets out the housing policy in general. It also provides principles, norms, standards, and guidelines for the approach, application, and implementation of the national housing programmes (DHS, 2009). The Code also provides a number of housing/human programmes that can be implemented to assist the human settlements sector towards achieving the Constitutional mandate as set out in Section 26 of the Constitution (DHS, 2009). The Accreditation Programme is one, among other housing programmes contained in the Housing Code. The national housing programmes in the Code are compliant to the BNG Policy which sets out the

foundation for the implementation of the integrated sustainable human settlements (Tissington, 2011).

In the researcher's observation, the BNG Policy and the Housing Code 2009 are implemented as the core operational policy framework of the human settlements sector. The Housing Code promotes the implementation of the Accreditation Programme and provides a guide on how the programme can be administered (DHS, 2009). Under the financial intervention section of the Code, it states that the motivation behind the decentralisation of the housing function is dictated to primarily by: (i) the Constitution, (ii) the logic of cooperative governance and intergovernmental relations, and (iii) current constraints in the housing delivery process (DHS, 2009). The Accreditation Programme involves the delegation and, subsequently, assignment of the responsibilities of administering national housing programmes towards eventual assignment of all the functions by proclamation of the Premier in the Government Gazette (DHS, 2009).

#### *2.6.10.4 Municipal Accreditation Framework, 2012 and Revised Draft 2017*

The Municipal Accreditation Framework was envisaged for development by the BNG policy as part of portending the expansion of the local government role in respect of human settlements development (DHS, 2004). With regard to the Accreditation Programme, the Municipal Accreditation Framework (2012) as revised from the version that was adopted in 2006 provides for the step-by-step process towards the accreditation and assignment of municipalities (DHS, 2012; DHS, 2017). The framework also provides details regarding the implementation of the programme. It sets out the processes that should be followed when accrediting and assigning municipalities with the housing function (DHS, 2009; DHS, 2012). The framework provides guidelines on the implementation of each step towards accrediting and assigning municipalities (DHS, 2012). The framework also provides for the capacity building support, governance, and oversight arrangements, as well roles and responsibilities for various spheres of government in support of the Accreditation Programme (DHS, 2012 and 2017). The framework further provides template and rubrics that can be utilised to develop documents that are necessary for accreditation and assignment (DHS, 2012).

The Draft Municipal Accreditation Framework (2017) introduces a number of key things to improve the implementation of the Accreditation programme (DHS, 2017). Firstly, it separates accreditation and assignment frameworks which was the source of confusion since accreditation was understood as assignment (DHS, 2017). It also introduces programme-based accreditation where accreditation can be based on selected relevant programme(s) depending on municipal needs and capacity (DHS, 2017). It introduces seamless phased approach that would allow municipalities to sync capacity building and performance as they develop across the phases of accreditation (DHS, 2017). In its application process, it introduces timelines for decision making to avoid unnecessarily delays (DHS, 2017). It also introduces an appeal mechanism in the event that a municipality is not satisfied with the decision of an MEC (DHS, 2017). It also uplifts the important of the credibility of human settlements sector plan (HSSP) which is a chapter in the integrated development plan (IDP) of a municipality (DHS, 2017). At the time of writing, the revised framework was not yet approved.

#### *2.6.10.5 Guidelines on Allocation of Additional Powers and Functions to Municipalities, 2007*

In terms of powers conferred by Section 120(1)(c) of the Municipal Systems Act of 2000, CoGTA developed and published the guidelines for allocation of additional functions to municipalities. Except to the extent that the guidelines restate constitutional/statutory requirements, compliance with the guidelines is not mandatory. However, the guidelines state that they should be adhered to by organs of state when considering and effecting the assignment or delegation of additional powers or functions to municipalities in the interest of effective and practical administration (RSA, 2007). This becomes important in respect of the Accreditation Programme for the delegation and transfer of housing function to the local government sphere. The guidelines provide a policy framework for the delegation and transfer of powers and functions to local government (RSA, 2007).

#### 2.6.10.6 *Integrated Urban Development Framework, 2016*

The Integrated Urban Development Framework (IUDF) is the policy framework that was developed by the Department of Cooperative Governance and Traditional Affairs (CoGTA) in order to guide government especially the local sphere thereof towards responding to the rapid urbanisation (CoGTA, 2016). The IUDF provides guidance through a number of levers for urban spatial transformation and effective use of urban spaces and the implementation of integrated and sustainable human settlements at local government level is one of the key levers (CoGTA, 2016). Thus, the IUDF support the capacity of metros and secondary cities for capacity building through the Accreditation Programme in order to implement integrated sustainable human settlements (CoGTA, 2016). The framework also supports capacity building in local government level which is at the heart of the Accreditation Programme (CoGTA, 2016). Although the framework is developed by CoGTA, however, it has a cross-cutting impact in that it assists the human settlements sector towards the implementation of the international commitments such as the New Urban Agenda (NUA) and the Sustainable Development Goal (SDG) 11 which is about the creation of sustainable cities and communities (CoGTA, 2016).

#### 2.6.11 Legislative Framework on Housing Decentralisation in South Africa

The Constitutional recognition of the three (3) spheres of government and their roles (functions) as well as principles that govern cooperative governance among them as part of a unitary state with federal aspects makes South Africa to be a decentralised state. The legislative framework is provided by the Constitution, with specific reference to Section 26 which provides for the right of access to adequate housing for everyone and Section 156(4) which provides for the assignment of municipalities (RSA, 1996). Other legislative provisions are drawn from the Housing Act, 1997, Act 107 of 1997 which provides for, among other things, the roles and responsibilities of the three (3) spheres of government concerning the housing function (RSA, 1997a). Herewith is the legislative framework for housing decentralisation as conceived in the Constitution and different Acts of Parliament in South Africa.

#### *2.6.11.1 Constitution of the Republic of South Africa, 1996 – Section 156*

The overall provision for the accreditation and assignment of functions from the national and provincial spheres of government to local government is set out in the Constitution. Section 156(4) of the Constitution provides that "the national government and provincial governments must assign to a municipality, by agreement and subject to any conditions, the administration of a matter listed in Part A of Schedule 4 or Part A of Schedule 5 which necessarily relates to local government, if:

- (i) that matter would most effectively be administered locally; and
- (ii) a municipality has the capacity to administer it (RSA, 1996).

According to the Municipal Accreditation Framework (2012), the Constitution also envisages devolution of powers and functions to local government. It further offers a framework for the assignment of additional powers and functions to local government by national and provincial governments. Municipalities may be assigned an executive power/function through:

- (i) legislative assignment in terms of Section 156 (1) (b) of the Constitution; or
- (ii) an executive assignment by agreement in terms of Section 126 of the Constitution" (DHS, 2012).

#### *2.6.11.2 Housing Act, 1997 – Section 10*

Section 10 of the Housing Act provides for the administration of national housing programmes by municipalities. The Section also provides for the accreditation of municipalities in order for them to administer housing programmes (RSA, 1997a). The Section provides that "any municipality may apply in writing to the MEC in the form determined by the MEC to be accredited under subsection (2) for the purposes of administering one or more national housing programmes...If the MEC is satisfied that the municipality which made an application under subsection (1) complies with the criteria for the accreditation of municipalities as determined by the Minister after consultation with the MEC, the MEC must accredit the municipality for the purposes of administering one or more of the national housing programmes mentioned in the

application” (RSA, 1997a). Important to note is that the Housing Act does not mention the issue of assignment as provided for in the Constitution. The Section quoted above only provides for accreditation. Assignment is provided for in the Municipal Systems Act (discussed below) whose implementation is administered by the Department of Cooperative Governance and Traditional Affairs (CoGTA).

#### *2.6.11.3 The Municipal Systems Act, 2000 – Section 10*

Section 10 of the Municipal Systems Act 2000 provides for the assignment of functions or powers to municipalities by acts of executive agreement or by assignment agreement. The Section indicates that if the administration of a function is assigned to local government through an Act of Parliament or a provincial Act, or by agreement in terms of Section 99 or 126 of the Constitution, the organ of state assigning the function/authority must submit to the Minister (of Cooperative Governance and Traditional Affairs) and the National Treasury a memorandum before assigning the function or power (RSA, 2000). The memorandum should:

- (i) give at least a three-year projection of the financial implications of that power/function for the municipality;
- (ii) disclose any financial liabilities or risks after the three-year period; and
- (iii) Indicate how any additional expenditure by the municipality in question will be funded (RSA, 2000; DHS, 2012).

This piece of legislation cuts across the assignment of functions across various sector departments and not necessarily the decentralisation of housing function. Its provisions apply when provincial and national governments assign any function to local government.

#### *2.6.11.4 Financial and Fiscal Commission Act, 1997 – Section 3*

This piece of legislation applies especially at the ultimate level of the Accreditation Programme which is assignment. An MEC that assigns the function must request the Financial and Fiscal Commission (FFC) to make an assessment of the financial and fiscal implications of the assignment of a function to local government, after notifying

the FFC on the likelihood that such assignment can have as impact on issues such as: (i) future division of revenue between the (provincial and local) spheres of government in terms of section 214 of the Constitution, (ii) fiscal power, fiscal capacity and efficiency of municipalities, and (iii) transfer of officials, assets and liabilities to a municipality (RSA, 1997c). The FFC thus prepare its assessment on the assignment of the functions to local government. With regard to the assignment of the housing function, it is expected in the human settlements sector that the consultation with the FFC can be conducted jointly by the assigning MECs for Human Settlements in order to ensure uniformity and consistency on the approach towards addressing the financial and fiscal implications of such an assignment exercise (RSA, 1997c).

#### *2.6.11.5 Intergovernmental Relations Framework Act, 2005 – Section 35*

The Intergovernmental Relations Framework Act of 2005 relates to the Accreditation Programme by formalising the delegation of responsibilities from a provincial sphere to the local sphere of government (RSA, 2005). Section 35 of the Inter-Governmental Relations Framework Act 13 of 2005 provides that an implementation protocol (IP) agreement is to be entered into between an MEC province and a municipality in order to formalise the delegation of functions (RSA, 2005). Section 35(4-6) of the Act provides that an IP must be aligned to the constitutional provisions and national legislation concerning the function that is delegated. Thus, an IP should be negotiated between the two (2) spheres and then prepared in writing for signing by concerned parties after consultation with all relevant stakeholders (RSA, 2005). Municipal Accreditation Framework (2012) indicates that the signing of the IP as mandated by the Intergovernmental Relations Act of 2005 is part of the delegation process (RSA, 2005; DHS, 2012).

#### *2.6.11.6 The Intergovernmental Fiscal Relations Act, 1997 – Section 8*

The Intergovernmental Fiscal Relations Act brings to effect one of the core principles of the Accreditation Programme which states that “funding follows function” (DHS, 2012:13). The purpose of this piece of legislation is to promote cooperation in terms of fiscal, financial, and budgetary matters across the three (3) spheres of government. Section 8 of the Intergovernmental Fiscal Relations Acts provides for revenue-sharing

and allocation of funds in terms of Section 214 of Constitution. The Section states that: the sharing process of the revenue raised nationally among the three (3) sphere of government in terms of Section 214 (1) (a), the division of provincial share among the provinces in terms of section 214 (1) (b), and any allocation of money to provinces and municipalities in terms of section 214 (1) (c) of the Constitution, must be effected accordingly (RSA, 1997d).

#### *2.6.11.7 Annual Editions of the Division of Revenue Act – Section 5*

Just like the Intergovernmental Fiscal Relations Act of 1997, this piece of legislation also effectualises the accreditation principle that states that funding follows function (DHS, 2012). Division of Revenue Act (DoRA) is published on an annual basis and it provides for the regulation of financial management which gives effect to provincial spending of the Human Settlements Development Grant (HSDG) on the Accreditation Programme to build capacity in municipalities and for the development of human settlements projects in municipalities (RSA, 2020). The DoRA makes provision for gazetting of funds and transfers of gazetted funds from the provincial sphere of government to local government with specific reference to the accredited municipalities (RSA, 2020).

#### *2.6.12 Housing Decentralisation Case and Possible Benefits*

The researcher's observation is that the sixth (6<sup>th</sup>) democratic government term of administration which started in the year 2019 brought rationalisation of government portfolios at national level, where among other departments, the erstwhile Ministries for Human Settlements and Water and Sanitation were merged to form the new Ministry for Human Settlements, Water and Sanitation. In the researcher's view, decentralisation of the housing function becomes a good idea because housing, water, and sanitation will be coordinated from the same ministry and especially because water and sanitation are important services in the overall the delivery of human settlements. The Community Law Centre (2007) indicates that adequate housing delivery includes functions such as planning, land administration, beneficiary identification, and delivery of a package of services, development facilitation and the provision of the house, as such, functions that are supplementary to housing, such as

water, electricity and sanitation should not be planned for in isolation. Thus, if national government provide funds in order to upgrade services that are supplementary to housing, this in effect results in integrated and sustainable housing delivery (Community Law Centre, 2007). Such integrated planning for delivery makes it important for all the funding streams, multi-sectoral plans and delineation of responsibilities to be consolidated towards building houses (Christmas and De Visser, 2009; Siddle and Koelble, 2016). Therefore, Community Law Centre (2007) recommends for devolution of the housing function to local government in order to assist towards addressing the coordination issues and enhance local government accountability for the housing function.

It is the researcher's view that governance is likely to improve in local government when housing is decentralised because housing delivery involves community participation which is an aspect of good governance in a democratic society. The Community Law Centre (2007) concurs in stating that public participation in the administration and delivery of the housing function is essential, and community participation that is needed for successful housing project is the intensive one. As noted in this chapter, since housing is a developmental function (and Koelble, 2016), it is linked to achieving the constitutional developmental mandate of local government, as such, planning and policy-making for the delivery of housing should be done at local government level as direct custodians of communities for them to have a voice in development matters of government in ensuring a bottom-up approach. The top-down approach as implemented in government has proven to have challenges which results in violent community protests especially over housing delivery, among other main symptoms of such challenges (Community Law Centre, 2007).

In the researcher's observation, some of the criticisms levelled towards government point to the issue of allocation of the housing function. The government has been severely criticised in the misalignment and misallocation of the housing function, and core to this criticism is the non-existence of municipal authority over the housing function and Human Settlements Development Grant (HSDG) (Community Law Centre, 2007; Christmas and De Visser, 2009). It is recommended that the devolution of responsibility and HSDG funding to local government will improve municipal control over the built-environment function (Community Law Centre, 2007). The practice in

which the HSDG funding is disbursed from national government through provinces to private sector developers while by-passing municipalities in the process is not conducive practice to holistic delivery of the built environment function which ultimate has to take place at the municipal spaces (Community Law Centre, 2007; Siddle and Koelble, 2016). Ultimately, there is a sound and robust argument that herewith supports the delegation and devolution of the housing function to local government, and this can be done through: (i) constitutional allocating housing as an original function to local government, and (ii) assignment of the housing function as part of the Accreditation Programme (Community Law Centre, 2007; Christmas and De Visser, 2009; De Visser, 2009b; Siddle and Koelble, 2016).

## **2.7 Chapter Summary**

In this chapter, the researcher reviewed the literature on the subject of decentralisation. This was done by discussing and analysing some of the arguments in the literature where the researcher provided his critical views on some of the arguments. A number of issues came out in the review as the researcher attempted to be as much exhaustive as possible in covering all relevant areas related to this project. Most importantly, the researcher analysed the South African context both the pre-1994 era and the post-1994 democratic South Africa. What was of paramount interest to the researcher was to examine the state of affairs in the country. In the process of doing so, the researcher discovered from the literature that the previous governance regime still has its features and legacy in the current democratic dispensation. Among other things, inequalities, slow socio-economic development, governance crises, weak and unaccountable local government and other failures of the state were noted. Besides literature arguments on prevailing circumstances in South Africa, the researcher as the citizen observes the direness of some of the experiences by citizens as their daily living reality. As the researcher indicated from literature analysis, two (2) of the key features in post-apartheid local government in South Africa, decentralisation and developmentalism are not taking root. The decentralisation of powers to administer the housing function in local government was cited as a typical example. Theoretical contemplation goes on in details in the next chapter where the researcher presents the theoretical framework of the study.

## CHAPTER 3: THEORETICAL FRAMEWORK

### 3.1 Chapter Overview

The study adopts the Max Weber's theory of bureaucracy and rationalisation as the main theoretical pedestal of the project. In an attempt to come up with a distinctive theoretical analysis, the Weberian theory is integrated with Peter Evans's ideas on the developmental state. These two (2) theorists (Max Weber and Peter Evans) contribute in building an understanding on how modern state function and operate. Although their works were done in two (2) different epochs, their relevance is brought together and analysed in this study in order to determine how a specific South African theory of a developmental state could be developed. By integrating the ideas of Max Weber and Peter Evans, the intention is to come up with a foundational basis for a hybrid theory which has been dubbed the 'Weberian developmental state' theory. This will constitute an important aspect of this project as the theoretical contribution of the study. In coming up with such basis for framing a South African theory of a developmental state, the researcher will use the findings of the study and consider the issues of contexts and prevailing circumstances in the country in order to make his theoretical contribution relevant.

The researcher will also use other theorists to complement the works of Max Weber and Peter Evans in areas where they fall short in order for the researcher bring out a formidable and balanced argument on framing a Weberian developmental state theory which could be relevant and practical for the South African context. As a starting point, the researcher will kick off by discussing and analysing Max Weber's theory of bureaucracy and rationalisation and thereafter deal with Peter Evans's embedded autonomy thesis. The researcher will also apply Weber and Evans' ideas on the South African context in order to maximise on the existing features of developmental state in South Africa. The main idea behind this chosen theoretical framework approach is to assist the researcher in order to understand how best can a frame for an *effective and efficient* developmental state theory in South Africa be developed. Where applicable in the discussion of this theoretical framework, the researcher attempts to interact with the theoretical issues by providing critical views (analysis) and observations of what theorists argue.

## 3.2 Weberian Theory of Bureaucracy

In this section, the researcher attempts to discuss the Weberian theory of bureaucracy in details. The researcher attempts to discuss different aspects of the theory, and this will include among other issues: Weber's sociological framework, his ideal type approach, conceptual framework of bureaucracy, bureaucracy and rationalisation, bureaucratic authority and sovereignty, among other topics. It is the researcher's intention to make this section as much comprehensive as possible since the attempts to articulate the main theoretical anchor of the study.

### 3.2.1 Weber's Sociological Framework

Ahead of arguing the Weberian theory of bureaucracy, Max Weber's overall theoretical approach to the field of sociology is discussed in order to establish the basis of his line of theorisation. The researcher's understanding of Max Weber's sociological framework is that of considering sociology as an integrated approach of social relationships and social actions in societies but primarily for the German context which he had carefully observed and was much familiar with. In his theoretical approach, the researcher observes that Weber was more interested in the subjective meanings that people attributed to specific contexts as they continued to interact with one another. This accounts for the reason why he identified four (4) generic types of social actions in societies as: (i) zweckrational, (ii) wertrational, (iii) affective action, and (iv) traditional action (Weber, 1978). The researcher simply refers to this as the *ZWAT* social actions of the Weberian bureaucracy and rationalisation. In a way of highlighting what each social action is about, Weber (1978) indicates that zweckrational actions are rational choice of actions to achieve specific goals, wertrational actions are actions that are not necessarily rationally chosen yet utilised to obtain value, affective action are actions based on a person's emotional condition not necessarily rational means to achieve something, and traditional action are human actions that are guided by people's traditions, habits, and customs.

Much of Weber's sociological contribution was mainly in response to the socio-economic and political changes in the German society as well as the Western world at large (Weber, 1930 and 1968). Regardless of this, the researcher observes a

common trend where other theorists consider Weber's theory of bureaucracy and rationalisation utilised as an organisational theory. Thus theorists classify Max Weber as the father of the organisation theory (Warner, 2007; Ferdous, 2016; Onday, 2016). The researcher strongly feel that such classification limits Weber's sociological contribution to organisational management whereas his analysis cuts across different societal aspects such as religion, society, law, economy, and human relations, among other aspects. Thus Byrkjeflot (2018) posits that it is doubtful that Weber would appreciate the status of the father of organisational theory whereas his sociological contribution for macro-societal analysis such as comparisons across historical antecedents and geographic settings. He adds that Weber questions the development of capitalism in the Western world as well as how do people in the Western world and other civilisations attribute meanings to their social action? Certainly that goes far beyond just an organisational theory. As such, classification of Weber as an example of just simply rational and closed tactician is not helpful, instead, the inter-societal and historical approach analysis that Weber utilised could be a much better classification of him and his sociological and theoretical contribution. This argument is also buttressed by Byrkjeflot (2018) who argues that Weber is not just an organisational theorist but rather a sociological theorist whose analysis are inter-disciplinary relevant. Mises (1998) confirms that Weber's sociology is different from other classical sociologists of his sociological framework is considered general sociology because it is holistic and it deals with historical experience from a universal standpoint in studying societies. Therefore, the researcher subscribes to the holistic Weberian approach because of its universal and historic analysis of societies and their organisation.

In order to understand the Weberian theory of bureaucracy, some key issues about his theorisation are herewith considered. Among other key issues are his (Weber) ideal type approach to theorisation, the conceptual framework of bureaucracy, characteristics of Weberian bureaucracy, approach to bureaucracy and rationalisation, some ingredients of Weber's theory, and bureaucratic authority and sovereignty. The researcher is of the view that discussing these issues will provide a clearer picture of Weber's theory. Herewith, the researcher attempts to look at the issues in turns.

### 3.2.2 Weber's Ideal Type Approach

In his work on the *Economy and Society*, Weber (1968/1978) analyses bureaucracy as part of his ideal type approach. In order to make an objective analysis of the Western society, Weber (1978) utilised the ideal type approach to his theorisation. The approach of ideal types as adopted by him does not entirely correspond perfectly to the pragmatic reality, instead ideal types provide a theoretical tool that can assist to describe phenomena especially in social sciences analyses where nothing is purely perfect but socially constructed (Weber, 1978). Literature especially by theorists who follow Weber's theorisation seem to have supported the ideal type approach (See Sadan, 2002; Labolo, 2013; Stojanovski, Denkova, and Trajkov, 2014; Gronning, 2017). Max Weber defines an ideal type as "a construct used for analytical purposes formed through the accentuation of one or several points of views, as well as through synthesizing concrete individual phenomena" (Weber, 1949:90). Taking signal from Weber's definition of an ideal type as provided above, by Elwell (1996:15) defines the concept in a more comprehensive manner as he argues that an ideal type is "an analytical construct that serves as a measuring rod for social observers to determine the extent to which concrete social institutions are similar and how they differ from some defined measure". In Weber's ideal type bureaucracy, "precision, speed, clarity, knowledge..., continuity, discretion, unity, strict subordination, reduction of friction and costs with material and personnel – are brought to the optimum level in the strictly bureaucratic administration, especially in its monocratic form" (Weber, 1982:249-250). Although useful in framing analysis for the practical reality, the researcher considers that the ideal type approach can also be useful in guiding towards perfection. In one is to excel in any endeavour, the ideal type becomes an appropriate frame of reference and in the researcher's view, ideal types can be applied in all human activity.

The researcher observes arguments by other theorists who follow Weber's work on ideal type theorisation. For example, Serpa and Ferreira (2019) consider ideal type as an analytical framework that is constructed from theorised features with which reality may be compared whereas Gingrich (1999) and Anderson (2004) support the approach of ideal types in arguing that although sociological analysis abstracts from reality at times, however, it assists in broadening understanding since it approximates a concrete phenomenon into ideal type concepts. In his analysis of organisational

structures, Weber theorised an ideal type of an organisation which came to be known as bureaucracy (Weber, 1978; Gingrich, 1999; Nabavi, Hosseinzade, and Allameh, 2014). In the researcher's observation, organisations (both public and private) have been structured and organised bureaucratically. The South African state is an example of bureaucracy as conceptualised by Weber (1978), considerable amount of scholars attest to this observation (Cameron and Milne, 2011; Chipkin and Lipietz, 2012; Mabasa, 2015). As such, regardless of the manifold critiques especially of the ideal type model which is labelled as dehumanised, Weber's bureaucratic framework of organisation still appear to be the most efficient and effective configuration of organisations. Thus, as indicated above, theorists consider Weber as the father of organisational theory, however, as the researcher maintains, there is more to Weber's sociological theorisation than just organisational structure. As such the conceptual framework of bureaucracy has more to offer since it links the concept bureaucracy to rationalisation which most of Weber's analytical contribution touch on various aspects of a society rests on. Thus, the next sub-section focuses on the conceptual framework of bureaucracy where an operational definition of the term, the relationship with rationalisation and domination will be highlighted, among other things in order to establish a common understanding of what bureaucracy is all about within the context of this study.

### 3.2.3 Conceptual Framework of Bureaucracy: Definitions and Interpretations

From the analysis of Weber's writings, the researcher observes that Weber never defined the concept bureaucracy, however, he only made a conceptualisation of it as an administrative body of appointed officials (Weber, 1978). The absence of definition from Weber himself creates a bit of a gap in the analysis of conceptual aspect of his theory. As such, the researcher wonders how Weber would define this concept if he were to return to life especially in this current era. However, this does not stop the process of analysing the conceptual framework of the concept using the signal from other writings of Weber. This gives an opportunity to trace the concept *bureaucracy* from its morphological roots. Grigoriou (2013:1) as well as Ojibade and Ibietan (2016) argue that the concept "*bureaucracy*" is sourced from the word "*bureau*", which was utilised in Western Europe from the eighteenth (18<sup>th</sup>) century to refer to "*an office*" or a place where employees consider as their workplace, and its original meaning

referred to the baize used to cover desks. The suffix “*kratia*” or “*kratos*” is sourced from Greek and it means "power" or "rule" (Hummel, 1998:307). According to Grigoriou (2013), the concept *bureaucracy* was in use before the 1789 French Revolution and thereafter spread for use in other countries in Europe. The concept *bureaucracy* has an interesting history when it is looked at from French perspective since it was at times utilised in a negative sense and associated with the misuse of power in a society or organisation (Wood and Waterman, 1994; Maclean, Harvey, and Kling, 2015; Adhikary, 2016). As the concept evolved in both theory and practise, it became one of the conventional concepts, and thus, organisations were comfortable to make use of the concept without any implied negative connotation when adopting it from Weber’s conception (Wood and Waterman, 1994; Mabasa, 2014). However, in some countries, the concept is still applied in a negative sense (Maclean, Harvey, and Kling, 2015).

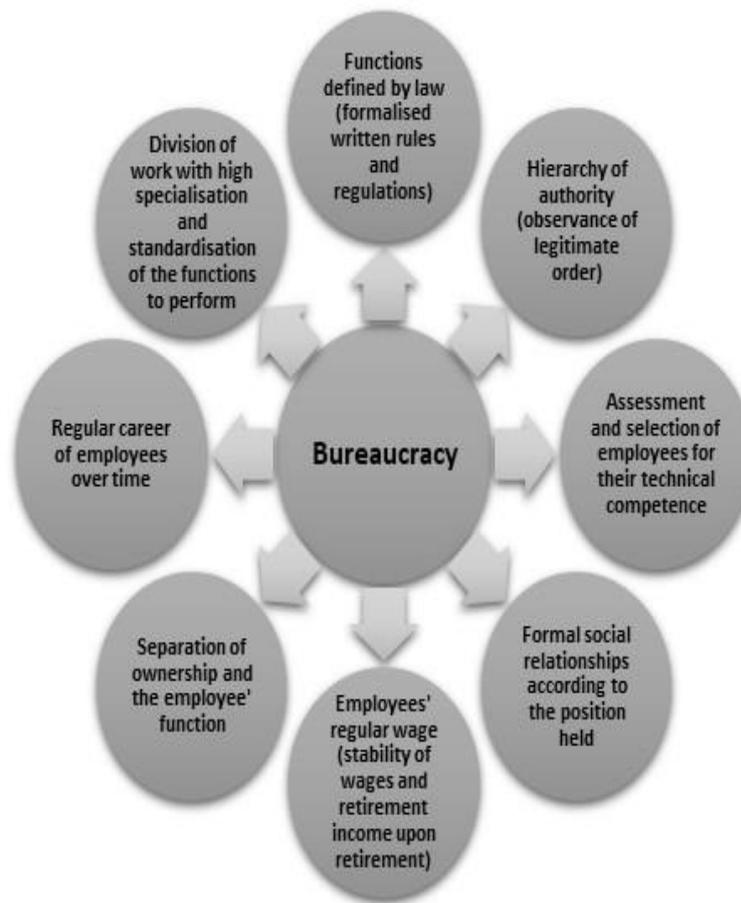
In sociological and political science, the concept bureaucracy has evolved to be understood as the administrative, execution and enforcement of rules that are socially organised and represented by standardised a formal procedure that guides the execution of processes within prescribed division of powers, hierarchical arrangement (Weber, 1978). Theorists that studied Weber’s works such as Jain (2004), Grigoriou (2013), and Stanisevski (2016), among others, concur with Weber’s sociological and political science interpretation of the bureaucracy. Heywood (2002) bureaucracy as an administrative machinery of a state whereas bureaucrats are non-elected officials of a state/civil servants. From a management sciences point of view, the researcher considers the definition of the concept *bureaucracy* from an organisation theory point of view as provided by Yolles (2016). Yolles (2016:21) defines bureaucracy "as a social subsystem of administrative structure that functions within a given frame of reference, and operates through a set of regulations control of activities through processes of rationalisation, operative facilitation under profession conditions, these activities to deliver services on behalf of some governing policy directive". For this exercise, this definition is adopted because at the centre of bureaucracy is the need to rationalise organisations. The sub-section on the approach to bureaucracy and rationalisation in this chapter will explicitly outline the inherent synergy between the two (2) concepts in Weber’s conception.

Weber's approach to bureaucracy goes beyond public sector setting and include private sector organisations, and this is partly because in both sectors, aspects of rationalisation and domination occur (Weber, 1978). With regards to rationalisation, bureaucracy is rational because it involves control-based knowledge, it has defined spheres of competence, it operates according to rules, and it has calculated operations (Weber, 1968). Different theorists appear to be in agreement with this argument although their articulation of the argument is not necessarily the same (See Fry, 1998; Marklund, 2005; Ritzer, 2007). With regards to domination, Weber distinguishes between authority and power as he notes that power is domination wherein a ruler's power is exercised to dominate people who have to accept the domination in organisations. Weber (1978) notes that power is the ability to carry out one's own will successfully in the face of resistance from the subjects upon which the will is exercised within a social relationship. There are two types of dominations, the first one is domination based on interest group; for example, economic domination and second one is domination based on authority such as rational leadership, which is bureaucracy (Weber, 1978; Adhikary, 2016). Max Weber further clarifies the last type (bureaucracy domination) by arguing that it has three kinds which are charismatic authority, traditional authority and legal-rational authority (Weber, 1978). Later in this chapter, reflections on forms of bureaucratic domination will be made especially because, it is only prudent to establish a fair understanding of the Weberian bureaucracy ahead of grappling with the nitty-gritty of the theory. Therefore, the subsequent sub-section continues to establish some general understanding of the Weberian bureaucracy by discussing its characteristics.

#### 3.2.4 Characteristics of Weberian Bureaucracy

One of the principal characteristic about Weber's bureaucracy which the researcher has already discussed is that it is theorised as an ideal type. As such, it represents what would be a perfect and an ideal organisation of states and enterprises if human beings were idealised beings. Figure 1 below highlights the characteristics of bureaucracy as conceptualised by Max Weber and supported by Weberian scholars and proponents.

Figure 2: Characteristics of Bureaucratic Organisations



Source: Ferreira, Neves, and Caetano (2004).

Figure 2 provides a sense of some key characteristics that are found in bureaucratic organisations which are sourced from Weber's ideal type bureaucracy. Weber's ideal type bureaucracy is characterised by:

- (i) *Hierarchy of authority* - a hierarchical systems of positions and offices exists in a bureaucratic organisation where some functionaries will have more powers than others in the same organisation. This also ascertains freedom among members of an organisation to perform their assigned tasks in the absence of meddling by anyone including those in higher level of authority.
- (ii) *Rules observation* - rules and regulation in bureaucratic organisations are observed by functionaries to guide behaviour in an organisation, and bureaucratic systems guard against any form of violation of the set rules and regulations.

- (iii) *Job codification* - this relates to the application of rules and codes specific to the responsibilities in fulfilling roles and duties of jobs in bureaucratic organisations. Functionaries should consult the rules linked to the jobs in order to stay within their areas of operation.
- (iv) *Impersonality* - functionaries in a bureaucratic organisation are not bound to one another in terms of slave/servant and master kind of a set-up, but they are free to leave their jobs at any time and contracts can be terminated at any time. No one is more special than the other, everyone is treated without specific regard of qualities.
- (v) *Specialised division of labour* - qualifications and evidence of (skilled) training is required for one to occupy an office in an organisation. This is also applied in terms of subdivision of tasks/duties in respect of specific specialisations/expertise among functionaries.
- (vi) *Promotion based on technical competence* - this is about an extent to which one's ability to perform and meet all technical demands of the tasks and duties are the basis for one's promotion (Weber, 1921).

If government departments and institutions in South Africa can decorously comply and adhere to these characteristics as principles, the South African public service would be a lot better than the way it currently is. Franks (2014) puts it very clear that the South African public service is in crises. Issues such as unethical behaviour, optimisation of resources, service delivery woes, non-compliance to public service prescripts, lack of transparency and accountability, and expenditure mismanagement are among the common symptoms of the crises (Fourie and Poggenpoel, 2017; Franks, 2014). With regards to non-compliance to public service prescripts and regulatory framework, it can be observed that this as one of the area where the South African public service is falling short of some of the characteristics of the Weberian bureaucracy as outlined above. In the researcher's observation, human nature will always have difficulties in attaining rationalised ideal standards, and this is the source of Weber's critiques that bureaucracy is rationalised. The subsequent sub-section goes to the kernel of bureaucracy and rationalisation which is the heart of Weber's analysis that is applied in both social and management sciences.

### 3.2.5 Approach to Bureaucracy and Rationalisation

The characteristics of bureaucracy noted above provide a sense in which an approach to bureaucratic rationalisation can be applied in organisations. It is the researcher's strongly held view that the comprehensive way of studying Weber's theorisation is to master his approach of bureaucratic rationalisation. It is for this reason that in the opening sub-section, the researcher provided an outline of Weber's sociological framework and provided a highlight of what he refers to as the *ZWAT* social actions of the Weberian bureaucracy and rationalisation as well as the meanings and interpretations thereof. The application of bureaucracy is the rationalisation of societal structures, organisational structures, and social relations in order to achieve specific goals in a society (Weber, 1978). This means that bureaucracy and rationalisation go hand in hand, and in fact, rationalisation is adopted as the main concept in the Weber's theory of bureaucracy. The same can be said in opposite that bureaucracy is adopted as the main hypothetical concept in Weber's theorisation of rationalisation (Weber, 1946 and 1968). In the researcher's observation, there are instances where the concept rationalisation is applied as bureaucracy and where bureaucracy is applied as rationalisation in the interpretation of Weber's theorisation in most analysis of scholars who follow Weber's work. Linked to this, the two (2) concepts are utilised interchangeably, and at times they are utilised together where the one serves as an adjective for the other to form a phrase; for example, Almasri (2011), Jin (2016), Godoi, Silva, and Cardoso (2017) *inter alia*, utilise the phrase *bureaucratic rationalisation* in most of their writings.

For the researcher, the utilisation of the concepts *bureaucratic rationalisation* and *rationalised bureaucracy* does not bring confusion whatsoever because when one studies Weber's line of theorisation, one can easily discover that Weber is emphasising one thing which is the ideal manner in which organisations and societies can ideally be configured in order to be efficient and effective in addressing their mandates or obtaining results (Weber, 1930, 1946, and 1978). Thus, in Weber's model, bureaucratic organisation is a rationalised organisation and vice-versa. Therefore, the rationalisation of societies and their organisations is embedded in their bureaucratisation, and similarly, bureaucratisation of societies and their organisation is linked to the rationalisation thereof (Kalberg, 1980). This implies that bureaucracy

should be seen as a “phenomenon of affirmation of the rationalisation of the world” (Paiva (2014:439). Kalberg (1980), Trubek (1972), and Elwell (1996) share the same sentiment in their analysis of Weber’s approach to bureaucracy and rationalisation.

In the opening sub-section, the researcher established his own view on how Weber’s theorisation has been followed over the years especially by the proponents and supporters of his theory. In the researcher’s view, there are two (2) main groups of what the researcher can consider as Weberian theorists, namely: (i) the Weberian organisational theorists, and (ii) Holistic Weberian theorists. For the purposes of validating Weber’s arguments in this project, the attempt in this project is to touch on the arguments of both groups of Weberian theorists regardless of the researcher being more of a holistic Weberian theorist for the reasons that are provided in this chapter.

In the analysis of Weber’s work on bureaucracy and rationalisation, the researcher observes that those who study Weber’s theoretical approach from an organisational theory point of view especially in the current era consider organisational structure as a guiding dynamic behind Weber’s theorisation of bureaucracy. Contemporary writers such as Ferdous (2016), Onday (2016) as well as Serpa and Ferreira (2019) confirm this observation. Again, in the analysis of Weber’s theory, one observes that contemporary scholars who view Weber’s work from a holistic point of view argue that “bureaucracy and rationalization are instruments of organizing our society and corporations” (Nathavhani, 2017:1). The same argument is made by Labolo (2013) as well as Nabavi, Hosseinzade, and Allameh (2014). This is a much broader approach to Weber’s theory. Bureaucracy and rationalisation go hand in hand, thus, the *ZWAT* social actions and their meanings are the application of rationalisation right across economic organisations, religious circles, and all aspects of human and social relationships (Weber, 1930 and 1978). This is probably the reason why Weber considers what has come to be known as bureaucracy to be an affirmation phenomenon of the rationalised world (Weber, 1978; Paiva, 2014). This means that bureaucracy is considered as a case of rationalisation when such rationalisation is applied in human organisational contexts. The next sub-sections attempts to demonstrate the application of rationalisation in human organisational contexts.

### 3.2.6 Application of Bureaucratic Rationalisation

In the researcher's guarded observation, the analysis of the application of bureaucratic rationalisation is more detailed in the literature and theoretical writings of scholars that followed Weber's work than in Weber's own writings. On the basis of this observation, the researcher seeks to demonstrate the applicability of Weber's theory in the modern/contemporary societies using the views of what he refers to as Weberian theorists who based their arguments on Weber's ideas to study modern societies. For example, Weber characterised his bureaucratic organisation by a kind of authority which is in a pyramid hierarchical form. Thus, in the application of such characterisation, Elwell (1996) and Anderson (2004), among other authors, argue that bureaucratic organisation in modern societies are typically characterised by a hierarchy of authority wherein each level is assigned unique areas of work which are administered under certain rational regulatory frameworks. From Weber's characterisation of bureaucracy, the researcher herewith provides an example of the South African public service which is governed by the regulatory framework for the public servants. In a bureaucratic setting, functionary managers are qualified by credentials that they have and also by specific training that they undergo which qualify them to hold particular offices, and to conduct their business (work) affairs by complying with written rules, documents, codes, and files (Gingrich, 1999; Labolo, 2013; Nabavi, Hosseinzade, and Allameh, 2014). Drawing from these arguments as sourced in Weber's characterisation of bureaucracy, the researcher's observation is that in the South African society, organisations are structured bureaucratically. This means that Weber's bureaucracy is applicable in South Africa and different organisations are adopting it. An important argument for the researcher in this theoretical discussion is a positive sign that an ideal *Weberian bureaucratic state* is possible in South Africa.

Weber (1978) maintains that bureaucracy is indispensable and indestructible which means it that bureaucracy is permanent. In the researcher's observation, Weber's argument of bureaucracy as an indispensable, indestructible, and a permanent phenomenon is valid. The researcher has never seen or imagined any form of a societal organisation which is configured outside a bureaucratic arrangement, instead, in one way or the other, Weber's characterisation apply across societal organisations.

Bureaucrats are permanent in societal organisations. As such, the researcher does not imagine a situation where bureaucracy will be replaced by other forms of configuration for societal organisation, thus, the argument on the permanence of Weber's bureaucracy is valid. Other scholars that are convinced by this argument agree that Weber's bureaucracy is indispensable and permanent. Aluko and Adesopo (2004) and Nethavhani (2017) argue that bureaucracy has been implemented from days of Weber and it is still going on to this day in different parts of the world without any sign of stopping at any stage regardless of critiques, and therefore, it is permanent. For the researcher, this is particularly true because since it started, it has only evolved and developed without losing power in societal organisations. Both public and private sector organisations have increasingly become bureaucratic over time (Altay, 1999; Yolles, 2016).

Weber (1978) conceives that organisations are structured and organised through power and domination among officials and employees. One of Weber's characteristics of bureaucracy that the researcher fixate on is that of hierarchical authority of societal organisations. In the researcher's observation, for an organisation to exist and meet its objectives, some form of hierarchy of authority is important in order to help people/officials to toe the line, enforce discipline, monitor implementation, and enforce rules. As such, the hierarchical structure of Weber's characterisation introduces the subject of rationalisation of power and authority in societies. Weberian theorists argue that as a way of approaching bureaucratic rationalisation in terms of power in societal organisations, Sadan (2002) and Anderson (2004) argue that the Weberian approach to power aligns bureaucracy to leadership and integrates power with concepts such as authority and rule. They add that as far as bureaucratic authority is concerned, the effect of such power depends on a person will regardless of the opposition of the other since such institutionalised power is based on rational rules that govern the operations of organisation. Thus, Weber (1978) was more interested in the application of power as an element that is used for domination and this can be on the grounds of authoritative interests and economic interests. In the researcher's interpretation, bureaucracy created power dynamics within societal organisations and institutions which constituted sovereignty on the part of those who are in positions of such power and influence. The researcher has observed this practise in the South African public service. Therefore, those in higher positions can make commands and demands to

those that are lower than them, and expect them to deliver on such commands and demands whether or not they want to. For the researcher, this implies that within a bureaucratic setting, there would be sovereign authorities and those that implement what authorities command them to do. Therefore, the order of bureaucracy allows for creation of classes and hierarchies of command within societal organisations (Weber, 1994).

Weber (1978) argues that organisations are managed and structured bureaucratically across public and private sectors. For the researcher, this means that bureaucracy is omnipresent in human societies, and organisations are managed and structured bureaucratically across public and private sectors. Serpa and Ferreira (2019) support the argument on the omnipresence of bureaucracy as they argue that the bureaucratic structure is everywhere and it is approached as a rational structure that keeps organisations efficient and successful. Weber (1978) maintains that bureaucracy uphold states in the sense that governments require specialised expertise to fulfil various roles that make states effective in serving the interests of citizens. In the researcher's view, this makes bureaucracy an important subject for public and private sectors since it promotes the issue of expertise in organisation which will guide efficiency and effectiveness towards yielding organisational goals. Grigoriou (2013) supports Weber's claim as he sees government bureaucracy as a system of operation that requires trained officials to implement various functions. The appointed officials' tenure in the offices outlives that of public representative (politicians) that are elected and deployed is another aspect that makes the bureaucratic system permanent, and the life of a state is dependent on the permanence of the bureaucratic system (Grigoriou, 2013; Nethavhani, 2017). Grigoriou (2013) mentions something that in the researcher's view is very true about bureaucracy as he indicates that it is a complex system yet understandable. Its complexity is due to the many ingredients that are part of it. In a way of breaking down its complexity, the next section discusses the relationship between key aspects (parameters) of bureaucracy in order to simplify it.

### 3.2.7 Ingredients of the Weberian Bureaucratic Theory

In the researcher's observation, the Weberian theory of bureaucracy is quite broad and constituted of various ingredients. For the researcher, this could be the reason

why it can be successfully applied in various fields of study and disciplines such as sociology, political science, law, organisational development, public management, and economics, among others. This is mainly because, in its holistic view, the Weberian theory touches on various aspects of a society and it has a number of societal issues that it seeks to address, and as such, the researcher considers it as a complex theory. For example, the theory touches on issues such as rationalisation, religious morality, capitalism, politics, domination, power, and sovereignty. In the researcher's observation, each of these ingredient concepts are complex on their own, and bringing them together comprehensively can be a mammoth task. However, for the purposes of this project, the researcher seeks to make some highlight on some of them in an attempt to argue the Weberian theory of bureaucracy and rationalisation. In his analysis of the Weberian theory, the researcher observes the relationship between these concepts. The elucidation of the relationship will also make it easy to understand why some of the theoretical concepts are repeated and featuring prominently throughout this section of the chapter. This will only be emphasising their inter-relatedness. The starting point will be to understand the concept rationalisation since it is central across all aspects of Weberian bureaucracy as noted herewith.

### 3.2.7.1 *Unpacking rationalisation*

Weber's conception of rationalisation emerges prominently in his analysis of the sociology of religion and capitalism in the greater Western society civilisation as he considered it the replacement of traditional methodologies with rational, calculated, predictable, and efficient method (Weber, 1930 and 1949, and 1978). The researcher is of the view that the morphological roots of this terms may also be useful in order to understand the context by which Weber adopted his conception of it. The concept originates from Latin *rationalis* which have a number of meanings such as "calculation" and "reasonable", *rationalis* is sourced from *ratio* which can mean "counting" and "reason", and *ratio* is in turn sourced from *reor* which means "to calculate" and "to think" (Marklund, 2005:2). Thus, the researcher is convicted that in Weber's mind, ideals of perfections, reasoning, efficiency, calculability, and order were running as he conceptualised the approach of rationalisation. As such the researcher's interpretation of Weber's conception of rationalisation is that of a systemic organisation and

arrangement that is guided by rational thought and efficiency in achieving predetermined goals in a society.

A number of Weberian theorists such as, among others, Elwell (1996), Gingrich (1999), Ritzer (2007), and Serpa as well as Ferreira (2019) provide their interpretation of Weber's conception of rationalisation, and in the researcher's view, their interpretations are actually not far from what Weber's theorisation of the concept rationalisation. All these interpretations are due to the fact that Weber himself did not provide an explicit and outright definition of the main concepts in his works on the *Economy and Society* and *The Protestant Ethic and the Spirit of Capitalism*, instead, he applied the concept in a manner that gave it meanings and definitions by theorists who analyse his (Weber) works. The researcher conjectures that Weber probably knew how likely his work would impact the world especially in the scholarship in different aspects of societies, and as such, explicit definitions of his operational concepts would probably limit meanings and interpretations of his key concepts (bureaucracy and rationalisation). However, for the purposes of this project, the most basic definition that seems to operationalise and summarise inputs by both the researcher and other Weberian theorists is the one figured out by Kalberg (1980) who argues that rationalisation is the application of careful methods and reason as opposed to values, emotions, and tradition in societal organisations in order to achieve goals.

Not all Weberian theorists have provided what the researcher considers as an apt interpretation of Weber's conception and application of rationalisation. For example, Marklund (2005) indicates that the rationalisation process can be understood as attempts to effectivise an activity by reducing costs and the waste enterprises but increase profits and secure returns of that particular activity as conducted by an individual organisation or state. This could be one of the best interpretation of Weber's conception, however, the researcher observes that the interpretation of Marklund (2005) makes it seem like rationalisation is an economic concept whereas the concept cuts across all aspect of society in Weber's application of it. In the researcher's understanding of Weber's application of the conception, in order for rationalisation to occur, there should be a clearly predetermined goal/objective (end) in mind first, thereafter an application of systematic, methodological, and meticulous plans and effort to serve as means towards achieving that predetermined objective in societies.

Some Weberian theorists who provide what the researcher considers an apt characterisation of Weber's rationalisation are Gingrich (1999), Stanisevski (2016) as well as Serpa and Ferreira (2019) who spell out the characteristics/principles of rationality as calculability, efficiency, predictability, non-human technology, and control of uncertainties. These characteristics of rationalisation are exactly what the researcher comes up with in his analysis of Weber's work, although with an addition of one more characteristic which is social order. The researcher obtains this very important additional characteristic directly from two (2) other characteristics of bureaucracy as discussed earlier in this chapter which are hierarchy of authority and observation of rules. Thus, these characteristics effectualise the application of bureaucracy in both public and private sector organisations. Therefore bureaucracy and rationalisation are mutually reinforcing as a unified organisational system for efficiency and effectiveness due to their characteristics that are almost similar.

Weber (1921, 1949, and 1968) distinguishes between four (4) types of rationality as practical, theoretical, substantive, and formal rationality. Weber (1930) indicates that practical rationality is the manner of judging and viewing social actions in relation to individuals' interests. Theoretical rationality is a sentient awareness of reality through construction of abstract/theoretical concepts (cognitive logic) as opposed to real social action where cognitive processes are viewed as extensive real processes of action towards mastering reality through thought (Weber, 1946). Weber (1968) indicates that substantive rationality is about ordering social actions and processes into functional patterns through the application of past, present, and future possible assumptions. Formal rationality is a structural domination in life realised through industrialisation where legal, scientific, bureaucratic, and economic forms of domination apply (Weber, 1968). Weberian theorists that conducted a follow up analysis of Weber's four (4) types of rationality are Kalberg (1980), Habermas (1984), and Ritzer (2007), among others. Weber prognosticated that all other forms of rationality would eventually be overthrown under the formal rationality because it directly links to capitalism which was the central core drive of the Western society civilisation as opposed to civilisations in other parts of the world (Weber, 1921, 1930, and 1949). Thus, capitalism exists as part of the larger movement of rationalisation that began in the Western society and formal rationality was instrumental to the development of capitalism globally (Weber, 1930).

The same argument is also emphasised by Kalberg (1980), Ritzer (2007), and Stanisevski (2015).

In the researcher's analysis of the four (4) types of Weber's rationality, there is a string that brings them all together and that is the fact that they are all an outcome of a cognitive engagement process. As such, among other celebrated Weber's followers in theoretical literature, Kalberg (1980) indicates that regardless of how much the four (4) types of rationality may seem to differ in content and explanation, however, the mental work processes that endeavour to master reality across all of them are common. He adds that regardless of their characterisation by the means-end calculation, subordination of diffuse realities to values, or abstract thought, reference to interests, regulations, values, or theoretical problems, all of the rational processes across four (4) types confront social realities of concrete occurrences, unconnected events, and punctuated happenings (Kalberg, 1980). Ultimately, the common goal across them is do deal away with particularised perceptions by managing them through intelligible and meaningful regularities (Kalberg, 1980). This is exactly how the emotive, traditional, and customary methodology of dealing with issues in societies gradually get eroded as the rationalisation process takes shape in the modern society as theorised by Weber. Other Weberian theorists that concur to Kalberg (1980) on this argument are Elwell (1996), Ritzer (2007), and Jin (2016).

This brings the researcher to a point of discussing two (2) key players in government organisation in the modern societies which are politicians and bureaucrats. Thus the subsequent part of this sub-section seeks to discuss in details their (politicians and bureaucrats) work, relationships, mandates in government.

### 3.2.7.2 *Bureaucrats and politicians*

In his work on *Politics as a Vocation*, Weber (1946:3) acknowledges that the concept *politics* "is extremely broad and comprises any kind of independent leadership in action" especially on matters that relate to the governance of organisations, although his interest in this particular case is on the leadership of states. Nothing is entirely apolitical in a society because states are politically organised units within a society and the organisation aspects of the units directly involve the force of politics (Weber,

1921 and 1946). Curiosity arises on the researcher from Weber's argument that there is nothing that is entirely apolitical in a society and this is due to the researcher's understanding that politics is one section/sphere of a society just as religion is. However, for the researcher, the argument by Weber (1976) here means that politics can penetrate every aspect of a society. To a certain extent, the researcher observes that politics are applied in a society to dominate or practice dominion of sections of government. Perhaps this accounts for the relationship between states and force as Weber (1946:3) argues that "the relation between the state and violence is an...intimate one" because state is about the dominion of men through legitimate violence, and thus the aspect of sovereignty comes in. Therefore, whatever is considered political involves determination by power and authority to take decisions on one's sphere of activity, therefore "he who is active in politics strives for power either as a means in serving other aims, ideal or egoistic, or as 'power for power's sake,' that is, in order to enjoy the prestige-feeling that power gives" (Weber, 1946:4).

Weber (1921) and (1946) identifies three (3) pure/ideal forms of dominion which, in this case can be understood as leadership, and those are: traditional, charismatic, and legal-rationality leadership under which there are subjects/people who have to obey. Obedience, as Weber (1946:4) argues, is based on a number of factors which include "...highly robust motives of fear and hope—fear of the vengeance of magical powers or of the power-holder, hope for reward in this world or in the beyond—and besides all this, by interests of the most varied sort". The researcher's observation, this kind of leadership authority is not relevant for bureaucracy since it is based on fear of a person and not necessarily rational rules. For the purposes of understanding Weber's analysis of politics, focus is given to the second one which is charismatic leadership which is about "...authority of the extraordinary and personal gift of grace (charisma), the absolutely personal devotion and personal confidence in revelation, heroism, or other qualities of individual leadership (Weber, 1946). In the researcher's analysis of Weber's argument, for someone to become successful in politics, he/she should have a charismatic character as opposed to having traditional and magical powers which can inspire fear on other people.

Weber (1946:4) argues that charismatic domination is practised "by the prophet or— in the field of politics—by the elected war lord, the plebiscitarian ruler, the great

demagogue, or the political party leader...”, it is “domination by virtue of the devotion of those who obey the purely personal ‘charisma’ of the ‘leader.’ This is the root of the idea of a calling in its highest expression” (Weber, 1946:4,5). The aspect of the calling in this political domination is very important as it relates to the modern capitalist development where Calvinist Protestants view their involvement in economic means of making wealth as their ultimate calling which is divinely designed by God for them (Weber, 1930). The researcher observes that the line of argument that Weber established in the Protestant ethic and the spirit of capitalism is featuring again in this instance where he is linking the argument of the Protestant calling for dominance to the notion of politics in a society. This therefore means that politicians are called, or simply put, the work of politicians is a “calling” to them as a vocation (Weber, 1946:5). The interesting question regarding the politicians by virtue of their calling is how do they manage domination, and certainly the answer is by force and by means of executive powers (Weber, 1946). From the analysis of the South African public service, the researcher observes that this could probably be the reason why bureaucrats in public service appear fearful to politicians for issues such as victimisation. In the researcher’s interpretation of Weber’s argument, whatsoever politicians say, the bureaucrats must toe the line. In the case of housing decentralisation programme which is being studied in this project, if politicians are unwilling to decentralise the housing function, bureaucrats toe the line and administrative challenges are likely to be inevitable.

Weber (1946) argues that the administrative staff (bureaucrats) represents political domination organisation and they are bound by obedience to politicians by legitimacy, material reward, and social honour. As such, politicians and bureaucrats are bound together by fear of losing the latter two (2) (reward and honour) (Weber, 1946; Parker, 2002). Weber’s argument on the relationship between bureaucrats and politicians appears comprehensive to the researcher especially because in the researcher’s observation as a bureaucrat in the South African public service, what political principals utter especially in public platforms becomes the policy strategic direction in which bureaucrats put into practise. The aspect of obedience based on material reward and social honour may not necessarily be applicable in all respects with regards to the South African public service in the researcher’s observation. In other words, the researcher does not necessarily agree to Weber’s argument that

bureaucrats obey politicians in order to get material rewards or social honour, but for legitimacy purposes since political principals are executive authorities in public services which is an aspect that is recognised in Weber's characteristics of an ideal type bureaucracy.

Weber (1946:8) argues that all countries on earth have experienced political expropriation where politicians take over in dominion echelons of the states under lords/princes, and in the process of political expropriation, "professional politicians" emerged as a second group of politicians. Professional politicians were the clergy, educated literati, court nobility, patricians/gentry, and university trained jurists which are the people who assisted the princes in their struggles against the estates (Weber, 1946). In the researcher's view, this second order of politicians are very instrumental to a bureaucratic setting because they can be experts in their own areas of specialisation. This creates a second vocation of politics as a profession where professional politicians initially emerged to operate under the prince (sovereign) without intentions of becoming lords/princes themselves but dedicated to serving the political lords (Weber, 1946). Professional politicians know how to strategically position themselves in order to benefit both from power and other aspects of social life without necessarily being exposed at the position occupied by lord and princes. In the researcher's interpretation of what Weber (1946) is saying about professional politicians, the researcher can classify them as technocrats because they form a class of strategists in a state bureaucracy. These are people who can advise those that are in power regarding the development in a state based on their expert knowledge and specialisation. In the researcher's view, development in a state can be achieved through the implementation of programmes, for example, in the case of decentralisation, technocrats were supposed to advice the authorities accordingly in order to achieve development in a state, however, as the researcher observes, the relationship is characterised by fear which makes it impossible for experts to advice politicians.

Weber (1946) makes an acknowledgement that one can engage in politics for the purposes of economic pursuits where politics can be regarded as either an avocation or a vocation. This is an instance where one can engage in politics for the purposes of influencing power distribution in political structure and thus be referred as an

occasional politician (Weber, 1946). He clarifies occasional politicians as those who involve themselves in politics by voting and participating in political meetings/activities, as such, practising politics as an avocation wherein in the past were people such as estates who would participate in political matters but not necessarily give themselves wholly and entirely to politics on a full-time basis and permanently (Weber, 1946). The researcher's understanding of what Weber is referring to here as occasional politicians is the electorate. The electorate is not necessarily people who are fulltime politicians, but voters who participate in the elections in order to take decision of who should rule in the state. As Weber argues, they are supposed to influence power distribution in political structure (Weber, 1946), however, the reality especially in African democratic countries is that the influence to distribute power in a political structure is undermined and defeated by activities such as rigging of votes, and thus making it impossible for the voters to realise their objective of determining who/which political party should rule (Agbu, 2016).

Weber (1946:9) argues that "there are two ways of making politics one's vocation: either one lives 'for' politics or one lives 'off' politics...The rule is, rather, that a man does both, at least in thought, and in practice. He who lives 'for' politics makes politics his life, in an internal sense...he enjoys the naked possession of the power he exerts, or he nourishes his inner balance and self-feeling by the consciousness that his life has meaning in the service of a 'cause.' ... Every sincere man who lives for a cause also lives off this cause... He who strives to make politics a permanent source of income lives 'off' politics as a vocation, whereas he who does not do this lives 'for' politics (Weber, 1946:9). In the researcher's understanding of Weber's differentiation of those who live *for* and *off* politics, it is difficult actually identify them in South African context especially because politicians can also be businessmen and vice-versa, and also, there are bureaucrats that are involved in politics. Thus, Weber's differentiation is not very useful for the South African context. Regardless of this, with regards to the South African public service, the researcher observes that there are politicians and bureaucrats/technocrats, although Weber seems to refer to both class as politicians (lords/princes and professional politicians). In this context, a bureaucrat means a member of a bureaucracy which may as well be a technocrat (Fatile, Olojede, and Adejuwon, 2015).

Weber (1946:9) also argues that “very trivial preconditions must exist in order for a person to be able to live ‘for’ politics in this economic sense... the politician must be economically independent of the income politics can bring him... the politician must be wealthy or must have a personal position in life which yields a sufficient income”. This means that entrepreneurs, agriculturalists, lawyers, plutocrats and any other economically indispensable politician can make great professional politicians (technocrats) because they may not always take advantage of the state to benefit themselves since their social economic status is better place them to be honest, just, and ethical (Weber, 1946; Gildenhuis, 2004). Adding to this, Weber (1946:36) mentions three (3) qualities for politicians as “passion, a feeling of responsibility, and a sense of proportion”. Juxtapose to reality, the researcher is of the view that these quality do not exist in most of the politicians especially in the current era because most politicians have become greedy and self-serving. Thus Rand (1964) theorises about the selfishness of politicians.

On the side of bureaucrats, these should be people with required technical skills and expertise in order to assist politicians in the work of governing states. In the interest of rationalisation in the modern Western world, Weber (1946) argues that the modern officialdom developed into a qualified, skilled, and professional labour force with specialised expertise gained through years of preparatory training. As such, modern bureaucracy has developed a high sense of honourable status and integrity without which technical functions in state would not be effectively implemented. This is still in his (Weber) ideal type approach towards the efficiency of the state organisations especially in the economic sphere to achieve their predetermined goals. Where officials are not well trained to perform their duties, organisation struggle to meet their goals towards addressing their mandates and this is the case in the example that Weber (1946) provides about amateur officials that he observed in the United States (US) during the time he spent in the US where some of them had to be changed down to mail carriers because they were clueless about civil service and most of them have since been trained in order to serve as qualifying bureaucrats. Typical of Weber’s ideal type bureaucracy, bureaucratic officialdom in Europe is based on rational division of labour and it has emerged in a gradual development in almost half a millennium of years; for example, in Italy (cities and seigniories) began with monarchies and states

as well as separate divisions to deal with finances of the states and cities (Weber, 1946).

In the researcher's observation using the case of the South African public service, bureaucrats/technocrats play a pivotal role to the success of the political ambitions of the politicians. Although the same can be said for the benefits that bureaucrats obtain from politicians as Weber (1946) identifies them as material rewards and social honour in the context of his analysis of the Western society. With regard to the role of bureaucrats, Weber (1946) indicates that the dominance of princely absolutism in estates resulted in a gradual abdication of autocratic rule in favour of an expert officialdom (bureaucratic states). He adds that the bureaucrats facilitated victories for princes in estates, as such, the development of leading politicians came into existence due to the dominance of expertise officialdom (Weber, 1946). In the researcher's interpretation of Weber's argument, this means that when bureaucrats succeed in their vocations, politicians also do. This also means that bureaucracy can also be fancied as a vocation. Weber (1946) also argues that where dynasties retained their power, prince (politicians) had joint forces with officials (bureaucrats) to claim power because bureaucrats were interested in getting positions and ranks as their official careers where ministers directed bureaucrats in a cohesive manner. This concretise the researcher's observation that bureaucrats/technocrats play a pivotal role to the success of the political ambitions of the politicians.

Weber (1946) considers the German bureaucracy as the best in the world (in his judgement) and this was due to the well-trained bureaucrats that ran state organisation with excellence without the interference of politicians. He hails German bureaucracy because of the importance of its trained expert officialdom which he considered as second to none in the whole world, and in it, officials claimed both official positions and cabinet positions. This was one of the important rationalisation phenomenon because the German cabinet had bureaucrats who could guide and advice politicians accordingly which is one aspect that has been missing in other modern and contemporary states (Weber, 1946). For example, in South Africa, Cabinet position are only held by politicians to date. In states where bureaucrats are not cabinet members, there is a chasm of fear between politicians and bureaucrats, and as such, policies, plans, and targets developed and set in such states are far from being

implementable and achievable because politicians manage them on the basis of seeking popularity and preserving affinity with their constituencies without realistically considering the feasibility aspects of policies, plans, and targets made. Having observed the bureaucratic context of the US, Weber (1946) compares his home country's (German) bureaucracy and that of the US and indicate that in Germany, the characters of the bureaucratic officialdom dominated the state as esteemed technocrats of rare respectability as compared to the easily corruptible trade-union officials in America. If the researcher is to compare the German context of Weber (1946) and the current South African context, the German bureaucracy will also come out best because of its integratedness between politicians and technocrats as well as the esteemed value that German technocrats have in the state bureaucracy. In the researcher's observation, development in South African can easily be stifled because of the knowledge gap/chasm between technocrats and politicians, and this may be due to the fact that most politicians are not trained/educated but bureaucrats are, however, the latter agree to the former in everything for fear of victimisation even on what may not necessarily be sensible. Thus South African bureaucrats are suppressed by politicians in the researcher's view.

In terms of their work in state organisations, bureaucrats and politicians form part of the same state bureaucracy that Weber (1946) theorises about because they work together to form a policy development machinery of organisations as a way of guiding organisations to achieve their goals (Weber, 1946). They both play an important role in policy process which is about determination, policy choice and policy formulation, and policy implementation and review. This argument is asserted by Alesina and Tabellini (2005:2) who argue that "regulatory policies are normally the result of both political and bureaucratic intervention, but the rise of the regulatory state has made the bureaucracy a key player in both the decisions and the execution of a large amount of legislation". The main difference between politicians and bureaucrats is with regard to their accountability where the politicians account to their political movements and electorate in terms of how much they please their voters whereas bureaucrats are accountable to their professional managers and to the public at large (stakeholders) (Alesina and Tabellini, 2005). Thus, politicians are motivated by pleasing voters in order to win elections whereas bureaucrats are motivated to meet organisational targets and to excel in order to enhance their career growth (Alesina and Tabellini,

2005). The cooperation of politicians and bureaucrats in states sets an example of the practice of power and authority in states and states organisations. The subject of bureaucratic authority has been highlighted in parts of this sub-section, however, the next sub-section is dedicated to discuss bureaucratic authority and sovereignty in states using the Weberian approach of rationalised bureaucratic authority.

### 3.2.7.3 *Rationalised power, authority and sovereignty*

The areas of power and authority are among domains that Weber analysed under his ideal type rationalisation. As noted in the sub-section that dealt with rationalised *domination – Legal rationality and authority*, three (3) forms of authorities/domination were outlined as traditional, charismatic, and legal authority. This is the repetition that was pre-empted in the introduction of the section that deals with the relationship between the aspects of bureaucracy and rationalisation. In the context of studying power, authority, and sovereignty, Weber (1921) and (1946) was interested and concerned with the transitioning and organisation of power from the ancient to the modern society in the West. He notes that the power relations in the society were increasing becoming rationalised (Weber, 1921). At the centre of his analysis for power relations was the nature of the capacity to make commands and obedience thereto in a society as well as getting one's will to prevail regardless of whether others do not want it to be so. As far as power is concerned and as noted earlier, Weber (1921) indicates that there is power which is based on interest and power that is based on authority. With regards to power based on interest, it is common in economic fraternity when one is in control of resources that others need and they cannot survive without such resources. The owner of the resources has interest power of those who need those resources, and thus, he can exercise control over them as he wills (Weber, 1978; Adhikary, 2016). The power based on authority is evident in instances when one has legitimate powers to make commands, rules, and orders which have to be adhered to/complied with as part of their role of obedience (Weber, 1921). The later source of power is mainly exercised in state governments through constitutions, rules, orders and regulations in contemporary societies.

Weber (1921) focused on the political power that states have as sovereign political units over defined areas of jurisdiction. According to Max Weber, a state can be

understood as a human community in a form of a political organisation that can claim monopoly of the legitimate utilisation of physical force in a defined territory (Weber, 1946). The key word in the definition in this instance is the aspect of monopoly which gives a sense of sovereignty in this context because one of the way to characterise a state is by considering its sovereignty. Through governments, states run communities by utilising legitimate political power as the transition occurs from interest power wherein states get empowered to exercise power based authority in their defined territories (Weber, 1921).

According to Weber (1946:82), modern states are built/formed through processes that involve centralisation of control where leaders and power bearers build it by “means of administration, warfare, and financial organisation, as well as politically usable goods”. As noted above, there are three (3) ways in which states legitimise political power, and those are traditional, charismatic, and legal-rational authority/dominion, however, for Weber (1921), the latter of the three (legal-rational) is the most important one because of its inherent association with bureaucracy and rationalisation in a capitalist society. In a way of demonstrating rationalisation of power in the modern Western society, Weber (1978) identified trends social relationships and power organisations from status groups, and those trends included, the application of authority in different areas of the society, centralisation of power in the state and capitalist organisations, bureaucratic rationalisation on large scale activities, and advancements in expert knowledge to gain power and prestige. All these became efforts to rationalise power for dominion in the modern Western society.

The subjects of power, authority, and sovereignty are widely discussed in the field of social and management sciences. As can be seen below, a number of theorists in social and management sciences contributed their analysis to concepts of *power*, *authority*, and *sovereignty*, and their contributions have shaped the manner in which the concepts have been applied in both private and public sector organisations. Some of the theorists that have entertained the two (2) concepts include, among others: Dahl (1957), Bodin (1576), Lukes (1974), Weber (1947) and (1978), Schmitt (1922), Elshtain (1991), Hobbes (1651/1955/1996), Agamben (1998 and 2005), Dean (2013), and Grimm (2015). However, for the purposes of the project at hand the discussion of

the subject of rationalised power and authority is limited to the work of Max Weber whose ideas are adopted to provide the theoretical framework of this study.

Having dealt with the Weberian theory of bureaucracy and rationalisation, the lesson that one draws is that the Republic South Africa is a bureaucratic state in line with Weber's classification. The researcher demonstrated this by using examples of the South African state and its organisations throughout the discussion of Weber's theoretical ideas of bureaucracy and rationalisation which constituted the first section of this chapter. The second part/section of the chapter discusses the developmental state theory using Peter Evans' thesis on the *Embedded Autonomy*.

### **3.3 Peter Evans' Embedded Autonomy: State and Industrial Transformation**

Evans is known for, among other things, his research and literature interests in the fields of social and management sciences where through his work on the *Embedded Autonomy* of developmental states (1992, 1995, and 2010), among others, he makes analysis of developmental states. The researcher's impression of Evans' interest is that he is concerned about social and economic development where he emphasises the importance of state organisations as key instruments for socio-economic development. For the purposes of this project, the researcher prefers to classify Peter Evans's work as sociology of state governance and socio-economic development. The reason for this is that Evans' works (1992, 1995, and 2010) on analysing developmental states are based on the rationalised bureaucratic model of Max Weber for modern state development in the researcher's view.

Evans' analysis is purely on state governance towards achieving socio-economic development (Evans, 1995 and 2010). According to him, in the absence of states, markets and other key institutions of the modern society cannot function properly and collective goods (basic services) for citizens such as sewage systems, roads, and schools will not be effectively delivered (Evans, 1995). The researcher's impression of Evans' argument is that basic social services are expected from states, and the same is the case for the South African context, because among other citizens' needs are basic services. This makes states very important for the citizens' well-being. As such, attempts to destroy states can lead to perverse consequences and this was the case

when communist revolutions attempted to wither off states and ended up with a lesson that states cannot be done away with (Evans, 1995). In an attempt to clarify what a state is, Evans (1995:5) adopts Weber's definition who defines it as "compulsory associations claiming control over territories and the people within them". Although this definition lacks the aspect of exertion of force which Weber (1945) emphasises. Regardless of that, the definition provided emphasises Evans's (1995) argument that states cannot be destroyed and their existence is compulsory. The roles of the state that were also implemented in classic/ancient states are still implemented in modern states. However, at a more basic level, classic roles of states were basically to wage war and to ensure internal order whereas the contemporary role of states are to foster economic transformation and to guarantee minimum levels of welfare, and all these roles are implemented to defend states' sovereignties, preserve societies, and act in the best interest of societies (Evans, 1995).

In the researcher's observation of Evans' argument on the roles of states in addition to what Weber (1921 and 1946) indicates, Evans (1995) accentuates the important roles of modern states as: (i) to defend their sovereignty, and (ii) to ensure economic transformation. The economic transformation that Evans (1995) is theorising about here is socio-economic development in the researcher's interpretation. With regards to the first role of defending state sovereignty, Evans (1995:5) borrows from Marx's and Weber's arguments and indicate that states "are instruments for dominating the societies they serve..." and "the state exercises its monopoly on violence internally. With regard to the second role of economic transformation, "it means becoming implicated in the process of capital accumulation" because "wealth creation is no longer considered just a function of nature and markets; effective statecraft is involved as well...and facilitating the creation of new productive capacities..." (Evans, 1995:6). When states become involved in economic development, they increasingly consider the "international system not just as a system of sovereign political entities but also as a division of labor" (Evans, 1995:6). Based on this argument, it appears that the emphasis of the role of modern states is to ensure economic transformation (Evans, 1995). Therefore, economic transformation requires an effective and efficient developmental state. The greater part of Evans' analysis is dedicated to studying the developmental nature of states where, among other tasks, he makes a comparative analysis between a developmental state and predatory state, and in Juxtaposing

“predatory” and “developmental” states, he focuses attention on variation defined in terms of developmental outcomes” (Evans, 1995:44). The researcher will thus consider Evans’ (1992 and 1995) framework (predatory versus developmental) to make a classification of the South African state within the purview of this project later in this chapter.

In the course of conducting a comparative analysis between predatory states and developmental states, Evans (1995) identifies Zaire (now Democratic Republic of the Congo-DRC) as a classical example of a predatory state and Japan as a classic example of a developmental state, and justifies his argument for citing the two (2) countries with practical examples. With regards to the Zairian state’s predatory character, Evans (1995:43) indicates that “the rapaciousness of the Zairian officialdom is legendary, and the state’s most visible representative, the army... Once Joseph Mobutu Sese Seko gained control over Zaire in 1965, he and his coterie within the Zairian state apparatus systematically looted Zaire’s vast deposits of copper, cobalt, and diamonds. Evans (1995:13) adds that Mobutu Sese Seko and his crew looted the countries resources by “extracting vast personal fortunes visibly manifested not only in luxuriant life-styles at home but also in multiple European mansions and Swiss bank accounts of undetermined magnitudes...”. He also indicates that Zairians could not even depend on their government to supply basis infrastructure because within three (3) decades of Sese Seko’s reign, the Gross National Product (GNP) of the country dwindled to two (2) per cent per rate annually (Evans, 1995). This made the country that was once rich in resources to move to the base of the hierarchy of nations while citizens were left in poverty far worse than they were during the Belgian colonial rule (Evans, 1995).

The Zairian state provides an example of a risky context not only to citizens but also to theories for structure and behaviour of state apparatus to national development trajectories (Evans, 1995). In the researcher’s observation, the South African state is in crises, and this view is supported by (Hart, 2013) where various symptoms of the crises are discussed and how such have a reflection in local government. However, the researcher does not equate the level of dysfunctionality that Evans (1995) describes for the former Zairian state to South Africa. In the researcher’s understanding of Evans (1995) characteristics of a predatory state, regardless of its

crises, the South African state cannot be an example of a predatory state. The Zairian state aptly suits the description by Evans (1995) of a predatory state. In the researcher's observations, most African states could be classified under predatory states if the categorisation by Evans (1995) is applied.

Evans (1995) classifies Zaire as a classic case of a predatory state because of the following: it preys on its citizens, it terrorises citizens, it despoils citizens' common patrimony, and its delivery of social services is defective. In terms of the classification of the Zairian state, Evans (1995) classifies it both as a weak and a strong state. He classifies it as a weak state in sense that it struggles to transform its economy and social structure, and it is classified as a strong state due to its despotic leadership powers and its ability to do whatever it pleases without negotiating or obtaining consent from the civil society organisations, and also due to its interference with societal and implement whatever decision that it so pleases in addition of extracting resources at its will (Evans, 1995). The researcher does not necessarily share the same view with Evans regarding the classification of the Zairian state as a strong state and this is because a strong state should have a strong civil society organisations according to Asuelime (2016). A strong state is a state that can mobilise its resources and other important aspects of the society towards achieving a goal in a defined time frame (Tsygankov, 2015). Evans (1995) could indicate that strong state in this case is not necessarily the state but the despotic leader who seeks to do as he pleases and serve his own interests on the expense of the citizens. Evans (1995:44) ironically mocks the autonomy of the Zairian state as that of "not having its goals shaped by societal forces" if that's what autonomy means, and if autonomy means the "ability to formulate collective goals instead of allowing officeholders to pursue their individual interests, then Zaire fails the test". This "emphasises that the Zairian state is at a class of its own and ticking all important boxes for characterisation as a "purely predatory state" (Evans, 1995:45).

Evans (1995:46) indicates that one of the most shocking aspects of the Zairian state is the extent to which the "invisible hand of the market" dominates administrative behavior, creating a caricature of the neo-utilitarian image of how state officials act". Even a quick look at the Zairian state suggests that it is not a surfeit of bureaucracy but its absence that is central to Zaire's problems, when using Weber's (1921) lens

(Evans, 1995). As such, the Zairian state is a defective bureaucracy and this is mainly because its power is centred on one absolute ruler. From a poor governance point of view, the Zairian Mobutu's regime managed to systematically weaken and disorganise the civil society and ensured that the state does not have its own programme of socio-economic transformation (Evans, 1995). In the researcher's analysis of the classification of the Zairian state as a predatory state by the classification of Evans (1995) is well justified although it would have been more useful for Evans (1995) to highlight some of the few aspects that can be commendable if ever they existed in the Zairian state in order to produce a more well-balanced argument.

One can argue that what Evans (1995) argues about the Zairian state bureaucracy and governance is something different to what the South African state is. While the South African state is far from being an exemplar/best case, it is equally far from being like the Zairian state bureaucracy in South Africa is intact, although there are areas that can be further improved such as the relationship between political and bureaucratic aspects of the country in order to resemble what Weber (1946) characterised as the German bureaucracy which recognised the input of the technocrats. With regard to the civil society organisations' role in South Africa, one observes that good work has been done, however, the support for civil society organisation and initiative to involve it by government has not been managed very well in the researcher's view. The researcher's observation is confirmed by Asuelime (2016) who discusses the role of civic society organisations in the South African developmental state. He indicates that in South African civil society has been paying a vital role in contributing to the developmental state agenda (Asuelime, 2016). However, sustaining of their contribution is under threat due to challenges such as funding and capacity development which has to be urgently addressed to ensure meaningful contribution of civil society towards Vision 2030 as defined in the National Development Plan (Asuelime, 2016). This is an important building block towards creating a developmental state theory in South Africa.

With regard to a classic example, a true prototype of a developmental state, Japan is recognised among others. Evans (1995:47-48,) exemplifies "Japan's 'developmental state' was a central element in explaining the country's post-World War II economic miracle" where he notes that the Japan's Ministry of International Trade and Industry

(MITI) as central towards what made Japan an exemplar developmental state. He cites Johnson (1982) who argues that "...in the capital-scarce years following World War II, the Japanese state acted as a surrogate for a missing capital market while at the same time helping to 'induce' transformative investment decisions" (Evans, 1995:48). He also argues that state institutions such as the postal saving system and the Japan Development Bank (JDB) played an instrumental role in sourcing the needed investment capital to industry (Evans, 1995). In addition to this, the alacrity of financial institutions of the state to support industrial debt/equity ratios at high levels which were uncommon even in the Occident was another critical ingredient towards the expansion of new Japanese industries (Evans, 1995). The intervention of the Japanese state to provide capital also allowed it to implement industrial rationalisation as well as industrial structure policy successfully (Evans, 1995). Also, the MITI served as the pilot agency to oversee the development process granted the role to approve investment loans from the JDB, and it also had authority over allocations of foreign currency for industrial purposes and licenses foreign technology importation (Evans, 1995). The MITI also provided tax breaks, and had capacity to articulate administrative guidance cartels that would regulate industrial competition, as such, the MITI was best suited to maximise induced decision-making in the Japanese state (Evans, 1995). The Japanese state utilised its highly organised economic bureaucracy to turn the state into an epitome of the Post II World War classics of economic well-being, and therefore, this example meets the Weberian conception of a true bureaucracy and its effectiveness (Evans, 1995).

Evans (1995) argues that what is key to the success of developmental states as a chief characteristic is playing an active role on facilitating a developmental agenda of a society using whatever means possible. His example of Japan as an archetype of a developmental state is well justified in the researcher's view. Evans (1995) also discusses Korea and Taiwan as other examples of effective developmental states which went all out for economic transformation to advance the well-being of their societies. Across the three (3) states (Japan, Korea, and Taiwan) that Evans (1995) identifies as good examples of developmental states, it is notable that developmental states play a key role in the social and economic development of their societies. Evans (1995) adds that regulating production in a state is a classic option, and there are different ways for states to play a regulatory role. For example, states can produce

goods and sell them internally, in such a way it is playing a role of a producer; or else, state can maximise induced decision-making by drawing private entrepreneurial forces into a new sector which playing a midwifery role (Evans, 1995). He also argues that having assisted to bring new entrepreneurial groups into the economic sector, states can focus on nurturing, promoting their further evolution, cultivating, nurturing, and prodding entrepreneurial forces which is a husbandry role (Evans, 1995). Developmental states can play different roles as a regulator, producer, midwife, husbandry, and custodian role to ensure socio-economic development in their societies, and the South African state has been playing some of the roles. What will be important is to consolidate some of them. These are some of the opportunities to take advantage of for the South African state to create its own developmental state. Evans (1995) indicates that developmental states play the regulatory role, they play the producer's role where they take responsibility for delivering certain types of goods. He adds that just like in the regulator role, the role of producer can be played differently, as long as the product is infrastructural goods or social overhead capital, the state's role as a producer is a fundamental role (Evans, 1995). This argument by Evans (1995) makes it clear that creation of an effective developmental state is possible in South Africa, and this is because (among other reasons) the South African state has been playing some of the roles that are identified by Evans (1995).

In rethinking the developmental state, Evans (1995) cites an unrest by citizens and working class that occurred in Korea (Seoul) where the state through its capacity managed to strike at the time. This gave the Korean state a lesson of working together with the citizens in the society. This emphasises that state and society cooperation in a way where the state becomes embedded in the society while considering the issue of insulation between among the two for effective role playing. Evans (1995) argues that states and societies should not just be integrated for nothing, each should help to constitute the other, and they should reinforce each other because their mutual reinforcement is the core character of a typical developmental state's success. He refers to this practices as the embeddedness of the state, and this embeddedness is to the society (Evans, 1995). This means the active involvement of the civil society organisations and citizens on state matters which can effectively be done through the local government sphere in the South African context.

The embeddedness of the state in a society is vital in order to effectively perform its roles towards ensuring socio-economic transformation and development (Edigheji, 2010). Evans (1995:229) cites Seidman (1994) who argues that in both “South Africa and Brazil (where) state-led efforts to “deepen” industrial development helped produce factories that “manufactured militance” along with their other products”. Evans (1995) acknowledges the practicability of developmental states in South African and Brazil due to the fact that they lead efforts for economic development in their societies. Two (2) key defining elements that are important for a bureaucratic developmental states are embeddedness and autonomy (Evans, 1995). Autonomy is defined as a capacity and tenacity of a state bureaucracy to implement policies and perform its mandated roles and responsibilities without the influence or interference from internal and external actors (Evans, 1995; O’Neil, 2010), whereas embeddedness which is the capacity and ability of a bureaucratic state to institute strong relations with relevant social groups within a society which include industrial actors and labour (Evans, 1995; Mabasa, 2014). From the analysis of Evans’ (1995) argument, one can draw an inference that he advocates for an embedded and yet insulated state with Internal coherence among its key institutions and structures for social and economic development. In summary, from Evans’ (1992, 1995, and 2010), what constitute a state developmental (dynamics of developmental states) are: (i) cooperate coherence, (ii) the Weberian arrangement/administrative capacity, (iii) embedded but insulated from society, (iv) extract surplus but provide collective (public) goods, (v) relative autonomy of the state, and (vi) capacity for industrial transformation. These are also reflected in the work titled *The State as Problem and Solution: Predation, Embedded Autonomy, and Structural Change* by Evans (1992).

In this second part/section of the chapter, the researcher sought to discuss Evans’ (1992, 1995, and 2010) ideas of a developmental state basing his argument on the Weberian bureaucracy of states. Ideas by Peter Evans were discussed based on the possibility for proposing a ‘Weberian developmental state’ theory in South Africa. The researcher demonstrated that a Weberian developmental state is possible in South Africa, and this is clear from the integration of the Weberian bureaucracy and the embedded autonomous developmental state of Evans (1995). The next section provides an application of the ideas by Weber and Evans in the South African context as the basis for framing a Weberian developmental state theory.

### **3.4 Applying Weber and Evans' Ideas to the South African Context**

Max Weber's point of departure with regard to his bureaucratic rational model is that bureaucracies are inherently efficient and they promote economic growth and development in societies (Weber, 1930 and 1978). As discussed earlier in this chapter, the Weberian bureaucracy of an ideal state and organisations is organised upon the following key elements: (i) It operates on the basis of impersonal rules/regulations, (ii) It is constituted by a variety of well-coordinated and inter-dependent offices, (iii) Officer holders are appointed on the basis of technical capacity to implement their roles and responsibilities, (iv) there are well-defined parameters for implementation of roles and responsibilities for office holders, and (v) it is configured in hierarchy of authority and chain of command (Weber, 1968). This is an ideal type rational arrangement that Weber (1968) envisaged for a modern efficient and productive bureaucratic state. His theory was complementary to the economic industrialisation and mass democracy that had begun to emerge in the Occident (Western society), and as such, it effectualised the system of capitalism in a way that saw civilisation taking form rapidly (Weber, 1930 and 1968). In a way of locating the Weberian bureaucracy in the South African constitutional democratic context, South Africa has a governance system whose authority is on the basis of what Weber outlines as rational not personal because rational rule is on the basis of clearly defined norms, rules, and regulations whereas personal rule is on the basis of customs and tradition (Weber, 1978; Mabasa, 2014). In the researcher's interpretation of Weber (1978) on this particular issue, with regard to the rational and clearly defined rules in the South African bureaucracy, the Constitution, public service regulations, code of conduct, and performance management systems, among others, provide a framework for rational basis for the South African state bureaucracy. Mabasa (2014) supports this interpretation.

There is something interesting about what Weber (1946) says regarding his own country's bureaucracy which aligns to the idea by Evans (1995) regarding the important element of autonomy of a development state. He considers the German bureaucracy as the best in the world (and second to none) and this was due to the well-trained and highly capable bureaucrats that ran state organisation with excellence without interference of politicians (Weber, 1946). This is the idea of insulation that one

can depict from the works of Evans (1992, 1995 and 2010). The same idea is reflected by Weber (1946) who considers the German bureaucracy as insulated from the political section of the society. The German bureaucrats were well respected and they implemented economic development policies and their roles without interference from politicians, domestic, and foreign forces. This made the German bureaucratic state to be highly autonomous.

Bringing Weber and Evans' ideas together to create the basis of Weberian developmental states take effect when six (6) key elements for bureaucratic developmental states of the two (2) theorists are put into effect, and those are: (i) bureaucratic developmental states should have meritocratic and competitive recruitment strategies for the incumbents and this is because Weber considers office work as a vocation/calling. This means that thorough training and examination for bureaucrats should take place before they are employed in the state labour force (Weber, 1946 and 1968). (ii) the central bureaucratic developmental state should have clear productive lines of authority. Weber (1978) argues that in order for the modern state organisation to be efficient, it should clearly define the strategic direction which all sectors and partners of the bureaucratic state organisation should follow. (iii) the bureaucratic developmental state should be highly autonomous. Both Weber (1946) and Evans (1995) emphasise the element of autonomy for the bureaucratic developmental state that such a bureaucratic state should not be affected by both internal and external forces. (iv) the bureaucratic developmental state should be embedded in the (civil) society, labour, and industrial actors (Evans, 1995). (v) the bureaucratic developmental state should be committed to intervening in industrial and economic development which will assist in social and welfare development of members of its society (Evans, 1995). This is what Weber (1921 and 1930) and Evans (1995) refer to as industrial civilisation for societal development. (vi) a Weberian developmental state should have effervescent system of intergovernmental relation and cooperative governance. These can serve as proposed principles that can be further contemplated in the quest for creating a Weberian developmental state. In the researcher's view, the South African state can embody these principles/elements towards building a Weberian developmental state in South Africa. Theoretical literature by Mabasa (2014) also points to this direction.

Both Weber (1930 and 1978) and Evans (1992, 1995 and 2010) agree that state bureaucracy (developmental) state is crucial for economic development in a society. Weber (1930 and 1978) discusses the role of bureaucracy and rationalisation of the state in both the German context (which was immediate to his analysis) and in the Western society at large where he saw industrial/economic development and civilisation taking place because of the bureaucratic rational process. In the researcher's analysis of the theoretical arguments by Max Weber and Peter Evans as discussed in the previous sections of this chapter, the approach to a Weberian developmental state in South Africa can best be framed within the context of two (2) theoretical approaches, namely: the institutional and the welfare economics approach. The institutional approach is a paradigm that casts-off market-oriented economic development and views a state as an institution that champions economic development in a society (Chang, 2003). Within this theoretical paradigm, the researcher considers the South African state bureaucracy as a partner to the market, civil society, and the state institutions for economic development, as such, the state as an institution does not undermine other institutions, market, and the civil society. The welfare approach is a paradigm that acknowledges failures of market-led socio-economic development and advocates for states to provide social welfare services and poverty alleviation as well as play a regulatory role in the economy (Chang, 2003). In the researcher's guarded opinion, this approach is necessitated by the imperative commitment of dealing away with the apartheid legacy and the injustices of the pre-1994 regimes in South Africa. The partnership between the state bureaucracy and the other sections of the South African democratic society is in line with what Weber (1968) indicates when he argues that bureaucratic rationality of a state is concomitant to mass democracy. The researcher strongly believes that this is possible in the South African context, thus he foresees a need for framing a developmental theory to address the challenges and crises encountered in South Africa.

Having integrated the ideas of Max Weber and Peter Evans in the South African context, one deems it important to zoom into the South African state context in order to reflect on some of the existing features that are important in the creation and consolidation of an effective and efficient (Weberian) developmental state. The subsequent section attempts to make a contextual reflection of such features for

maximisation thereof and take advantage of some of the *low hanging fruits* towards the creation of an effective developmental state in South Africa.

### **3.5 Maximisation Existing Developmental State Features and Contextual Analysis**

On the basis of theoretical ideas of Max Weber and Peter Evans, the Weberian developmental state in South Africa should consummate and consolidate on the adoption of public policies and their programmes which will provide an economic strategic direction of the country at a macro-level. As the name suggests, a developmental state should adopt developmental public policies which will assist in achieved economic growth and social development (Evans, 1995 and 2010). The researcher observes that the post-apartheid South African democratic state has already adopted both economic and social development oriented macro-policy frameworks with the aim of championing development in the country. This is witnessed in the adoption of the Reconstruction and Development Programme (RDP), the Accelerated Shared Growth Initiative of South Africa (ASGISA), the New Growth Path (NGP), and the National Development (NDP). As shall be seen in the next paragraph, the researcher deliberately averts mentioning the Growth Employment and Redistribution (GEAR) in this list because of its neoliberal character and also its process of development which was strongly opposed by some sections of the society which demonstrates an act that is against the spirit of the embeddedness of a developmental state as argued by Evans (1995). Otherwise, there are some important merits of the GEAR macro-policy framework. However, the researcher's point here is to emphasise the ability and the capacity of the South African state to develop and adopt socio-economic policies in order to provide the strategic direction of the country.

The development of socio-economic development policies is an act of keeping with the expectation for a developmental state to stimulate industrialisation and structural transformation as argued by Mkandawire (2001). In the South African context, this has been done from an angle which is punctuated by moderate economic growth levels and high poverty levels (Mabasa, 2014). It is for this reason that the researcher proposes that the formation of a Weberian developmental state in South Africa should not only focus on partnering with economic players to develop economic growth

policies but also partner with the citizens and the civil society to develop social and welfare policies. This will take care of the institutional and welfare economic models that the researcher conjectures that they will be relevant for the Weberian developmental state in South Africa. For the social and welfare policies, the South African state has already adopted social security, health, and human settlements/housing policy, among others. All the mentioned (macro) economic and social policies are useful because they keep the South African state bureaucracy in control of what should happen in the state. One of the shortcomings that literature demonstrates about the GEAR surfaces at this point. For example, the GEAR seems to undermine the role of the South African state bureaucracy and put the market forces in control (Visser, 2004; Gelb, 2007). This means that the market takes control not the state. In the researcher's view, the South African state did very well in formulating such macro-economic policy framework which is an act/practise that is in keeping with a developmental state. However, the downside of this policy development process which is not in keeping with the spirit of developmental state approach as outlined by Evans (1992, 1995, and 2010) is with regard to two (2) mutually related issues, namely: (i) consultation and securing buy-in by all relevant stakeholders in the society, and (ii) the implementation of such macro-economic policy. This is why the GEAR was rejected by some sections of the South African society. In general, while the South African state bureaucracy has done well to develop/formulate socio-economic policies within its capacity, the manner of formulation and implementation has not been satisfying. This is one of the area that requires staid attention in the quest for creating a Weberian developmental state in South Africa.

Developmental institutions are crucial for the success of a developmental state. In the case of the argument by Evans (1995) regarding the Japanese developmental state, developmental institutions are involved in order to partner with the state, society, and the market to implement economic development policies. These developmental institutions are referred to as pilot agencies by Johnson (1982). In the Japanese case as discussed by Evans (1995), the Ministry of International Trade and Industry (MITI) was crucial to Japanese developmental state since it served as the developmental institution that administered the economic development process and approved investment loans from the Japanese Development Bank (JDB), and it also had authority over allocations of foreign currency for industrial purposes and licensing

foreign technology importation (Evans, 1995). The researcher considers that in line with Peter Evans' argument here, the Weberian developmental state in South Africa may have effective and efficient developmental institutions that are autonomous in order to play their role as pilot agencies without political interference just like the MITI in the case of Japan. In the researcher's view, the South African state has not done well with regards to establishing development institutions to champion the implementation of its economic and social development policies. This is because the state implements policies and socio-economic development programmes in the face of political interference, and thus, the autonomy of the state gets defeated and undermined by political forces internally. This is another area that requires urgent attention in the quest for creating a Weberian developmental state in South Africa.

The researcher observes that there has not been a central bureaucratic developmental agency to champion the implementation of Reconstruction and Development Programme (RDP), Growth Employment and Redistribution (GEAR), New Growth Path (NGP), and National Development Plan (NDP). One can argue that the Department of Performance, Monitoring and Evaluation (DPME) was supposed to be such an agency to champion the implementation of such macro-policies, however, the timing of its establishment and the mandate thereof could be other side issues around it. Unfortunately, the Development Bank of Southern Africa (DBSA) has its own institutional and implementation challenges which negatively affect its operations which make it not an ideal agency for this work (Hagerman, 2012). As for ASGISA, the Economic Investment and Employment Cluster (EIEC) was identified to implement the policy, however, the policy ran for a short period before it was superseded by the NGP which was also short-lived before the NDP whose relevance is also contested and labelled as neo-liberal in its nuances (Mosala, Venter, and Bain, 2017). This creates an area of concern because policies are not afforded enough time for implementation in South Africa. This is another area that the creation of a Weberian developmental state in South Africa should give an attention to in the quest for creating an effective and efficient developmental state. The researcher observes with much concern the proclivity by the South African state to change/replace some policies in short space of time without allowing some of the policies ample time for implementation which makes it difficult even to assess the impact of such policies. Such a practise raises a lot of questions on whether or not the state knew what it was doing in the first place or not

when it introduces a policy that gets superseded in just two (2) years. Such a practice does not agree well with the creation of a Weberian developmental state. This has to be addressed in the quest for creating a sustainable Weberian developmental state.

The argument by Evans (1995) on the embeddedness of a developmental state connects to what the researcher refers to as inclusive and cooperative governance. The context of the post-apartheid democratic state in South Africa as well as the political context of the country compel any developmental initiative to consider cooperative governance and intergovernmental relations. The South African state bureaucracy should partner with private sector, civil-society, and all stakeholder involvement which includes public (citizens) participation. Due to the history of exclusion, it is the researcher's view that these diverse stakeholders of the South African state have to form part of the governance system of the Weberian developmental state in South Africa that the researcher proposes. Recent history in the post-apartheid democratic South Africa has shown how neglecting key partners in the development of macro-economic policies in South Africa can have negative repercussions in the implementation of the same macro-policies. The case of the GEAR is the case in point for this. Therefore, typical of an embedded developmental state, the South African Weberian developmental state should not neglect any stakeholder but instead forge inclusive and cooperative governance towards social and economic development. In the researcher's view, the South African bureaucracy has not done well thus far with regard to inclusive and cooperative governance. Mabasa (2014) raises some important pointers in this regard. He argues that the South African state bureaucracy can improve relations with all partners in the society by: (i) broadening the scope of participation and engagement dialogue. This will assist to mainstream marginalised citizens and lead to credible plans with inputs from all actors. (ii) shifting by government and business from their ideological dogma and do things differently. (iii) creation of measures to improve the institutionalisation of engagement among social actors. The net effect of all these will improve social cohesion and ensure a bottom-up approach in social and economic development in South Africa (Mabasa, 2014). The creation of a sustainable Weberian developmental state in South Africa should take care of the shortcomings that are noted here.

The researcher's approach of integrating idea of Max Weber and Peter Evans for building a theoretical approach towards the creation of a Weberian developmental state in South Africa proves that such kind of state can be possible given the South African context. From the discussion provided in this section, it appears that the basic prerequisites for building a Weberian development state in South Africa are available as the researcher has theorised in this sub-section. Using the theoretical approaches of Weber and Evans to juxtapose with the South African dynamic realities, the researcher also highlighted areas of gaps and demonstrated how those gaps can be closed towards building a Weberian development state in South Africa.

### **3.6 Chapter Summary**

In summary, the researcher sought to apply the theoretical framework in order to try and understand an approach that can be developed towards framing a developmental state theory that is unique and relevant for the South African context. The study adopted the Weberian theory of bureaucracy and rationalisation as the main theoretical frame of the project. Weber's theory was integrated with Peter Evans's ideas on the developmental state and embedded autonomy to come up with a hybrid theory which the researcher conceptualised as the *Weberian developmental state*. The researcher integrated the theoretical ideas of Max Weber and Peter Evans considering the circumstances and the context of the South African state as discussed in the second part of the previous chapter. Among other things, the legacy of apartheid, inequalities, slow socio-economic development, crises in the state, weak and unaccountable local government as well as other failures of the state. In the researcher's view, the South African state circumstances need a developmental theory which would be relevant to its circumstances. Thus, this chapter provided the basis for framing for a South African developmental theory whose implementation would address some of the challenges mentioned here and discussed in details in Chapter 2. As justified in the chapter, the researcher considers the effectiveness and efficiency of how Weber (1921/1968/1978; 1930 and 1946) designates his theory of bureaucracy and rationalisation as a useful approach for this study. The researcher was also interested in bringing a perspective on a society-driven and integrity-based developmental state approach which Evans (1992, 1995, and 2010) discusses in his embedded autonomy thesis. The integration of the two (2) theories produce what the

researcher refers to an effective and efficient (Weberian) developmental state theory. It was also useful for the researcher to apply Weber and Evans' ideas on the South African context in order to try and understand the approach to possibly frame a Weberian developmental state and also to maximise on the existing features of a developmental state in South Africa.

## **CHAPTER 4: RESEARCH STUDY METHODOLOGY**

### **4.1 Chapter Overview**

This chapter presents a detailed account of the research approach and methods utilised in this study on decentralising powers to administer the housing function to local government in South Africa using the case study of the municipal Accreditation Programme. It provides the reader with an overview on the nature of fieldwork that the researcher conducted and as well as the ontological and epistemological assumptions of the method that the researcher adopted. In the process, the researcher's position in this enquiry is provided. The researcher discusses the manner in which a qualitative research approach was adopted wherein a case study design was utilised. Interviews were conducted with the purposively sampled participants from relevant populations and thematic data analysis was applied to make sense and bring out meanings to the data gathered. Justifications for each method/approach that the researcher utilised in this qualitative enquiry are provided. The starting point of the chapter is an outline of the philosophical (epistemological and ontological) foundations that guide the qualitative research design that is employed in this study. The method that the researcher utilised to collect data will also be discussed in this chapter. A detailed account on data analysis and step-by-step approach are also provided in the chapter. Sampling method and procedure will also be outlined in the chapter. The chapter concludes by providing the research procedure. This is where the researcher explained his role during fieldwork and highlights some of the challenges that he encountered in the process of conducting the research. The researcher already declared matters of his positionality regarding the study and how he would overcome issues of biasness and maintain objectivity in chapter 1.

### **4.2 Philosophical Paradigm and Assumptions**

As noted in chapter 1, the researcher's understanding is that philosophical paradigms and assumptions dictate the research approach, methodology, and the direction that a study takes from start to finish. Kivunja (2017) indicates that a philosophical paradigm defines researchers' philosophical orientation which includes methodological choices for research in order to yield meanings and construct social

realities. Thus Neuman (2000) and Cresswell (2003) classify paradigms as epistemology, ontology and research methodology. As an interpretivist/constructivist, the researcher's abstract beliefs and principles are based on the understanding that reality consists of people's subjective experiences of the world. This is the social basis for constructing realities, as such, the researcher believes that there is no single and universally commanding route/method to knowledge. Thus for this study, the researcher's philosophical assumption is an important paradigm that provides an understanding of what constitute his social world. This assisted the researcher towards examining his underlying understanding of the world and philosophical assumptions that he holds about the nature of existence, nature of being, and social reality. Epistemologically, the researcher is interested in understanding the relationship between the knower and what is known, and how what is known became packaged as knowledge in order to count as such. On the basis of this, the researcher's belief is that knowledge is socially constructed from the analysis of people's lived experiences. Based on this, this research study was conducted in a naturalistic setting where lived experiences are sources of knowledge as opposed to laboratory setting. This is the philosophical foundation that the researcher holds for this project which enables him to adopt an interpretivism/constructivism paradigm for this study. In line with this paradigm, the researcher adopted a qualitative research methodology in order to explore the case study of the housing decentralisation programme as a typical case from how its implementation should be as determined by applicable policy and legislative frameworks.

As discussed in chapter 1, the quality criteria that is utilises to validate this exploratory study as located in the interpretivist paradigm is the criterion of credibility which in this case will confirm the extent to which the data and data analysis are believable, trustworthy or authentic as argued by (Guba, 1981). The second criterion is the criterion of dependability through which the researcher will compare his findings with others in the literature to see if the findings are similar under the same circumstances. This criterion is about ensuring consistency of the findings. The third criterion is the criterion of confirmability which is used by the interpretivist researchers to ensure that research findings can be confirmed by other researchers in the field. This criterion will assist the researcher to ensure minimisation of biases in order to avoid spoiling the research process and the outcome of the study. As such, Shenton, (2004) provides

an advice that researchers should ensure that the findings are results of experiences and ideas of participants not preferences or ideas researchers. In this case, the researcher adopts this advice as it is especially because of its concomitance to biasness. The last one is the criterion of transferability for which Lincoln and Guba (1985) and Kivunja (2017) argue that it is about an effort of the researcher to ensure adequate contextual data of the research is comparable and can be related to findings of other researchers in their own contexts. The researcher has already detailed the how part and the manner in which he would address the quality criteria for his study in chapter 1.

Aligned to the philosophical paradigm that guide the researcher in this project, the researcher adopted a qualitative research methodology especially because of its inherent characteristics that are fit for the purpose of this study. Lodico, Spaulding, and Voegtle (2006) make a reminder of the characteristics of qualitative research methodology as: (i) studies conducted in a naturalistic setting not laboratories, (ii) researchers ask expansive research questions that are designed to explore, interpret, and understand the social context of participants. (iii) participants are sampled using non-random sampling methods based on how much information they have regarding the research problem/research question. (iv) data gathering techniques include observation and interviews that put researchers into close interface participants. (v) researchers play an interactive role with participants and the social contexts in which they are based. (vi) hypotheses/assumptions/theories are constructed after researchers commences with data collection exercise and they are modified as studies unfold wherein new data are collected and analysed, and (vii) qualitative research study report data in a narrative form (Lodico, Spaulding, and Voegtle, 2006; Antwi and Hamza, 2015; Thanh and Thanh, 2015).

### **4.3 Research Design**

Guided by the philosophical foundations discussed in the preceding section, a qualitative research methodology was adopted for this project in order to unpack the research problem by exploring challenges and perceptions involved in decentralising the administration of the housing function to local government in South Africa using the case of the Accreditation Programme. The choice of the research design,

methodological justifications for case selection, and description of the case study are dictated by the epistemological and ontological basis discussed in the preceding section, however, the application and relevance of those justifications are explained below:

#### 4.3.1 Explorative Case Study Design

In the researcher's observation, there is not knowledge regarding the decentralisation of the administration of the housing function in South Africa. This made it necessary to explore the Accreditation Programme and this had to be done through the identification of a suitable research problem. The identified research problem of the unwillingness to delegate and devolve administration powers of the housing function to local government could best be studied from the qualitative research approach in which the project adopted an exploratory case study design. On the basis of this, the researcher's obvious reason for this is that the aim/purpose of the study seeks to explore challenges and perceptions on housing decentralisation requires and interactive process between the researcher and the participants to explore why the problem exists. Methodologically, the researcher justifies this case study design on the basis that case study research allows for the exploration and understanding of multifarious issues, and it can be considered as a robust research method especially when a social phenomenon requires an in-depth investigation (Yin, 2009; Bhattacharjee, 2012; Higson-Smith, Sithole, and Bless, 2013). This is also confirmed by Zainal (2007) who adds that case studies explore and investigate real-life phenomena through detailed contextual analysis of prevailing conditions and their relationships.

In the researcher's observation, not so much is known about the Accreditation Programme in South Africa. The researcher considered that the exploration of the programme will not only assist to understand the challenges about the programme, but yield some knowledge about the programme since the outcome of the study will be published. This prompted the researcher to analyse different research designs in order to identify the most relevant one which will not only study the programme for its publicity but also yield useful knowledge about the programme and how some of its challenges can be addressed. The case study research design was identified as the

best approach especially because it can be utilised for exploratory studies, descriptive studies and explanatory studies (Yin, 1994; Gerring, 2007; Zainal, 2007; Seawright and Gerring, 2008). Among the three (3) case study research designs (exploratory, explanatory, and descriptive), this study adopted an exploratory case study which seeks to explore a case at hand and study a phenomenon to address questions that are typically framed by the *what* pronoun (Yin, 2014). This is in sync with the purpose of this project as indicated above which seeks to explore challenges and perceptions on the implementation of the Accreditation Programme in order to generate knowledge on the subject of (housing) decentralisation. Most importantly, the researcher understands that the selection of a particular choice of a case study has to be described and methodologically justified, and this is what the next sub-section attempts to address.

#### 4.3.2 Case Description and Selection

In a way of applying the advice by Harrison, Birks, Franklin, and Mills (2017) who argue that a case study must be described, the researcher seeks to provide a description of the selected case ahead of discussing the method that he applied in selecting the case study. As mentioned in Chapter 1, the study is based on a case of the Accreditation Programme of the National Department of Human Settlements of South Africa. The Accreditation Programme is the mechanism that the South African government (through the human settlements sector) utilises to delegate and devolve powers to administer the housing function in the local sphere of government. This case is implemented on the basis of the current Constitution, the Housing Act of 1997, the Housing Code 2009, and the Municipal Accreditation Framework, among other regulatory frameworks. The national Department of Human Settlements is the coordinator and facilitator of the programme while the provincial governments are the executors/implementers of the programme where most decisions about the programme are taken by the provincial members of executive councils (MECs). This project problematises the Accreditation Programme and sought to explore the programme in order to understand the challenges associated with the delegation and devolution of implementation powers of housing function to local government in South Africa as well as to obtain views from the implementers of the programme across the three (3) spheres of government. In order to conduct a focused exploration of the

decentralisation of administration powers of the function, the researcher considered it appropriate to adopt an exploratory case study design for this study as a relevant and suitable design for the project for the purpose of exploring the challenges and perceptions associated with the programme.

As discussed in Chapter 1, guidance for case selection was adopted from the approach provided by Seawright and Gerring (2008) who outlined various approaches for selecting cases in case study research designs. For the purposes of the study at hand, the typical case selection method was adopted because it allows a researcher to explore a phenomenon which “focuses on a case that exemplifies a stable, cross-case relationship” (Seawright and Gerring, 2008:299). Hanna (2000) acknowledges that nearly all programmes especially in government will always encounter implementation challenges. With regard to the case of the Accreditation Programme as selected for this project, the researcher observed that the programme demonstrates a typical case of the manner in which other government programmes are implemented considering the similar challenges which caused the researcher to problematise the Accreditation Programme in this study. As such, the case of the Accreditation Programme is a representative case from a variety of other government programmes whose implementation is affected in almost the same way. The researcher thus adopted the Accreditation Programme case as a sample of a population of cases that are implemented in government.

#### **4.4 Sampling Procedure**

In this study, sampling was guided by methodological considerations. Methodological considerations were largely about selecting a sample which would assist the researcher in building knowledge about the phenomenon under investigation. The researcher also considered issues of access to the participants and feasible logistical modalities pertaining to the process of gathering data.

##### **4.4.1 Methodological Considerations**

In order to identify and select a suitable sampling method which is compatible with the methodology choice adopted, the researcher considered guidance from literature by

some research scholars in order to make an informed methodological choice of a relevant sampling method. In his work on *Sampling Methods in Research Methodology: How to Choose a Sampling Technique for Research*, Taherdoost (2016) provides methodological guidance for choosing/selecting suitable sampling methods for different types of (qualitative) research studies and lays out a procedure for application which include: (i) target population definition, (ii) selection of sampling frame, (iii) choice of sampling technique, and (iv) determination of sample size. Yin (2003) and Taherdoost (2016) identify, two (2) broad approaches on sampling which are probability sampling and non-probability sampling approach. With regard to the latter, they indicate that judgmental sampling is associated with qualitative research especially the case study research design. Under the judgmental sampling approach, he identifies four (4) methods as: (i) quota, (ii) snowball, (iii) convenience, and (iv) purposive/judgmental sampling method (Taherdoost, 2016). Ishak and Bakar (2013) and Taherdoost (2016) clarify and characterise the latter as a strategy of deliberately selecting relevant participants for different research problem and that it is instrumental for case study research. Ishak and Bakar (2013) justifies his argument for matching judgmental sampling and case study research by arguing that it is also instrumental for case study research in three (3) situations: (i) when a researcher seeks to select distinctive cases that are informative, (ii) when a researcher seeks to select members of a population that is specialised and difficult to reach, and (iii) when a researcher seeks to identify particular types of participants for in-depth investigation. On the basis of the methodological justification herewith presented, the researcher selected the judgemental/purpose sampling method as a relevant and suitable method for his case study research in order to identify relevant participants for in-depth investigation as Ishak and Baker (2013) advise.

Since purposive/judgmental sampling involves a deliberate selection of relevant informants/participants due to their qualities, knowledge, and relevance to a phenomenon being studied according to Tongco (2007), the researcher applied practical consideration to identify/select relevant participants. Palys (2008) indicates that purposive sampling signifies that one sees sampling as a strategic choice of participants with whom one conducts a research project because this type of sampling strategically links the sample directly to the objectives of the project. This means that in purposive sampling, the population is non-randomly sampled in accordance with

particular characteristic they possess (Frey, Botan, and Kreps, 2000). The practical reason for the purposive sampling choice is that, as dictated by the researcher problem under study, the researcher was aware of the exact population and the criteria for sample selection. This provided the researcher with easy access to participants, reachability, and saving on time and resources. Therefore, the following sub-section demonstrates practical justifications for sample selection.

#### 4.4.2 Accessing Relevant Participants

The researcher aligned himself to the Latin expression which says *experto credite* which means *trust the one with knowledge and experience*. Thus, the sample was chosen considering the people who have been involved in the implementation of the Accreditation Programme. As such the practical reasons for sample selection are: (i) involvement in the Accreditation Programme for at least five (5) years because the period allows for practitioners to have at least gathered minimum knowledge and experience on the programme and also that five (5) years is a period linked to a political term of office (government administration) where, in most cases, programmes are reviewed, and (ii) forming part of the National Accreditation Task Team (NATT) Forum. The NATT Forum brings together all stakeholders and partners that are involved in the Accreditation Programme in order to discuss accreditation related matters. The forum designated various institutions that deal with the Accreditation Programme from which officials were identified and interviewed in the study. The institutions are: (i) accredited municipalities (local government), (ii) provinces (provincial government), (iii) national government (National Department of Human Settlements, National Department of Performance Monitoring and Evaluation (DPME), National Department of Cooperative Governance and Traditional Affairs (CoGTA), and National Treasury), and (iv) the South African Local Government Association (SALGA). At least forty-two (42) officials were targeted to represent the identified institutions. This constituted the original sample which incurred some minor changes in the process of data collection. The breakdown of the sample is as follows:

- (i) Twenty eight (28) officials from accredited municipalities,
- (ii) Nine (9) officials from provincial sphere,
- (iii) Four (4) officials from national sphere (represented by Department of

Human Settlements, National Treasury, Department of Performance Monitoring and Evaluation, and Department of Cooperative Governance and Traditional Affairs), and

- (iv) One (1) official from South African Local Government Association.

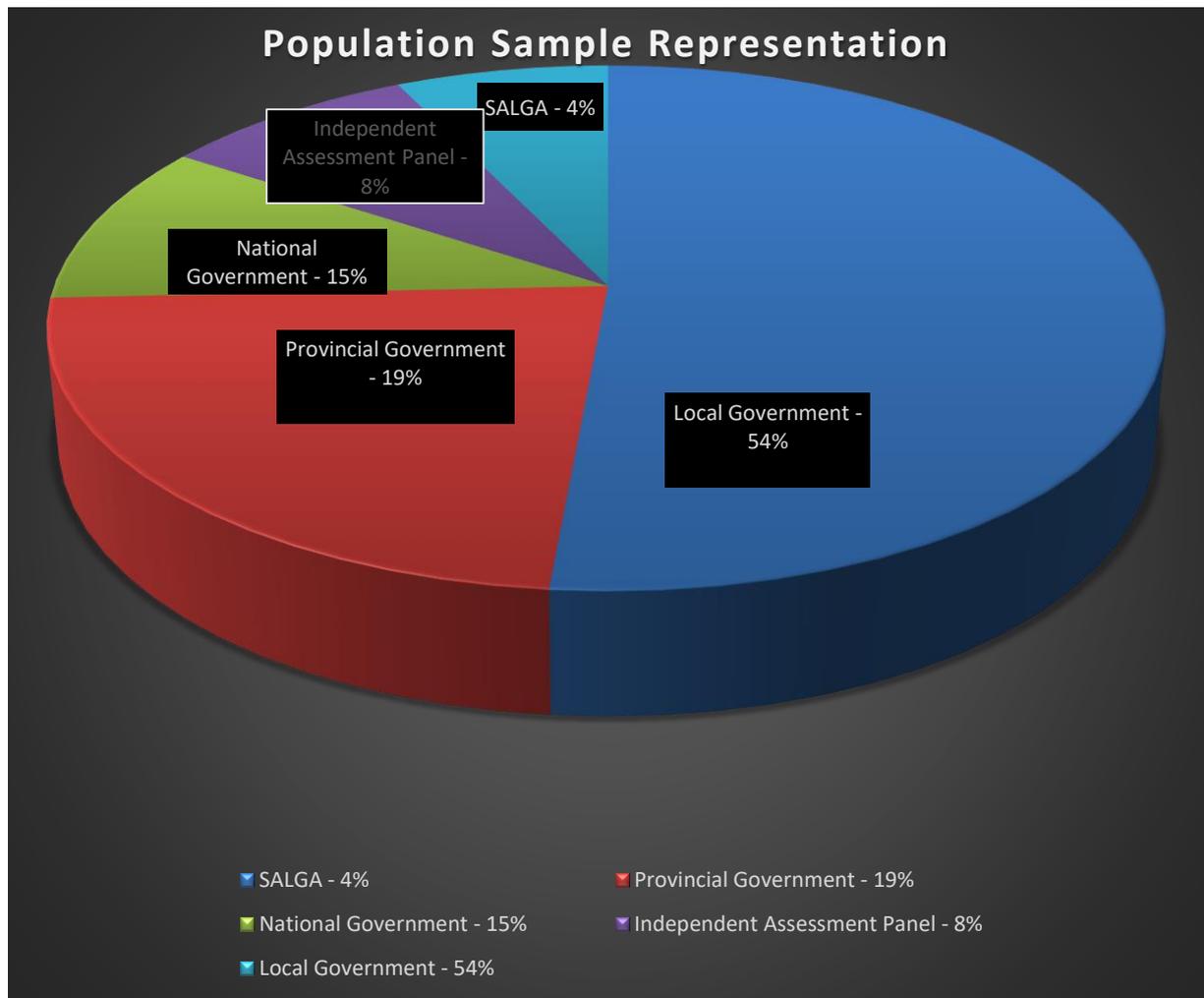
Forty-two (42) representatives (officials) out of each of the four (4) identified institutions were targeted to serve as participants in the project. However, the fifth institution which was added to the initially identified ones emerged during data collection. Explanation for this addition and justification thereof are discussed under the research procedure section which discusses what happens during data collection. The addition of the fifth institution effectively added two (2) participants to the original sample. The sample ended up being constituted from five (5) institution as opposed to the originally identified four (4). Data was collected with some of identified officials since the process of data collection ceased at saturation point where participants no longer provided new angles in tackling the research problem.

In the empirical chapters (5 -7), verbatim extracts are linked to participants who actually provided them. Such is identifiable by *P#N* where the *P* stands for participant and the *N* stands for a number by which participants can be identified in Table 3.

#### 4.4.3 Demographic and Socio-economic Attributes of Selected Participants

Without denoting any element of quantitative approach, figure 3 below provides a representation of the population sample in a graphic and percentage format with a legend below in order to demonstrate how the sample was constituted.

Figure 3: Population Sample Representation



Source: *Researcher's sample representation*

Some variables about the participants are presented in order to provide their profile which makes it easy to understand them and their status. Among other variables are issues such as number of years in housing/human settlements sector, highest education level, number of years in decentralisation of housing function, and position held/role played in housing decentralisation. The researcher considered that some of these key variables will be useful in exposing the various statuses among practitioners in the housing decentralisation space in South Africa. These various status showcase the representation of the housing decentralisation labour force in South Africa. Table 2 below provides the profile of the sample.

Table 2: Profile of the Sample

Participants (Identified in the discussion of findings as P#N)	Number of years in Housing/Human Settlements Sector	Highest education level	Number of years in decentralisation of housing function – Accreditation Programme	Position held/Role played in the Accreditation Programme	Preference between Decentralisation and Centralisation systems
<b>Population Group 1: National government officials</b>					
1. Participant #1	24 years	B Admin Degree	10 years	Senior Manager	Decentralisation
2. Participant #2	19 years	Masters' Degree	19 years	Intergovernmental Relations Manager	Decentralisation
3. Participant #3	10 years	Masters' Degree	9 years	Senior Manager	Decentralisation
4. Participant #4	19 Years	Masters' Degree	11	Manager	Both centralisation and decentralisation
<b>Population Group 2: Provincial government Officials</b>					
5. Participant #5	20 years	BA and LLB Degrees	12 years	Senior Manager	Both centralisation and decentralisation
6. Participant #6	13 years	Matric and Housing Policy Development Certificate (NQF L5)	13 years	Accreditation Coordinator – Assistant Director equivalent	Decentralisation
7. Participant #7	10 years	B Degree	4 years	Senior Manager	Decentralisation
8. Participant #8	21 years	Post-Graduate Diploma	14 years	Senior Manager	Decentralisation
9. Participant #9	30 years	B Tech	30 years	Senior Manager	Decentralisation
<b>Population Group 3: Municipal Officials</b>					
10. Participant #10	24 years	Masters' Degree	15 years	Manager	Decentralisation
11. Participant #11	8 years	National Diploma	5 years	Senior Administrative Officer	Both centralisation and decentralisation

12. Participant #12	7 years	Matric	6 years	Manager	Decentralisation
13. Participant #13	21 years	Masters' Degree	14 years	Accreditation Champion – Senior Manager equivalent	Decentralisation
14. Participant #14	14 years	National Diploma	4 years	Manager	Decentralisation
15. Participant #15	20 years	B-Tech	17 years	Senior Manager	Decentralisation
16. Participant #16	16 years	Post Graduate Diploma	13 years	Manager	Decentralisation
17. Participant #17	7 years	National Diploma	7 years	Manager	Decentralisation
18. Participant #18	19 years	Masters' Degree	11 years	Senior Manager	Decentralisation
19. Participant #19	24 years	Honours Degree	13 years	Senior Manager	Decentralisation
20. Participant #20	8 years	Matric	7 years	Administrative Officer	Decentralisation
21. Participant #21	2 years	B Degree	1 year	Assistant Manager	Decentralisation
22. Participant #22	15 years	Matric and Housing Policy Development Certificate (NQF Level 5)	10 years	Manager	Centralisation
23. Participant #23	23 years	National Diploma	13 years	Acting Senior Manager	Decentralisation
Population Group 4: South African Local Government Association					
24. Participant #24	10 years	Masters' Degree	10 years	Facilitator/Advisor	Decentralisation
Population Group 5: Independent Assessment Panel Members					
25. Participant #25	17 years	PHD	17 years	Independent Assessor	Decentralisation
26. Participant #26	25 years	Masters' Degree	5 years	Independent Assessor	Decentralisation

#### **4.5 Data Collection**

Something interesting for the researcher about the interpretative/constructionist philosophical paradigm is that it provides guidance on what sort of data collection methods are suitable for studies such as the one at hand. For example, Antwi and Hamza (2015) argue that interpretive paradigm focuses on studying the world as it is viewed from subjective experiences of participants obtainable using techniques/methods such as interviews and observations which principally are reliant on subjective relationship between researchers and participants. From the basis of this paradigmatic approach, the researcher interviewed participants. In order to make the data collection process flexible, the researcher conducted semi-structured interviews in order to collect data. The researcher considered that an interview guide with open ended questions will be useful for flexible but in-depth semi-structured interview sessions with participants. The interview guide for the semi-structured interview was prepared and annexed to the thesis as *Appendix 1*.

In-depth semi-structured interviews were helpful to obtain information from participants and the researcher was also able to probe for more information from the participants. Participants were requested to substantiate their responses as and when a need to do so arose. As it happened, semi-structured interviews were the best data collection technique that could to be adopted in this case considering the nature of the research problem. As planned, the researcher recorded the participants of the study during the interviews sessions after obtaining their consent. The researcher also ensured that the data that was collected (recordings and the transcripts) was safe as explained in the ethical consideration provisions which provide the details on the manner in which the researcher attended to the axiological (ethical) matters of the project.

#### **4.6 Data Analysis**

As Yin (1994) and Atkinson (2002) conjecture, among the best approaches for analysing data obtained from case study research especially interviews are methods such as narrative analysis and thematic data analysis models and this is due to the relatedness and overlapping patterns on the models. Murray (2003) as well as Braun

and Clarke (2006) concur to this idea. Judger (2016) also indicate that data obtained from interviews can best be analysed thematically. Based on this methodological pieces of advice and also for other justifications provided below, the researcher selected thematic data analysis as a suitable and applicable data analysis method in this project. The reason for choosing this method was what Braun and Clarke (2006) observe that rigorous application thematic data analysis approach produces an insightful analysis that answers research questions. The other reason that the researcher considered for adopting thematic data analysis was due to its flexibility to be utilised in both inductive and deductive approaches/methodologies of analysis (Hayes 1997; Frith and Gleeson 2004). The researcher followed the methodological guidance provided by Braun and Clarke (2006) to apply thematic analysis in this project. Boyatzis (1998) as well as Braun and Clarke (2006) raise something quite fascinating for the researcher about thematic analysis. They reflect that it does not only organise data set minimally and make a detailed description of it, however, it also provides an interpretation of various aspects of the research topic under study (Boyatzis, 1998; Braun and Clarke, 2006).

Since there are two (2) basic ways (inductive/bottom-up and deductive/theoretical) of identifying themes in thematic data analysis, the researcher adopted the inductive-bottom up approach which strongly links the themes to the data and also because it is a data-driven approach (Braun and Clarke, 2006). For the purposes of the study at hand, the researcher considered thematic data analysis as the best approach because of its inductive character wherein the data collected provides specific content as a starting point for theory development which will be emphasised through the theoretical contribution of the study. This approach will assist the researcher to shift to generic conclusions and ultimately create a theoretical contribution on a phenomenon under study (Braun and Clarke, 2006; Alhojailan, 2012). The researcher relied more on the methodological guidance provided by scholars in the research field in order to approach the step by step process in data analysis. The researcher applied the six (6) steps/phases methodological guide for thematic data analysis as guided by Braun and Clarke (2006) as well as Maguire and Delahunt (2017), among other research scholars in this way:

### *Phase 1: Familiarisation with data*

The researcher kicked off the analysis process by familiarising himself with the data which included to transcribe the audio- records into written form *verbatimly* and to study the data. This had to be done in order to ensure that the researcher does not miss anything from what was said by participants during interviews. In doing so, the researcher started to pick up some of the preliminary/early impressions that were coming up from the data and write them down separately. Maguire and Delahunt (2017) support what the researcher did during this phase by indicating that studying transcripts thoroughly is the key step in qualitative analysis because researchers have to be familiar with the entire data body from interviews and write down early impressions. Therefore, the researcher ensured that transcripts retained the originality of the responses provided by participants as he took note of some of the “interesting” ideas from the data as guided by the approach that Braun and Clarke (2006:18) provides.

### *Phase 2: Generation of initial codes*

As the data analysis process ensued, the researcher produced preliminary codes from the data. This phase was made possible as the researcher began to organise data in a systematic way thereby reducing lots of data into smaller meaningful chunks. Creswell (2014) discusses a systematic process of data coding wherein specific statements from the data are analysed and categorised into what will become themes due to their representation of the phenomenon of interest under study. This systematic process is the approach that the researcher adopted in this phase. Boyatzis (1998), Braun and Clarke (2006) as well as Maguire and Delahunt (2017) clarify that coding is when the most basic segment/element/raw data is assessed and identified in a meaningful and specific manner regarding the phenomenon under study. Having adopted the data-driven (inductive) approach as a starting point towards theory development, the researcher attempted to use *line-by-line coding* to code every single line as guided by Maguire and Delahunt (2017) who also argue that there are two (2) ways for coding which are manually and through a programmed software. There researcher performed manual coding and collation as driven by the data obtained.

### *Phase 3: Search for emerging/candidate themes*

In this phase, the researcher organised various codes into potential/emerging themes and carefully examined all the relevant data extracts for the development of themes. According to Braun and Clarke (2006) as well as Maguire and Delahunt (2017), a theme can be understood as a pattern that captures or demonstrate something significant about the data and/or research question under study as formed from categories of coded data. A category is a logical string of coherently coded pieces of data that form a theme (Alhojailan, 2012). The researcher also recognised the analytical guidance by Pope, Ziebland, and Mays (2006) who indicate that the logical coding and categorisation approach utilised is to explore large amounts of textual data to determine trends and patterns of words utilised, their relationships, their frequency, and the structures is useful to guide researchers in this phase (Pope, Ziebland, and Mays, 2006). The same guidance is provided by Vaismoradi, Turunen, and Bondas (2013). Typical of this phase as Braun and Clarke (2006) argue, the researcher sorted different codes into potential themes and collated all relevant coded data extracts within the themes identified. In the process of examining codes, the researcher noted that some of the codes were beginning to fit together into emerging themes and sub-themes. Therefore, this phase ended with the researcher already having candidate themes and sub-themes.

### *Phase 4: Review of themes*

Having identified emerging/candidate themes, the researcher began to modify and review the candidate themes wherein some themes were merged, some were broken down, and some fell away in instances where there was not enough data to support them. This is a stage wherein the researcher refined the candidate themes against the codes and the data. Braun and Clarke (2006:20) reflect something profound about this phase as they indicate that “data within themes should cohere together meaningfully, while there should be clear and identifiable distinctions between themes”. Two (2) stages/levels are involved in reviewing and refining of themes in this phase. The first level concerns scrutinisation to ensure that they fitted the data through carefully studying and reviewing of the collated extracts in relation to each theme and assessed to determine how they generate a pattern whereas the second level involved

assessing individual themes and their link to the data set (Braun and Clarke, 2006). Additional data that was identified in themes that was missed was coded and integrated at this second level. One important tip that the researcher considered at this phase is what Maguire and Delahunt (2017) advise when they indicate that, at this phase, researchers should consider some of the following questions: (i) do the identified themes make sense? (ii) does the data support the themes? (iii) am I not trying to fit too much into a theme? (iii) if themes overlap, are they really separate themes? (iv) are there themes within themes (sub-themes)? and (v) are there other themes within the data? On the basis of this five (5) questions guidance, the researcher examined/reviewed the themes against the data to determine coherence and meaning in order to ensure that different themes can fit together into a comprehensive and coherent story about the data gathered. The researcher concluded this phase with comprehensive themes that linked directly to the data.

#### *Phase 5: Defining and naming themes*

Braun and Clarke (2006) identify this phase as the ultimate level for refining and defining themes in order to determine the essence of each theme as well as to identify different aspects of data captured in each theme. Some of the key questions that the researcher asked himself in order to fully consolidate this phase were drawn from the approach outline by Maguire and Delahunt (2017). Maguire and Delahunt (2017) advise that, at this phase, researchers should ask themselves these two (2) questions: (i) what is the theme saying? (ii) how do sub-themes interact and relate to the main theme? Also, as Braun and Clarke (2006) also advice, the researcher started to work on giving concise and punchy names to the themes in order provide sense to readers regarding what each themes is all about.

#### *Phase 6: Producing the report*

Upon the establishment of themes and sub-themes and naming the, the final phase is about producing a report where the write-up begins. As the researcher contemplated this phase, he took into account the guide that Braun and Clarke (2006) provide regarding writing a report from a thematic data analysis exercise. The guide they provide is that the write up provide brief, logical, and interesting story about the data

across themes and provide adequate evidence of extracts in order to demonstrate the connectedness between data and themes in the discussion (Braun and Clarke, 2006). The researcher embraced this advice and braced himself for what he will report in the next three (3) chapters which speak to the empirical findings of the study by addressing the aim/purpose of the study. The researcher will conclude the discussion of empirical findings by raising pointers in the chapter where he will utilise the findings inductively towards developing a theory that can be useful for the South African context from a developmental point of view. For the purposes of this, thematic data analysis will assist the researcher to inductively theorise from the findings towards fulfilling what he promised to be the theoretical contribution of the study. This approach will assist the researcher to shift to generic conclusions and ultimately create a theoretical contribution from this study (Braun and Clarke, 2006; Alhojailan, 2012).

The researcher also took into consideration some of the limitations of the thematic method of data analysis in order to ensure that such drawbacks do not negatively affect the outcome of the data analysis exercise. As discussed by Braun and Clarke (2006), such limitations include that: (i) its flexibility which allows for different analytic options may result in making variety of things (at times unrelated) to be reported in the finding, (ii) it is popular yet poorly demarcated such that it may overlap with other analytical approaches, and (iii) it is not utilised within an established theoretical framework which at times limits its interpretative power. The researcher was able to guard against some of these limitations by the application of the philosophical foundations and the quality criteria discussed earlier in this thesis to ensure that the findings and the discussion thereof are not affected by the limitations of the method.

#### **4.7 Research Procedure**

With regards to the research procedure, the researcher managed and addressed all logistical arrangements ahead of the interviews with sampled participants. The logistical arrangement included, but not limited to: (i) communication with identified sample about the study, (ii) scheduling of appointments for interviews, (iii) follow-ups and reminders about interviews (dates, times, and venues), and (iv) meeting with participants in their places of work. As purposed, the researcher sought to cover all nine (9) provinces and this meant that enough time would be required for the

researcher to ensure that he meets with sampled participants since they are spread all over the country. Granted that the researcher worked together with all sampled participants as members of the National Accreditation Task Team Forum, it was feasible for him to secure appointments on time and liaised with the participants on dates, times, and venues for interviews. The entire data collection exercise took just over four (4) months to be completed. Ahead of the interviews, the researcher requested all participants to sign consent forms before they participated in the interviews.

The researcher also provided debriefing letters and explained in details what the study is all about ahead of the interviews. He also presented to participants the ethical clearance that he obtained from the University to conduct the study and explained in details that their identities, audio-records, as well as responses would be safeguarded by him to ensure that there would not be victimisation or any form of harm and jeopardy that would be inflicted on them because of having taken part in the study. Victimisation and jeopardisation would occur if the researcher mishandled the content of the interviews (signed letters, audio-records and field notes) in such a manner that if falls on wrong hands. On average, the interviews that were conducted took a duration of about 30 - 45 minutes per session. This duration is inclusive of the time that the researcher spent in clarifying some of the questions to participants and probing in instances where more clarity was required from the responses that were provided. Participants permitted the researcher to take field notes from the responses that were provided following a request by the researcher to do so.

As planned, the researcher recorded the interview sessions for the purposes of ensuring that he does not miss anything that comes from the responses from the interviewees. Although not all participants agreed to be audio-taped (recorded) as they argued that the Accreditation Programme is a highly politicised programme where politicians have a lot of vested interests and they do not feel comfortable to be on audio records. Most participants who refused to be audio-recorded argued that it should suffice that they have signed consent forms and that they allow the researcher to take field notes. The researcher attempted to explain how the ethical principles of protecting the participants would be applied, however, it could not make any difference. As such, the researcher had to improvise in order to ensure that he does

not miss anything from responses from such participants. He thus improvised by requesting them to repeat some of the responses in order for him to write down on his field notes pad during interview sessions. As a results, some of the interviews became much longer than others due to this improvisation and it is some of these instances that made some of the interviews to take as long as 45 minutes each.

Some of the challenges that the researcher encountered included, among others: (i) unavailability of participants following after agreements and follow-ups were made, (ii) some initially identified participants substituted themselves and availed their other colleagues in the same divisions for interviews, and (iii) participants who deviated from the interview conversation and sought to discuss other unrelated challenges that they face. However, the researcher was able to mitigate and address all challenges by rescheduling appointments, waited for the right time to meet the relevant participants, and guide the discussion in order to focus on the issue at hand so that they do not affect the final product on the interview. Principally, the researcher played a facilitator role for the interview and guide participants to focus on the purposes at hand.

As it happened, the period of data collection coincided with the assessment of some identified municipalities towards accreditation. As part of preparations towards assessment, this presented an opportunity for the researcher to interact with independent panel of assessors who were appointed to assess the municipalities for accreditation. The researcher thought it could be a good idea to also interview the independent assessment panel members. This effectively added one (1) more population group from the initial population groups. Panel members are people with expertise on matters of decentralisation, housing and human settlements, and local government especially because some of them are former municipal managers, heads of human settlements departments, former top managers in government, and academic researchers on matters pertaining to government functions, among others. The researcher took advantage of the situation and sampled two (2) panel members from whom he knew that he would obtain quality data for his study at no cost. The reasons for this was basically the pursuit of obtaining quality data. Experts on the field of decentralisation of the housing function are deemed very relevant for the study, and this accounts for the reason why the researcher could not resist an opportunity to interview independent assessment panel members for free which is an exercise that

could be costly given a different circumstance. Not all sampled forty-two (42) initially targeted participants were interviewed since the principle of saturation was observed and adhered to. The researcher recognised that at the twenty-sixth (26<sup>th</sup>) interview with the original sample were conducted, the researcher noted that no more new insights and angles for tackling the research problem were coming through from the data collection exercise. Fortunately, at the state where the saturation point was reached, the researcher had already interacted with sampled representatives from all identified population groups. This is exactly what the researcher desired in order to gain perspective from all identified groups since insight from all groups was relevant for the research problem identified. A risk was taken by the researcher for setting up a bigger sample taking into account the magnitude of the research problem at hand. However, granted that the issues that are experienced are almost the same per sphere of government, the saturation point was reached at just over half-way of interviews with the original sample. The content that the researcher obtained was able to break down the researcher problem adequately and the researcher was fully comfortable with the depth of the data obtained. It was his desire to see all angles of the research problem being tackled and adequately broken down, and there was absolutely no need for him to continue collecting data after hitting the saturation point where nearly every response was becoming repetitive from one participant to another. However, the researcher considered some of the repetitions as consolidation of positions which participants were confirming.

The researcher interviewed four (4) participants from all four (4) national departments mentioned above, and out of the nine (9) provincial representatives samples, the researcher interviewed five (5) participants from five (5) provinces which cannot be mentioned here to protect the identity of the participants. The researcher interviewed fourteen (14) officials out of the twenty-eight (28) officials sampled from the accredited municipalities, and one (1) interview with SALGA was held. The last two (2) were panel members which were not part of the original sample which puts the overall sample at twenty-six (26) participants.

As noted in this section, the researcher played a facilitator role for the semi-structured interviews and provided guidance in instances where participants appeared to get lost in the discussion. In order to create a conducive environment, the researcher also

ensured that the interview sessions were more of open conversations between him and participants in order for the latter to be comfortable to share their experiences regarding the research problem with all comfort. It was useful for the researcher to keep on assuring participants of the usefulness of their input in order to encourage them to feel free during the session. The researcher asked all questions regardless of the perceptions by participants of the researcher's knowledge on some of the things that he asked about being that he was also involved in the delegation and devolution programme for powers to administer the housing function at local government. An important reason for this was for the researcher to ensure that what comes out of the interviews is not the imposition of the researcher's ideas but genuinely the ideas of the participants. The researcher had to assume a neutral position in order for achieve the state of objectivity and unbiasedness in the process. In the researcher's judgement, he was able to achieve his desired objectivity.

#### **4.8 Chapter Summary**

This chapter discussed in detail the manner in which the methodology adopted was applied for conducting the study. Detailed accounts of the research approach and methods utilised in this study were explained. The researcher provided the reader with an overview on the nature of fieldwork conducted and as well as the philosophical paradigms of the research method that the researcher adopted. As discussed in the chapter, a qualitative research approach was adopted where a case study design was utilised to explore challenges and perceptions in the decentralisation of powers and authority for the administration of the housing function by municipalities. The chapter has also reflected on issues relating to the collection and analysis of data. For each of the techniques that the researcher selected as part of his methodology to conduct the study, both methodological and practical justifications were provided in order to ensure that the study is rooted in both theory and practice in order to produce relevant knowledge and insight on the subject matter under study. Explanation was provided on the semi-structured interviews that were conducted with the purposively sampled participants from relevant populations that were identified. The researcher also discussed the manner in which thematic data analysis was applied to make sense and bring out meanings to the data gathered. The chapter concluded by providing the research procedure which is an account of what exactly happened during data

collection. This is where the researcher explained his role during fieldwork and highlighted some of the challenges that he encountered in the process of conducting the research and how he addressed such challenges.

## CHAPTER 5: CHALLENGES AFFECTING THE ACCREDITATION PROGRAMME

### 5.1 Chapter Overview

This chapter discusses the findings of the study which emerged from fieldwork. The purpose/aim of the study was two-fold; to explore *challenges* and to explore *perceptions* associated with the implementation of the Accreditation Programme. In this chapter, the focus is on discussing findings that relate to challenges that are experienced in the implementation of the Accreditation Programme. Findings discussed in this chapter are categorised into themes and sub-themes derived from the data analysis exercise. In order to buttress and corroborate the discussion, the researcher utilises extracts from the data to demonstrate the authenticity of the themes that the researcher identified. The researcher will provide three (3) extracts to support the themes in the discussion across the empirical chapters. As anticipated by the researcher, the study yielded descriptive data, granted that, the researcher will *describe* what he observed in the data, *analyse* to find the meaning of the findings as guided by Light, Wexler, and Heinze (2004), and *corroborate* findings to the existing body of knowledge by examining if findings are bringing new insight altogether or buttressing the existing literature on the subject. This is the approach that the researcher adopts for discussing the empirical chapters. The researcher will discuss findings on the challenges experienced with the Accreditation Programme by reflecting on the poor theoretical and conceptual understanding of the Accreditation Programme especially at the executive levels of the human settlements sector. Drawing from data analysis, the chapter identifies four (4) sources of challenges which are political, administrative, capacity and institutional. In the final section, the chapter will reflect on some of suggestions by participants as possible solutions to some of the challenges identified.

### 5.2 Poor Understanding of the Accreditation Programme

Findings of the study reveal that there is poor conceptual understanding of the Accreditation Programme especially at the executive management of the human settlements sector. It is also revealed that the national sphere has not done enough to ensure that adequate knowledge and understanding are fully built in other spheres of

government. It is also depicted in the findings that the executives in the human settlements sector confuse accreditation and assignment of the administration of the housing function. The two (2) findings are discussed below.

#### 5.2.1 Lack of Knowledge and Understanding on Accreditation

The researcher observes that there are common implementation failures in government especially failures associated with poor policy and programme implementation. The findings of the study reveal that there is poor/inadequate understanding of the Accreditation Programme in the human settlements sector especially at the top management level and political principals. It appears from the findings that the national government as the sphere responsible for determining policy and implementing policy advocacy programmes across the sector has not done well on the latter responsibility for ensuring that policies are understood in the sector through the policy advocacy programmes. As one of the participants clearly indicates that:

*“It’s (Accreditation Programme) very complicated for our bosses. Otherwise, there should not be confusion if it was well understood... The national department has not done much to publicise the programme in a right way” (P#8).*

By its nature, the implementation of the Accreditation Programme involves different sector departments at provincial level and different units at municipal level and all the sectors and units in other spheres of government should understand what the programme is about for effective implementation. The executives should know and understand in order to provide proper guidance. Another participant said that:

*“I do not think the programme is understandable because some people in our department do not pay too much attention to it...accreditation should be explained in various cases” (P#5).*

Both the cited participants indicate that the National Department has not done enough in its policy advocacy campaign to ensure knowledge and understanding of the Accreditation in the human settlements sector.

Another aspect that came to be apparent in the findings was the notion that the Accreditation Programme is complex and complicated for senior bureaucrats and political principals. This was expressed by, among others, the participant who indicated that:

*“accreditation is very complicated for our top managers. You can’t even get a chance to explain anything. The MEC will even block you from a distance... what can you do... It’s bad” (P#7).*

Some sections of the findings emphasised that at the level of MEC, the delegation is understood as devolution of powers to administer the housing function. This understanding proves to be problematic since it is incorrect.

#### 5.2.2 Accreditation (delegation) vs Assignment (devolution): Confusion

The confusion between accreditation and assignment featured prominently in the findings as one of the challenges that affect the programme. The lack of conceptual understanding on the programme causes challenges for the implementation thereof as the findings suggest. One participant actually indicated that:

*“from the concept level and understanding, accreditation-delegation has often than not unfortunately been conflated with assignment of functions” (P#1).*

As it currently stands, the delegation and devolution aspects of the Accreditation Programme are provided for in the same policy framework which is the Housing Code 2009 and Municipal Accreditation Framework, 2012. However, the researcher observed that in some of the policy review debates on the programme, it is suggested that the delegation and devolution should be completely separated in order to be conceptualised and theorised differently. As one participant commented,

*“Accreditation is confused with assignment although the same are under the same accreditation programme but assignment is the ultimate final of the accreditation value chain” (P#23).*

Otherwise, the confusion is going on and it is negatively affecting the implementation of the programme as one participant indicates that MECs believe that accreditation is all about taking away implementation powers of the housing functions and associated resources to local government. This is how the participant put it:

*“Politicians think that accreditation is assignment so they do not want to entertain it and by so doing they compromise issues such as capacity building in municipalities and delegation which are very important aspect of the (accreditation) programme” (P#15).*

Based on the findings, the researcher is of the view that the difference between the two (2) elements of the programmes should be understood in order to allay unnecessary fears on the part of politicians.

The findings as presented regarding the poor/inadequate understanding of the Accreditation Programme which is among one of the challenges affecting the implementation of the programme. In an attempt to go beyond what the findings provide in order to make sense of what is going on, the researcher observes that one of the most common fundamental failures in governments is the failure in policy implementation. The researcher is aware of the notion that says the South African government has good policies, however, the challenge is the implementation thereof which is not as good as the policies are. The same notion is theorised in a study conducted by Tebele (2016) as *Problems and Challenges related to Public Policy Implementation within the South African Democratic Dispensation: A Theoretical Exploration*. This is quite a fundamental issue that requires serious attention. The researcher is interested in understanding why this is the case. Why the so-called good policies are either not implemented or not implementable regardless of how good they are. Two (2) issues may be contributory to this. Firstly, Hallsworth, Parker and Rutter (2011) indicate that public policy-making happens within a particular ideological

framework that is adopted by government in states. For the researcher, this could mean that if policies represent an ideology that the implementers do not believe in or subscribe to, poor implementation of such policies occur. Secondly, the development of government policies by private sector may cause poor policy implementation especially if the implementers are not involved in the policy development process. Sasse, Guerin, Nickson, O'Brien, Pope, and Davies (2019) analyse some of the failures of the outsourcing strategy by government and it becomes clear that government has to actively take part in all outsourcing activities that they engage private sector so that they form part of the process and understand the product.

In an attempt to make sense of the situation where the so-called good policies are not implemented/implementable, it could either be the ideological issues wherein implementers do not believe in the policies produced/adopted or it could be that implementers do not understand what the policy is all about. One cannot implement what they do not understand. The findings corroborate an argument that says poor policy implementation especially in the public service is due to poor understanding of policies and programmes (Hudson, Hunter, and Peckham, 2019). The other aspect that comes into play in the findings is the issue of confusion between delegation and devolution especially at the top management level and political principals in the human settlements sector. In the researcher's understanding, this can attributed to either the failure on the part of the national sphere since according to the Housing Act of 1997, the national sphere is responsible for determining policy and by extension ensure that policy advocacy aspect or the provincial spheres on the efforts that have to be taken in order to understand policies. Roux (2002) indicates that public policy-making and in South Africa should adjust to transformation and globalisation demands, however, most importantly, implementers should know and understand policies adequately in order to implement them accordingly.

Confusion between accreditation and assignment demonstrates lack of conceptual understanding of the accreditation policy. Bach and Wegrich (2018) indicate that it is important for politicians and senior bureaucrats in government to know and understand policies in order to guide the implementation thereof from an informed angle. The findings reveal that it is junior bureaucrats that are implementers of the Accreditation Programme who have a better knowledge and understanding of the accreditation

(delegation) and assignment (devolution) aspect of the policy. This makes it difficult for the programme to enjoy effective implementation due to this knowledge gap.

The mere notion that the poor/lack of understanding of the accreditation policy is predominantly among top and executive authority echelons of the human settlements sector makes it an issue that requires urgent attention. As the custodian of government policies, top management and political principals should know and understand policies adequately in order to allow for a proper chain of command within the government bureaucracy for effective policy implementation (Mavanyisi, 2002). Junior officials in government bureaucracy should receive proper guidance from top/senior bureaucrats and politicians in order to effectively implement government policies. Thus, lack of understanding in government policies should be addressed by thorough policy advocacy campaigns. This is consistent with the advice by Gen and Wright (2013) who emphasises the importance of robust advocacy programmes for better understanding and implementation of policies and programmes in public service.

### **5.3 Sources of Challenges for the Programme**

Findings of the study exposed that the Accreditation Programme is poorly implemented in South Africa due to the variety of challenges that that programme faces. The issue of exploring challenges was at the core of the aim and objectives of the study in order to break down and unpack the research problem flagrantly. The researcher expected the dimensions of the researcher problem to come out from the responses that participants would provide. It was revealed in the findings that the Accreditation Programme faces four (4) kinds/sources of challenges which are administrative, political, capacity, and institutional challenges. In the following sub-sections, these challenges are highlighted and discussed.

#### **5.3.1 The Programme Faces Administrative Challenges**

From the findings obtained, it was revealed that the Accreditation Programme faces challenges in its administration and implementation. As observed in the difficulties for the programme to yield the intended results, participants of the study clarified some of the causes that accounted for the failures in the programme by identifying

administrative challenges facing the programme. The administrative failures that are noted in the findings include, among others that: (i) the programme has not been productive, (ii) its administration does not receive necessary prioritisation and its implementation become lax, (iii) activities and processes on accreditation are stifled.

Some other participants indicated that:

*“the programme has not been effective administratively... The Programme is not yielding results” (P#18).*

Another one said that:

*“accreditation is not as effective as it should have been due to administrative hurdles...maybe because it has not been given requisite priority” (P#24).*

Whereas the other one noted that:

*“it has dismally failed...Its implementation is very slow. The implementation of its activities and process are blocked” (P#11).*

Basing on the findings of the study, the administrative challenges can be categories into what the researcher generated as ‘complex intergovernmental relations’ and ‘cooperative governance arrangements’. This is so because some of the administrative challenges emanate from the complexity of the intergovernmental relations arrangements that government operates in. Government functions in South Africa have to be implemented within the spirit of intergovernmental relations and cooperative governance according to Section 40 (2) the Constitution and Sections 9 and 10 of the Intergovernmental Relations Framework Act and managed through intergovernmental structures (RSA, 1996 and 2005). The Housing Act of 1997 further outlines the responsibility of each sphere of government in the human settlements sector with regard to the housing function (RSA, 1997a). Regardless of the legislative provisions regarding the cooperation among spheres of government, findings indicate that complex intergovernmental relations arrangement manifest in administration

challenges. One participant revealed that

*“...the programme is ignored...it is more often bedevilled and riddled by complex intergovernmental relations across all spheres” (P#21).*

Another participant noted that

*“its implementation become hectic....the role of the three spheres are not adhered to regarding the Programme. The provinces are always at fault” (P#13).*

Whereas another participant indicated that:

*“the programme cannot be implemented because the main challenge is that the provinces want to cling to power over the housing function...” (P#22).*

Senoamadi (2014) posits that cooperative governance and intergovernmental relations are meant to ensure effectiveness and better implementation of the housing function among other government functions in South Africa. However, Tapscott (2000) indicates that intergovernmental relations and cooperative governance arrangements in South Africa may have their own challenges when it comes to coordination and administration of government functions.

In an attempt to find meaning of the findings regarding the administration challenges regarding the Accreditation Programme, the researcher reverts to the Weberian theory of bureaucracy in order to make sense of what is going on in this case. In the Weberian theory of bureaucracy, bureaucratic organisations are characterised by, among other elements: (i) observation of rules, (ii) impersonality, and (iii) job codification (Weber, 1978). In the researcher's understanding, these elements serve to avoid administration challenges in bureaucratic organisation. When rules are observed accordingly in an organisation, the researcher is of the view that both the administration and administrators are governed by rules and are subject to rules. This means that there cannot be implementation challenges because the rules serve to

avoid the very same challenges. With regards to impersonality, the researcher believes that no bureaucrat or politician can advance their interests above what their offices parameters dictate for them, and no one is special than others. As such, the researcher strongly contends that no one can cause a stumbling block on the flow of work. Job codification clarifies what one should do and how, and this is linked to job purposes of different offices for both bureaucrats and politicians. Granted these principles by the Weberian theory of bureaucracy, there is absolutely no way in which administrative challenges can stifle implementation of government programmes. Therefore, for the researcher the only explanation that can make sense and count as a meaning of the findings on administrative challenges is that some people are not playing their roles effectively within the human settlements bureaucracy with regard to the Accreditation Programme. This means that some of the elements of Weberian bureaucracy are missing or lacking in South Africa.

Within the Weberian notion of bureaucracy, discipline mechanisms are provided to deal with instances such as non-adherence to rules that govern the bureaucracy (Weber, 1978). The researcher takes note that the issue of administrative challenges on various government policies are common in South Africa, and this is also confirmed by Tebele (2016). Thus, the government has a responsibility of looking into this challenge. Otherwise, the findings is not new since administrative challenges on government policies and programmes are common in the public sector (Tebele, 2016).

### 5.3.2 Political Challenges Affecting the Programme

These types of challenges appeared to be the main challenges across the four (4) types as mentioned. Evidence gathered in the study shows that this is where the crux of the problem is at. Participants raised a number of views that pointed to politics and politicians as sources of the problem pertaining to the Accreditation Programme. One participant responded and said:

*“the MEC politicise the (Accreditation) programme and think that municipalities will take away the HSDG (Human Settlements Development Grant) and USDG (Urban Settlements Development Grant), so he make it to be about political power and money” (P#9).*

Another participant revealed that:

*“Political principals do not want to hear us mentioning the name of Accreditation Programme” (P#6).*

Interestingly, the participants that the researcher is quoting here are bureaucrats in provinces and their executive authorities are the MECs that are referred to in this case. What is of interest to the researcher is how findings reveal that bureaucrats and politicians within the same provinces are not on the same page with regards to the Accreditation Programme. Another participant went on to question the legislative allocation of powers to accredit which according to her was wrongly done because MECs are the source of problems for the programme. She had this to say

*“the problem is the political interference. Why was the powers given to MECs? Look it (the Programme) cannot survive until this arrangement is changed” (P#19).*

Participants went on to explain that at the core of the political challenges regarding the programme are two (2) issues: (i) contestation over political power and resources, and (ii) lack of political will to decentralise implementation powers to local government.

The researcher will tackle each of these in turns and present the content of the findings before discussing and analysing findings on political challenges.

#### *5.3.2.1 Contestation over political power and resources*

The policy framework that governs the implementation of the Accreditation Programme contained in the Housing Code 2009 and the Municipal Accreditation Framework establishes a principle which states that funding follows function (DHS, 2009 and 2012). This means that when the implementation of the housing function is delegated to a municipality, both capital and operational funding to implement the delegated function should be provided to such a municipality in order to avoid issues of unfunded mandate since housing is not an original function allocated to local

government. With regard to the contestation over political power and resources, one participant reported that:

*“unlike other programmes...which are product delivery and service oriented, accreditation goes to the heart of authority and power allocation of resources which is what provinces do not want to relinquish to the local sphere” (P#1).*

Another participant made a comment with regard to assignment which he felt that MECs are actually trying to avoid it by all means. He said that:

*“when assignment happens which is the final level of accreditation, political power, resources, assets, and staff will have to move to the assigned municipalities; and this creates fear on the provincial sphere to a level where they (politicians) frustrate the Programme” (P#10).*

Another one revealed that;

*“the accreditation principle that says funding follows function and ‘accountability follows responsibility’ is the great nightmare of the politicians” (P#20).*

Participants were more vocal regarding political challenges and the researcher took note that this could have been one of the sore point to them regarding some of their daily frustrations that they encounter.

#### *5.3.2.2 Accreditation lacks political will and support*

The challenge of political will is not new to the subject of decentralisation. The researcher discussed it in the literature review. However, due to the fact that it featured prominently in the findings, the researcher thus report it accordingly. Findings appear to be consistent with literature in revealing that there is no political will to delegate and devolve the implementation of the housing function in local government. Something interesting for the researcher is how participants implicate political principals beyond

the provincial sphere of government and question the government system that the state adopted in its constitutional democracy. One participant reflected that:

*“the programme depends on political will which is not there among the politicians in human settlements. This makes the programme to fail dismally” (P#2)*

This effectively implicates other spheres of government because the participant makes reference to politicians in the human settlements sector which include Members of Mayoral Council (MMCs) at the local sphere and Minister at the national sphere. Another participant raised almost the same argument and reflected that:

*“...the national government has not been decisive regarding the programme, and this is where the national minister should be marshalling the MECs to support the programme like it was the case before 2014” (P#17).*

One participant who seem to have also revealed his personal political affiliation commented that:

*“there is lack of political will on accreditation at the provincial sphere and this is the main challenge that we face. Our movement does not support federalism but a strong unitary state” (P#14).*

During the interview sessions, participants appeared to have a lot of issues to raise concerning the political related challenges on the Accreditation Programme, and the researcher recognised that the interview sessions provided participants with an opportunity to voice out some of the issues that have been frustrating them yet they could not report/raise them in meetings.

In an attempt to make sense of what participants have revealed in the findings, attention is also given to the manner in which they were responding to issues of political challenges where most of them indicated that the main challenges on the programme are politics and politicians. The findings on political challenges for the

Accreditation Programme are consistent with literature. Literature indicates that the challenge of unwillingness to delegate and devolve government functions due to political stratagems negatively affect the decentralisation agenda globally far more than any other challenge (Sana, 2011; Opare, Egbenya, Kaba, and Baku, 2012). As it currently stands, the relevant legislation vests powers to delegate and devolve powers to administer housing programme to municipalities on MECs (RSA, 1997 and 2000). This means that key decisions making powers on the Accreditation Programme rest with the MECs. The researcher's interest is what could be the meaning of the findings as presented. For the researcher, the political challenges on the programme could be a reflection of a number of things, among which are the following: (i) politicians and bureaucrats are not in the same wavelength on the accreditation policy, (ii) the programme is not viewed from a developmental angle but power-politics stance, (iii) allocations of powers to accredit constitute a conflict of interest for the MECs, and (iv) the confusion between delegation and devolution is more deeper than what meets the eye. Besides these issues, the researcher contemplate on the reasons for the establishment of the programme as well the intentions on the constitutional provisions regarding the devolution of administration of government functions. One participant argued that before 2014, the programme seemed to have been moving well. Granted that most of the ministers and MECs are members of the majority party, could it be that the current crop of politicians that are in government have received a different mandate from the majority party as opposed to the mandate that they could have been given circa 2014.

The researcher made a thorough engagement with the literature on the transition from apartheid to democracy, the negotiations, the marco-policy frameworks, and the constitutional processes and some of the issues that the researcher picked up are reported/discussed in the literature review chapter. One of the crucial discoveries that probably could make sense of political challenges that affect government programmes is the issue of reconciliation of the unitary and federal character of the South African government system. In the researcher's understanding, the issue of the compromises that were made during the transitional phase that led to the current democratic dispensation is catching up with the current government. Bastian and Luckham (2003) and Yitirmesi (2018) indicate that the current South African constitution is an outcome of a compromise between political actors that represented different ethnic and racial

groups as well as different ideologies. As the leading liberation movement, the African National Congress (ANC) was hesitant to adopt fully-fledged federalism since it came across as the system that apartheid utilised (Thompson, 2001). Granted that, the ANC preferred a strong unitary state government system (Robson, 2006; Yitirmesi, 2018). However, compromise had to be made and the final 1996 Constitution reflects both unitary and federal aspects. The researcher's impression based on the analysis of the debate around this subject is that federalism is not an ideology of the ANC. This could only be the reason that makes sense for the researcher to account for the reasons of political unwillingness to relinquish powers to local government, and thus suffocate the implementation of the delegation and devolution initiatives. For the researcher, the finding on political challenges on the Accreditation Programme can only have a meaning when one looks at the root cause of the current government arrangements where compromises were made and the ANC government finds itself embracing a position/ideology that it does not subscribe to. The findings on political related challenges can be located within the broader transition literature of government regimes in South Africa where the majority party is reluctant to delegate and devolve powers and functions to the local government sphere (Murray and Simeon, 2011; Yitirmesi, 2018).

### 5.3.3 Lack/inadequate Capacity Challenge

Another source of challenges that affect the Accreditation Programme as revealed by the findings is capacity related challenges. The 1996 Constitution provides two (2) conditions for devolution of powers to local government as: (i) if a function will be most effectively implemented locally, and (ii) if there is adequate capacity to implement a function (RSA, 1996). Findings expose the existence of challenges with regards to the lack of capacity in both provinces and municipalities to implement the Accreditation Programme. With regard to local government, one participant indicated the following:

*“municipalities do not have adequate capacity to implement the housing function” (P#5).*

With regard to building capacity to in relation to the Accreditation Programme in order to implement delegated functions, it is the responsibility of the provincial sphere of

government to build capacity in municipalities, and this has to be done through the capacity development plan which should be a product of thorough engagements between provinces and municipalities to identify relevant capacity needs as part of the accreditation process (DHS, 2012). Regardless of this, one other participant revealed that:

*“provinces do not appear to have adequate capacity to build capacity in local government and this is why both these two spheres will always struggle with human settlements delivery and implementation of accreditation” (#25).*

Another participant made a comment which links with another argument provided in the preceding section where it was indicated that there was better implementation of the Accreditation Programme before 2014. The participant had this to say:

*“Capable officials who started with the programme have left government and this eroded knowledge and skills needed to implement the programme in government” (P#26).*

Findings reveal that there are capacity challenges that affect the Accreditation Programme and the extracts provided corroborate that. Although in the researcher’s observation, different spheres of government point fingers at local government regarding the issue of lack/inadequate capacity to implement government policies and other responsibilities. Luiz (2002) argues that the issue of capacity challenge is right across the South African state bureaucracy at large.

The issue of capacity in the South African state bureaucracy has been a topical issue especially after the successful transition to the post-apartheid dispensation, and this was due to, among other reasons, the expectations for the new state to live up to the needs of the citizens (Padayachee and Desai, 2011). The challenge of lack/inadequate capacity may sound like a trivial issue, however, in the researcher’s understanding, it is something very endemic across government. Unfortunately, most sections of the literature are biased towards theorising about lack of capacity in local government and neglect other spheres of government which in the researcher’s

observation of the findings, they equally lack capacity. As demonstrated by the data extracts, the findings reveal that the issue of poor capacity should not be something levelled against the local government only. Based on the findings, none among both bureaucrats and politicians in South African intergovernmental arrangement should point a finger at one sphere of government and claim that such sphere does not have capacity because the issue of capacity is a common challenge in across all spheres as Luiz (2002) confirms.

This brings the researcher to a point of giving due attention to the concept of capacity so that it can be made clear that when findings indicate that there is no adequate capacity across the spheres of government what exactly that means. For the researcher, the theorist who has probably gave the conceptual break down of the concept in a most comprehensive manner is Morgan (2006) in his work on *The Concept of Capacity*. In this prototype, he looks at the central characteristics, core capabilities, and unpacks the concept by looking at its foundational components in a way of grappling with the definition of it. Among other key characteristics, he indicate that capacity is about: (i) empowerment and identity, (ii) collective ability, (iii) systems phenomena, (iv) state of potential, (v) creation of public value, and (vi) knowledge and expertise (Morgan, 2006). At the final analysis, he defines capacity as an emergent combination of various attributes and elements that enable human systems to produce developmental value. Looking at the second characteristic which considers capacity as a collective ability, there cannot be any part/tier/sphere of the same government system that can claim to see lack of capacity in another sphere if capacity is looked at from a collective ability point of view in a single government system. Therefore, as the findings of the study reveal, poor capacity affects the implementation of the Accreditation Programme and all spheres of government should look at this challenge in a collective and a holistic way of addressing it. The finding of poor capacity is consistent with the most sections of the literature as discussed in Chapter 2.

#### 5.3.4 Existence of Provincial Sphere: Institutional Challenge

Some of the complex issues that the findings of this study reveal is the manner in which the government of the Republic of South Africa (the state) is constituted. Contrary to the popular notion of appreciating the three (3) levels of government,

findings reveal that the existence of the provincial sphere of government is problematic for the Accreditation Programme. For the researcher, this is one of the very uncommon finding that this study brings. A participant commented as thus:

*“Functions that were supposed to be allocated to municipalities by default are held by provinces who are refusing to assign them to where they rightfully belong” (P#22).*

Another participant pointed out to the removal of the provincial sphere completely and made a reference to an issue that was discussed in the literature review chapter regarding the consideration that the ANC regarding the possible abolishing of the provincial sphere of government. The participant commented and said the following:

*“...accreditation will be successful if the provincial sphere is taken out of the link. What happened to the debate of abolishing provinces... The programme could move if provinces are no more” (P#12).*

This comment links to the debate around federalism in South Africa which was discussed in the literature review chapter. The findings indicate that if this sphere of government did not exist at all, some of the challenges on the Accreditation Programme would not be experienced because:

*“Provincial departments are also reluctant to formally delegate the (housing related) functions to qualifying municipalities” (P#20)*

Therefore, the state institutional arrangement of establishing three (3) spheres in the so called spirit of cooperative governance and intergovernmental relations is not working for some of the government programmes as the findings of the study reveal.

As noted in the preceding paragraph, findings reveal that the existence of the provincial sphere creates challenges for the Accreditation Programme. Without necessarily appearing to contradict the findings but extending the researcher’s perspective from the findings, the researcher’s observation regarding this finding is that it may not necessarily be the existence of the provincial sphere of government

which is problematic, but it could be the challenge of the legislated allocation of government functions and allocation of powers to delegate and devolve the implementation of the housing function. Otherwise, the researcher could argue that the existence of a sphere of government may not necessarily be a problem if the sphere is doing what it is mandated to do in line with the Weberian characteristics of bureaucracy. In a way of attempting to make more sense of the findings, one links the findings to the debate on federalism in South Africa. The Republic of South Africa adopted a unitary state government system which has elements of federalism in practice and in its legislation (Wittenberg, 2003; Wright, 2014; Williams, Sommadossi, and Mujais, 2017). While the debate on federalism in South Africa can be dealt with separately, the researcher contemplates that the meaning of the findings go beyond just the issues of federalisation, but the issue of noncompliance and insubordination to rules. Even in a federal system, roles and responsibilities to tiers of government are provided and those have to be adhered to, otherwise, problems of the same kind may occur. Each sphere of government is allocated different functions and each sphere is supposed to contribute towards ensuring that government functions are implemented. Thus, when roles are not implemented accordingly, the problem may not necessarily be due to the existence of a particular sphere of government, but the problem of neglecting roles and responsibilities as legislated.

#### **5.4 Stage(s) at which Accreditation Bottlenecks Occur**

This section drills down to the operation level in order to examine the stages at which challenges on the accreditation implementation value chain occur. The implementation of the Accreditation Programme can be divided into four (4) stages which are: (i) strategic identification of municipalities, (ii) capacity building on municipalities, (ii) delegation of roles and responsibilities on the housing function, and (iv) assignment (devolution) of the administration of the housing function (complete transfer of administration role to municipalities). Analysis and examination of challenges occurring at the operational stages of the implementation of the Accreditation Programme links to one (1) of the objectives that the study intended to achieve. The researcher also thought that it will be useful to understand the extent to which frustrations associated with the programme if the operational aspects of the programme are examined. Instead of just one (1) particular stage, findings depict that

challenges/bottlenecks occur throughout the four (4) stages of the accreditation implementation value chain/process.

#### 5.4.1 Challenges Occur Throughout the Stages

Participants explained their experiences regarding the operational challenges that they face on the Accreditation Programme. Most of the responses that are noted here were provided by participants who are employees of the provincial and local government spheres who indicated that bottlenecks occur across all stages of the accreditation implementation process. A participant from one municipality indicated that:

*“At a level of identifying accreditation recipients, criteria of selecting the recipients are not applied consistently with the accreditation framework. Lack of capacity of accrediting authority and reluctance of accrediting authority to release delegation or full assignment. In fact, bottlenecks are across all phases my brother. Politicians don’t want accreditation” (P#10).*

Each of the stages of the implementation process has to be approved by MECs before the next stage can be implemented. Probably this is the reason why the participant involved political principal in his response. Another participant from the provincial sphere of government indicated that

*“Politicians are against the programme. Impediments occur throughout the accreditation value chain, from identification to... assignment” (P#6).*

When a participant from the provincial government make a comment like this, it shows some level of frustration since this could mean that their work is not moving and thus they are not achieving targets that could be in her performance agreements. In the researcher’s observation of some of the comments by participant, the impression that he gets is that participants at a provincial sphere could be feeling the adverse effects of the disinclination to the Accreditation Programme by politicians directly since they work with them on day to day basis. One participant actually indicated that his MEC

would just be silent on matters that needs approval concerning the programme. He made this comment:

*“It’s difficult to point out one stage, bottlenecks occur at all stages for different provinces and municipalities. This is because each stage requires approval by politicians, and he keep quiet about submissions sent to his office” (P#9).*

Besides the participants who indicated that challenges occur in each stage, other participants attempted to pick up some stages where they considered as more problematic than others. Bottlenecks of each stage will be presented in turns below and the analysis of findings in each of the stage where findings demonstrate administrative bottlenecks.

#### 5.4.2 Bottlenecks Occur during Municipal Identification Stage

The strategic identification of municipalities is an important stage of the implementation process value chain of the Accreditation Programme. According to the Municipal Accreditation Framework (2012), the identification of municipalities has to be in line with provinces’ developmental directions and priorities (DHS, 2012). However, there was no specific criteria that guide identification of municipalities that was documented at the time of conducting this research. As such, one participant pointed out that challenges occur during the identification stage. He put his comment this way:

*“municipal identification: currently provinces do not have a criteria to identify potential municipalities to be accredited. The national department should help us with a framework for prioritisation and strategic guidance for identification of municipalities...” (P#5).*

Another participants thought that some of the municipalities that get identified for accreditation were not supposed to be identified. The participant indicated that:

*“identification stage... Wrong municipalities are identified” (P#26).*

The above comment was made by a member of the independent assessment panel. The representation of the assessment panel was very important for insights such as these. In their analysis of some of the municipalities that they assess they do depict some of these issues. Findings also make a reflection on the pace at which the identification process occur. One participant noted that:

*“...there has been slow identification of new municipalities for accreditation in some provinces...” (P#3).*

Findings indicate that there are challenges experienced in this stage and that means that other stages will automatically get affected if there is no movement at this initial stage of the process. In the researcher’s observation of the accreditation work, the municipal identification stage forms the very basis of the foundation of the accreditation process. As such, if the foundation is faulty, the process is likely to be flawed all the way. Due diligence is very important in this stage since it should be the beginning of a very massive process in an ideal situation. Identification of municipalities cannot be done for the sake of doing it, but an understanding of the important role of local government in relation to human settlements delivery should be recognised (RSA, 1997a). Pottie (2004) supports the idea of the importance of local government in housing delivery by arguing that municipalities also have an integral role to play in managing housing demand and enabling residential property markets at the local government level. Thus, the Accreditation Programme was introduced to enable municipalities to play additional roles in the housing function and this means that they are denied an opportunity to contribute in the housing delivery process (DHS, 2004; Trusler, 2009). Granted that, the findings depicting that there are challenges in the identification of municipalities simply demonstrate a denial of an opportunity for improved housing and human settlements delivery at local government, and unfortunately such denial is caused at the infancy stage for municipalities to contribute in the process. That being so, it means other stages of the accreditation process will be affected if the first stage is blocked. From this finding, the human settlements sector can take a lesson of due diligence towards avoiding the flawing of the accreditation process value chain. This appears as a new findings altogether.

### 5.3.3 Bottlenecks occur during Capacity Building Stage

Among the four (4) stages of the accreditation implementation process, this is the first stage that has financial implications on the part of provinces. Reverting the conceptual analysis of the subject of capacity, Morgan (2006) indicate that capacity goes beyond funds, resources, knowledge, and systems but the concept is more involved with the totality of all that in an effort to create value. Findings reveal that the capacity building stage is affected by challenges of different kinds. Some of the challenges relate to what was already mentioned in the first section of this chapter regarding the lack of capacity in the state government bureaucracy as a whole. Quite specifically, one participant indicated that:

*“Capacity building is still a challenge in provinces. Provinces struggle to build technical capacity and training in municipality because they do not have capacity themselves. You cannot give what you do not have” (P#16).*

The comment quoted here was provided by a participant from a municipality and he was looking at capacity in terms of knowledge and expertise in relation to human settlements matters. To him, the human settlements section in the province under which his municipality is does not have requisite capacity (knowledge and technical expertise) for housing and human settlements issues. As such, he indicates that provinces cannot give what they do not have. From a finance and resourcing angle, another participant raised a comment that:

*“Provinces do not even budget funds from the HSDG (Human Settlements Development Grant) for capacity building in municipalities” (P#22).*

The participant cited above makes an argument that is consistent with one of the principles of the Accreditation Programme which indicates that funding follows function, which means that when functions are delegated to a municipality, funding should be provided to implement the delegated functions (responsibilities) (DHS, 2012). Coming from an accredited municipality, he laments that the province concerned does not budget and release operation funding to his municipality. The other aspect of capacity noted was the issue of *systems* and equipment which

municipalities request from provinces in order to help them implement delegated responsibilities. A participant indicated that:

*“In terms of capacity building, the province does not build capacity in the municipalities and often deliberately delay to act in everything that is about support to municipalities”.*

All these comments serve to buttress the findings that provinces do not build capacity in municipalities. From the conceptual analysis of Morgan (2006) as supported by Koma and Tshiyoyo (2015), the subject of capacity and the building thereof is a problematic terrain when one looks at it considering the South African state. This is because literature points to the inadequacy of capacity in the state (Luiz, 2002). However, more deeper than that is that the findings here specifically consider capacity challenges at the provincial sphere of government which is the sphere of government that is responsible for implementing most of the government policies. This is an area of concern especially because capacity is important for delivery in a state.

In the case of the housing function, one participant indicated that provinces do not even have that very capacity for implementing the function and how possible can it be that they build capacity in municipalities. In relation to the theory of ideal type bureaucracy, this lack of capacity demonstrate a mismatch with Weber’s characteristics of bureaucracy since officials should be appointed on the basis of demonstrating technical capacity and expertise to handle the office functions (Weber, 1978). The other aspect that warrants attention in this finding is with regard to the notion of provinces not budgeting and transferring the HSDG funding to accredited municipalities. The researcher observes that the national coffers are shrinking and this is evident when one follows the budget speeches that get tabled in Parliament year after year by the Minister of Finance. This means that budget allocated to government departments and other organs of states have to be cut. For the researcher, this means that budget cuts may have trickling effect on number of areas that that require government funds. The case of the HSDG is not an exception to this. Thus, probably this could be the reason why provinces are not budgeting and transferring funds to municipalities. While the finding is specifically on capacity building by provinces to

municipalities, this challenge goes beyond provinces and points to the lack of capacity in the entire government bureaucracy as the literature cited earlier shows.

#### 5.3.4 Bottlenecks occur during Delegation Stage

Findings expose that there are challenges when provinces are supposed to delegate implementation powers of some of the housing responsibilities to municipalities. In the accreditation policy, delegation is described as an agreement between two (2) spheres of government for one sphere to exercise responsibilities on behalf of the other sphere within a policy controlled environment. This is the third stage of the accreditation value chain where the provincial sphere of government is expected to delegate some of the responsibilities within the housing function in order for those responsibilities to be implemented by municipalities. This stage is preceded by a thorough assessment that is conducted by an independent panel of assessors in the presence of independent auditors and produce an assessment report with recommendations to the MECs in order for the MECs to decide on whether or not they award accreditation status. Regardless of the rigorous and thorough assessment process, MECs choose to ignore the assessment reports or decline recommendations especially when the recommendations support delegations to be awarded to municipalities. A participant commented that:

*“Delegation stage is a challenge because it moves powers and functions on housing to municipalities” (P#26).*

This participant was supported by another one who indicated that challenges occur when assessment reports are handed over to MEC offices. He indicate that challenges occur:

*“during delegation. Even when municipalities have met the assessment criteria, provincial departments are reluctant to sign implementation protocol for delegation” (P#25).*

One of the participant, in fact, the most experienced among the sampled participants who is backed by 30 years of experience in the housing sector indicated that

*“In my experience, most challenges occur when it comes to actual delegation, provinces are reluctant. I think it’s somehow perceived as loss of power or control” (P#9).*

Something important to note about delegation is that it is rescindable (DHS, 2012). This means that if capacity and compliance conditions that persuaded the independent assessment panel to give a recommendation for delegation changes, the accreditation status can be clawed back, however, this has to be confirmed by another assessment to scientifically prove such changes (DHS, 2017).

This finding directly links to the research problem regarding the unwillingness to delegate implementation powers of the housing function to local government. It is a worrying issue to note that the unwillingness to delegate the administration of the housing function occurs in the face of apparent delivery challenges which prove that the provincial sphere on its own is unable to delivery in line with the citizens expectations (Morare and Sikona, 2014; Manomano, Tanga and Tanyi, 2016). In Chapter 1, the researcher indicated the declining delivery figures which were 99 904 in 2015/16, 89 186 in 2016/2017, 86 006 in 2017/2018, and 77 684 in 2018/2019 financial years (DHS, 2019; DHS, 2020). This clearly indicate that provinces are not able to keep up with the housing needs in terms of delivery and this is the challenge that the Breaking New Grounds (BNG) Policy foresaw and the Housing Act of 1997 foresaw and proposed for the expanding of the role of the local government through the accreditation of municipalities (RSA, 1997, DHS; 2004). The unwillingness to delegate the administration responsibility of the housing function to the local government contravenes the regulatory frameworks and undermines the Constitutional right of access to adequate housing on the part of eligible citizens who rely on government for shelter. The bottlenecks that occur at this stage are also inconsistent with the theoretical ideas and practice of developmental states. Mkandawire (2001) and Subira (2011) indicate that developmental states development policies, manage structural changes and guide industrialisation in order to achieve socio-economic growth and development in order for the state to address its important outcome such as delivery of welfare and basic services. Welfare programmes are actually developmental programmes especially for the

disadvantaged South Africans whose hope for survival is on the state (Jacobs, Ngcobo, and Hart, 2010). Therefore, the finding that provinces are reluctant to delegate administration powers to local government as a way of withholding power and resources defies the Constitution, policy and legislative frameworks, and the ambitions of creating a developmental state in South Africa. For the researcher, this is one area that needs an urgent attention in the quest for creating an effective and efficient developmental state in South Africa.

### 5.3.5 Bottlenecks occur on Assignment

According to the accreditation policy, the assignment level is the ultimate stage of the accreditation process where powers to administer the housing function are permanently transferred from provinces to municipalities where financial administration over the housing function moves along to municipalities (DHS, 2012). This is probably the worst nightmare for the MECs since it appears that this is the stage that makes politicians to dislike the Accreditation Programme. The six (6) initially declared metropolitan municipalities (City of Cape Town, City of Johannesburg, City of Tshwane, Ekurhuleni, eThekweni, and Nelson Mandela Bay) were ready to be assigned the authority for administering the housing and this was planned to take place in 2014. The Financial and Fiscal Commission (FFC) had already conducted its assessment of the financial and fiscal implications of the assignment of the housing function to the metros and made recommendations ahead of the assessment (FFC, 2014). However, the process was halted by the Human Settlements Minister and MECs (MinMEC) Forum just after the elections in 2014 and most of the local government units did not take this well. There is still a strong belief in local government that some municipalities should be assigned. A participant from a non-metropolitan municipality indicated that:

*“Some municipalities especially metros are ready for assignment but they can’t get it. The process will be frustrated badly until they give up” (P#14).*

As noted in the policy, assignment is permanent (DHS, 2012), and this was reiterated by the participant who reflected that:

*“assignment is what is terrifying the politicians because once you assign you cannot claw back the assignment, so this is where the blockage occurs because provinces can’t let go of the function” (P#3).*

Another participant went to a point of indicating that:

*“There won’t be assignment... The process will be suffocated before it can even begin” (P#14)*

The above cited participant justifies his position by indicating that the process will be frustrated in its initial stage. The researcher took note of the memorandum of agreement (MoA) that was signed between the MEC for Human Settlements and the Mayor of City of Cape Town in 2017 in preparation for the assignment that was planned to be concluded before by 01 July 2018 (IOL News, 2017; Western Cape Provincial Government, 2018). However, the process seemed to have halted and nothing has been reported to follow up the initiate that had begun in the Western Cape.

The findings that challenges occur with regards to the assignment of the powers to implement the housing function to local government does not really come as a surprise especially when the stages that lead to it are negatively affected. This is where the biggest challenge of the Accreditation Programme exists in the researcher’s understanding of the comments by participants. Politically, the housing function or housing delivery is a key priority for electioneering and this is clear from the election manifestos from the majority party from the time of President Mandela until the current era. This is the researcher’s observation which is supported by literature (See Netwera, 2016; Ramukosi, 2018). Findings show that that politicians at provincial level do not want to decentralise the housing function to be implemented at local government level yet when they are campaigning they utilise delivery of housing as a bargaining power in order to get more voters. Netwera (2016) makes an analysis of the political rhetoric by the majority party looking at its local government election manifestos between 1995 and 2011 where housing delivery futures prominently yet it is not a responsibility of local government.

For the researcher, it appears that the majority party is torn between the rock and the hard place with regard to the politics of housing delivery. For the 2016 local government, the election manifesto indicated that the party seeks to advance people power in every community, however, this may not necessarily be possible if local government is not given powers to implement the housing function. As such, this appears like what Netswera (2016) refers to as political rhetoric which is accompanied by promises that are not getting fulfilled. Mutize (2018) actually indicates that the majority party has made enough promises and now it is time for it to act. Could it be that since the Municipal Systems Act of 2000 was adopted, two (2) decades down the line the South African state bureaucracy has not yet build adequate capacity in local government in order to allow for assignment/devolution of government function for implementation locally? Absolutely not, power politics are at play and most unfortunately on the expense of the poor citizens. With regards to the findings on stages where operational challenges occur in the accreditation value chain, one observes that attention to address challenges cannot be focused towards a particular stage because all stages are equally scourged by politics as noted in the extracts and this means that all stages of the accreditation value chain deserve maximum attention.

### **5.5 Likelihood of Intergovernmental Disputes due to the Accreditation Programme**

The findings discussed thus far provide a sense that a dialectical pull for the administration of the housing function exists between the provincial and local spheres of government. Each of these spheres wants the implementation powers of the housing function to itself. As discussed in the literature review, implementation powers of the functions rest with the provincial sphere. Notwithstanding that, the housing decentralisation programme is legislated in the Constitution, Municipal Systems Act, 2000, and Housing Act, 1997 which make municipalities to make a claim over the implementation of the housing function. Based on the challenges on the implementation of the Accreditation Programme that have been experienced since the programme came into existence, the researcher had an intention to establish how intergovernmental disputes are likely to happen in South Africa moving forward. The researcher's intention was geared at addressing the fifth objective of this study. The findings of this study as discussed thus far demonstrate consistence with literature on

challenges affecting decentralisation and it is already noted in this study that the Accreditation Programme constitute one area of disagreement between the provincial and local spheres of government. The example of the intergovernmental dispute between the Western Cape Provincial Government and the City of Cape Town regarding accreditation as discussed by Christmas and De Visser (2009) was a wakeup call. The researcher sought to determine if such disputes are likely to happen again moving forward and what exactly will be the cause of disputes. Findings reveal that intergovernmental disputes are likely to happen again, and three (3) issues are likely to make them happen. The same issues are discussed in turns, they are: (i) selfishness of the provincial sphere of government, (ii) resources for implementing the housing function, and (iii) constitutional provisions for decentralisation (delegation and devolution).

#### 5.5.1 Disputes are Likely due to Selfishness of the Provinces

It was depicted in the findings of this study that intergovernmental disputes are likely to occur in future due to the selfishness of provinces. In Section 1 of the Intergovernmental Relations Framework Act of 2005, an intergovernmental dispute is a disagreement between different spheres of governments/organs of state from different governments regarding a matter/function arising from: (i) a statutory power/function assigned to any of the parties involved; and or (ii) an arrangement between parties on the implementation of statutory functions, and as such justiciable in the court of law (RSA, 2005). The findings of the study indicate that disputes can emanate from the self-centredness of the provinces. A participant indicated that:

*“Possibility of IGR dispute is inevitable. The reluctance of the provinces to release the function to local government due to selfish ambitions will make us fight” (P#13).*

The selfish ambitions that the participants refers to in this case is the withholding of the administration of the housing function. Another participant said that:

*“Disputes will occur because provinces are not acting in the best interests of the poorest of the poor. They advance their interests more than anything...” (P#19).*

The welfare agenda with regards to housing is a constitutional right to the citizens as provided in Section 26 of the Constitution. Another perspective that was provided was in respect to retaining funding and resources instead of providing same to the municipalities. To this effect, a participant had this to say:

*“...the likelihood of disputes is very high. Decentralisation and accreditation involve shifting of funds and other resources which provinces would like to withhold for selfish reasons” (P#6).*

The latter extract was provided by a participant from the provincial sphere of government confirming what participants from the local sphere of government are indicating about the selfishness of provinces.

The researcher considers the confirmation of the idea of provincial selfishness with regard to the housing function. For the researcher, making sense of the findings may have to consider the meaning of the terms utilised in this finding. The concept selfishness is common in social and behavioural psychology. To make sense of what selfishness is about, a classical theorist in psychology, Rand (1964) argues that people do not really sacrifice themselves because every purposeful action is based on motivation of some value that people desire and this makes everyone to be selfish whether wittingly or unwittingly. He also indicates that selfishness is about self-interest where one focuses on different means to achieve their subjective goals, as such, selfishness entails two (2) issues: (i) hierarchy of values based on an individual standards of interests, and (ii) unwillingness to sacrifice higher value for lower value (Rand, 1964). Bringing this to the research problem, it means that the unwillingness of let go of the implementation of the housing function and its resources by political principals at provincial level may mean that they do not see value in delegating and devolving the housing function to local government. Thus, this is tantamount to selfishness when the approach by Rand (1964) is applied. What is quite amazing for the researcher is that this sense of selfishness as argued in the findings is happening

in the same government. Sociologically, selfishness goes against the societal concept of altruism which was theorised by Durkheim (1895/1982 and 1966/1897) in his analysis of suicide in a society. The researcher suspects that the issues of cooperative governance and intergovernmental relations is not carved into the very being of the South African spheres of government. This puts into question the essence of unitarism in the South African state when spheres view each other on the basis of the notion of *us against them* instead of considering themselves as one state government.

### 5.5.2 Contestation of Resources for Implementing the Housing Function

Another possible source of intergovernmental conflicts that the findings of the study provided is in relation to the contestation between the provincial and local government sphere over the resources to implement the housing function. Housing and human settlements related functions are funded from the Human Settlements Development Grant (HSDG) and the Urban Settlements Development Grant (USDG). The former is the main grant that caters for all capital projects and operational funding in the human settlements sector whereas the latter focuses in the metropolitan areas especially in urban spaces and bulk services especially in informal settlements (RSA, 2020). Other grants are top sliced from the HSDG to cater for emergencies, title deeds, and informal settlements matters (RSA, 2019 and 2020).

Principally, the grant that takes care of housing and human settlements delivery is the HSDG which the greater proportion of it goes to the provincial sphere since provinces are responsible for the implementation of the housing programmes. Participants indicated that the contestation over the grant can create intergovernmental disputes. This was said by one participant:

*“The big issue that will cause fights between provinces and municipalities is money. Remember the principle that says funding should go with the function? If decentralisation of housing occurs, funding moves to local government and provinces are doomed...” (P#9).*

The same sentiment was shared by a participant from the South African Local government Association (SALGA) who indicated that:

*“Financial resources are at the cause of the likelihood for disputes between the two spheres of government” (P#24).*

Another participant from the national government had this to say

*“...the funding follow function matter is the problem. They will fight for that funding (P#4).*

Both the two (2) spheres of government appear to be in need of the financial resources for the implementation of the housing function. With regard to the local sphere of government, the accredited municipalities demonstrate the need for HSDG for both operational and capital funding.

The findings of the study are consistent with the findings of a study conducted by SALGA on the utilisation of human settlements funds and confirm that there is refusal by provinces to transfer the funds (SALGA, 2017). According to Section 12(6) of the Division of Revenue Act (DoRA) of 2020, provinces must gazette the planned expenditure transfers for the next three (3) years. This provision has been in the previous editions of the DoRA, however, provinces had consistently been non-compliant to it (except for the Western Cape) until it was resolved in the human settlements sector that provinces that do not gazette funds to accredited municipalities will not receive their HSDG funding too (RSA, 2020). This made provinces to be forced to comply. However, their compliance was malicious since some only gazetted but did not transfer the gazetted fund (SALGA, 2017). This practise is consistent with what the findings of the study are revealing. The findings of this study consider the issue of withholding funds as a source of intergovernmental dispute. This finding is also consistent with the existing literature as noted in the study conducted by SALGA specifically on the subject of funding for accredited municipalities. The findings demonstrate that the provisions Intergovernmental Fiscal Relations Act to promote cooperation in terms of fiscal, financial, and budgetary matters across the three (3) spheres of government are not adhered to (RSA, 1997d).

### 5.5.3 Disputes are likely due to Constitutional Provisions on Decentralisation

It was revealed in the study that among other possible sources of intergovernmental conflicts is right inside the Constitution. Findings are consistent with the Constitution which allows for the administration of functions to be devolved to local government, however, provinces are unwilling to devolve such implementation powers and this is a source of possible disputes between spheres of government. The expectation from local government is that the function will ultimately be implemented locally in line with the Constitution just as one participant indicated:

*“...local government need the function because it can be best implemented locally and municipalities are building capacity... Section 156 subsection 4 of the Constitution says so if I’m not mistaken. The province wants to contradict the Constitution...Disputes are inevitable” (P#18).*

The Constitution foresaw that there will be a need for such an arrangement to happen, the implementation of the Constitution has to be defended. This was the idea of the participant who commented that the intergovernmental dispute will occur in order to defend the Constitution. This is how the participant puts it:

*“There will be an IGR fight to defend the Constitution. The Constitution says the function should be given to local government. Why should provinces want to withhold it...” (P#13).*

The same idea rested on another participant whose exact words were that:

*“The Constitution allows decentralisation of government function to municipalities, so municipalities will not stop to look for those functions. No matter what it takes” (P#24).*

This means that even if it takes conflicts between provincial and local spheres of government, as long as the function is devolved to local government. The last extract provided is an idea of a participant from SALGA who has noted and witnessed heated discussions between a province and a municipality which cannot be mentioned here.

Chapter 4 (Sections 39 to 45) of the Intergovernmental Relations Act of 2005 is dedicated to the settlement/resolution of intergovernmental disputes in the South African states (RSA, 2005). In the researcher's view, the chapter considered that there would be intergovernmental disputes because of the provisions of the Constitution. For example, Section 41(1)(h)(vi) spheres of government must cooperate in mutual trust and good faith by avoiding legal proceedings against each other (RSA, 1996). This is a clear indication that the Constitution acknowledges upfront that there would be conflicts among spheres. The surprising issue is that the section where this is mentioned in the Constitution is about the principles of cooperative governance and intergovernmental relations. Could this have an upfront acknowledgement that the Constitution knew that the cooperative governance and intergovernmental relations may not work? Probably the answer is yes because Section 41(2) begins to contemplate on the enactment of the Intergovernmental Relations Act which provides for resolution of intergovernmental disputes among other matters. For the researcher, this means that there is either something wrong with the Supreme Law of the country or it is wrongly interpreted or even abused to justify certain ends. According to the findings as presented, in the first place, it is noted as the source of intergovernmental disputes between the spheres of government. Again, it presents cooperative governance and intergovernmental relations principles at the same time acknowledging that the principles may not work. The findings regarding intergovernmental disputes from the basis of the constitutional provision demonstrates some of the contradictions in the Constitution (IDEA, 2016).

## **5.6 Solutions to some Challenges Affecting the Accreditation Programme**

From the interviews conducted, the researcher anticipated suggestions on options which could be attempted in order to address challenges experienced regarding the Accreditation Programme. The researcher sought to know what possible remedies can be attempted from the perspective of the implementers of the programme. The findings of the study suggest seven (7) options as possible remedies for challenges affecting the Accreditation Programme. The options obtained from the findings may not necessarily be implemented all at once since some are contradictory and some are complementary to one another. One or a combination of some of them (especially the

complementary ones) may be feasible for implementation depending on what the government (human settlements sector) may choose to implement.

#### 5.6.1 Give the Programme a chance of Uninterrupted Implementation

The findings of the study indicate that there is hope for the Accreditation Programme regardless of the challenges encountered. What is apparent is that there is a need for the Accreditation Programme to support the global decentralisation agenda (UN-Habitat, 2009) and to improve good governance through public participation and Integrated Development Plan (IDP) processes which happen at the local government level (Siddle and Koelble, 2016). Participants indicated that the programme should be given an opportunity to run without interference. Among them, one participant indicated that:

*“Allow the programme to run without political interference and changes in policy directions. Educate politicians of the difference between accreditation and assignment” (P#25).*

Findings acknowledge that two (2) among other main challenges for the programme are political interference and limited understanding of the programme and its possible benefits. Another participant commented like this:

*“let’s see what can happen if the programme can be implemented as is in the policy without disturbances and municipalities get accredited based on merit not for other reasons. Things like credible planning, capacity, compliance and performance and financial management should considered...Trust me, the outcome will be different (P#4).*

The same sentiment was shared by a participant from the provincial government who said:

*“The programme should be given an opportunity to be implemented in the absence of political and power disturbances. And also, come up with a strategic model for identifying municipalities for accreditation...” (P#7).*

Findings indicate that there is hope for the programme to be implemented effectively in order for it to address its objective. However, the important issue to grapple with is whether or not politicians will cease to meddle in the operations of the programme and let it run as it is in the applicable policy without any form of interference.

In a study conducted to improve public sector efficiency to conquer challenges and maximise government opportunities, Curristine, Lonti and Joumard (2007:2) posit that that their findings suggest that devolution of implementation of government functions to sub-national governments is one of the options to address challenges of governance and service delivery. In an attempt to make sense of what the option that the findings provide, the researcher considers that it could be useful to give the programme a chance to be implemented without interruptions. Without focusing on the political interruption since it has been discussed in most parts of the chapter, the researcher take interest in the policy interruption. The findings is important because the suggested policy review by MinMEC was not on the basis of evaluation of the 2012 policy where implementation failures could have informed the review process. However, the review came as an executive decision. There is no universal rule that governs how long a policy should be implemented before it can be reviewed, however, policies can be reviewed anytime depending on peculiar dynamics as informed by strategies that organisation develop (Cerna, 2013). Theorists in the field of policy development and review recommend at least ten (10) years for a policy to be implemented, lessons to be learnt, creation of compliance culture, identification of policy impact, and evaluation to be consolidated (See Sabatier and Mazmanian, 1980; Mazmanian and Sabatier (1983). However, in the researcher's observation, medium-term implementation policies can be implemented for a period of five (5) years linked to the Medium-Term Strategic Framework (MTSF) period which is the five (5) years of government administration.

The finding is consistent with the theories for policy review/change which argue that if there is nothing wrong with the policy, keep it running, However, if there is a pressing need for an urgent review, such review should be conducted (Christensen and Laergreid 2001; Christensen, Baumann, Ruggles, and Sadtler, 2006; Cerna, 2013). On the basis of either of the two (2) theories of change which are *disruptive innovation*

or the *sustaining innovation theory* (Cerna, 2013). In disruptive innovation theory, scientific justifications should be provided in order for radical change to be applied various aspects and areas of a policy (Christensen, Baumann, Ruggles, and Sadtler, 2006). In the application of *sustaining innovation* theory, improvements to existing policies are made without introducing radical features that can affect existing services, systems, and products (Christensen and Laergreid 2001). In the researcher's observation, this theoretical approach to policy change and review does not seem to be applied in South Africa, at least with regards to the review of the review of the accreditation policy.

### 5.6.2 Depoliticise the Accreditation Programme

Findings reveal the need for the Accreditation Programme to be depoliticised. This means that let it be an administrative programme which is run by bureaucrats meaning executive decisions on the programme should be taken by accounting officers. In other words, findings suggest that the programme should be bureaucratised as opposed to being politicised which is the way that it is currently. Commenting on the depoliticisation of the programme, one participant from the provincial government said that:

*“Depoliticise it (the programme) and make it more administrative as far as possible. Decision makers on it should not be politicians as it is now” (P#5).*

Another one just simply indicated that:

*“Keep MECs out of it” (P#3).*

It is acknowledged in the findings that MECs are the problematic cluster of people as far as the programme is concerned. Another participant indicated the following:

*“Delink the accreditation from politics and remain administrative function” (P#24).*

Findings demonstrate that the programme should be depoliticised, and in real sense, this will mean review of the legislation to achieve the option provided in this finding.

Politicians and political interference at national and provincial levels of government are probably the greatest enemy of decentralisation projects to local government. The findings that suggest the depoliticisation of the decentralisation project for the implementation of the housing function at local government could be replicated to any circumstance of the same kind. This is also asserted by Cuadrado-Ballesteros, Garcia Sanchez, and Prado-Lorenzo (2013) indicate that politics are the greatest challenge to decentralisation of function to local government in different parts of the world.

This means that the challenges experienced in the South African context with regard to the Accreditation Programme are not peculiar to the country. The researcher assumes that it will be useful at some point to make an analysis on how to deal with politics and political influence on matters of decentralisation. The findings of the study suggests that powers to decide on the Accreditation Programme should be removed from politicians by legislation. However, this may not be the long lasting solution since bureaucrats are under politicians in the government bureaucracy structure in South Africa and in most other democratic countries. This may equally mean that politicians can still manipulate their way around the decentralisation agenda. This finding is consistent with what White (1996) advises that governments should cease from politicising development programmes and social development initiatives.

### 5.6.3 Improve Cooperative Governance in Spheres and Sectors of Government

One issue that have been emphasised in the previous findings under this chapter is that the manner in which cooperative governance and intergovernmental relations are applied currently is not very profitable to the South African state. It is probably for this reason that the findings of this study suggest the improvement on the intergovernmental relations and cooperative governance application in order for the Accreditation Programme to be implemented effectively and efficiently. To this effect, a participant from the panel of assessors indicated that:

*“All spheres and sectors should agree on the direction regarding decentralisation of housing” (P#26).*

The national government was represented by the participant that had this to say:

*“... inasmuch as there is no genuine cooperative governance right across the board, the housing decentralisation will remain a challenge. Otherwise, this has to be fixed” (P#2).*

Cooperative governance links various stakeholders for a common course where all have different roles to play. In an attempt to demonstrate the manner in which intergovernmental relations can be improved, findings indicate that there should commitment to playing roles by stakeholders across the three (3) spheres of government. This participant indicated that it will be important to:

*“Ensure commitment to intergovernmental relations should and cooperation among spheres. Otherwise, they belong to one government” (P#20).*

This finding is also consistent with the literature (See Tapscott, 2000; Ngoy, 2009). On the basis of the finding on improving the application of the intergovernmental relations and cooperative governance, the researcher observes that some of the challenges affecting the programme could be alleviated. This observation is aligned to what is argued by authors such as Crawford (2009), Sana (2011) and Feinstein (2015) who indicate that all stakeholders have to be willing and committed to support decentralisation in order for it to be implemented without challenges.

Probably, the starting point towards making sense of this finding is to try and understand the basis of intergovernmental relations and cooperative governance in South Africa. Bastian and Lockham (2003), Murray and Simeon (2011), Yitirmesi (2018) argue that the 1996 Constitution and the hybrid mixture federalist-unitary government system in South Africa are the results of a mechanism of finding the middle ground between the two (2) major opposing forces during the negotiation for transition led by the ANC and the NP. Now, the current local government in the post-apartheid South African democratic state occupied the space that was seen as making the apartheid effective in the form of Bantustans (Wittenberg, 2003; Thompson, 2001; Amusa and Mabugu, 2016). South African local government in the past regime was

constituted by the ten (10) Bantustans which consisted of six (6) self-governing territories and four (4) black independent homelands that were referred to as “TBVC” states, which is an abbreviation for Transkei, Bophuthatswana, Venda, and Ciskei states (Wittenberg, 2003; Amusa and Mabugu, 2016). These local government units were created to serve the apartheid policy of the central government.

Clearly, there was no cooperative governance and intergovernmental relations in the past regime, however, the national/central government did as it pleased, in fact, it utilised the Bantustans (local government) to advance its (national government) interests (Wittenberg, 2003). In the researcher’s view, the same *modus operandum* is still in force to this day. As such, the notion of intergovernmental relations and cooperative governance may never be as effective in practice as it is in theory, and this may mean that the finding might be a little bit ambitious in foreseeing an ideal intergovernmental relations system. This is probably the reason why Tapscott (2000) indicates that the intergovernmental relations and cooperative governance system is not working properly regardless of the principles outlined in the 1996 Constitution. Reverting to the finding, on improving cooperative governance among the three (3) spheres of government, the researcher opines that government can only do its best as far as this ambition is concerned. However, one can argue that the legacy of apartheid will always be the stumbling block for creating an ideal unitary state that sees each sphere as a government partner not an opponent/competitor. Actually, in the researcher’s analysis, intergovernmental disputes are a clear sign that the three (3) spheres of government do not view each other as one part of the whole, but they view themselves as three (3) parallel governments each of which has rights and powers for its own existence.

#### 5.6.4 Address the Political Will and Support Aspects

The findings reveal that as long as politicians are not willing to support decentralisation, challenges for the programme will continue. Granted that politicians are the executive authorities in the human settlements sector, their support for the programme is required. This demonstrates that even if the programme can be bureaucratised, politicians can still be able to make it difficult for accounting officers to

take positive decisions on the programme. The finding is consistent with the literature that decentralisation depends on political will. One participant highlighted the following:

*“I think first the political buy-in must be attained in all spheres of government because without this the whole process will be frustrated” (P#4).*

This comment was raised by a representative from the national government who also indicated that the political will that is required is not only of the MECs, but throughout the three (3) spheres of government. A participant from one of the accredited municipalities indicated that:

*“...as long as the national leadership under the minister of human settlements do not support the programme, it will always be easy for leadership at the provincial levels to be reluctant and sabotage the programme” (P#17).*

The provincial sphere seem to support the notion of political will at the level of intergovernmental form on human settlements where the Minister, MECs, and SALGA are part to MinMEC forum. A participant said this:

*“Political will from MinMEC will ensure the successful implementation of the programme” (P#8).*

It is the researcher’s observation that the subject of political will and support is important for any government programme to be fruitful, and thus the findings reveal the importance of political will and support by the findings.

The findings indicate that the Accreditation Programme needs political will for its success, however, the big question is whether or not such political will can be there for the programme. Evidence has shown in different post-colonial states that the lack of political will affects decentralisation negatively. Yeboah-Assiamah (2016) indicates that decentralisation in Ghana sought to take power to the people through empowering local government, however, that ambition is being realise because of the lack of

political will by political elites. The findings of this study proposes an option of addressing political will regardless of how it may seem difficult to obtain. The researcher opines that this is probably the most controversial finding of the study since according to what has been discussed thus far already points to the issue of the lack of political will as the main problem affecting the Accreditation Programme. It appears that lack of political will and support is the common challenge to decentralisation projects in different parts of the world. In the researcher's analysis of the literature on the subject of decentralisation, there has not been a single state globally that has been able to address the challenge that politics impose to decentralisation. The researcher hopes to bring about recommendations regarding the issue of politics and the concomitant challenges to decentralisation although this will be linked to his theorisation of the developmental theory for South Africa.

Breaking down political will could be an ideal starting point for analysing this finding. In an attempt to break down what political will is all about, Brinkerhoff (2010) acknowledges that the concept is quite complex for three (3) reasons: (i) it involves intents and motivations which are intangible phenomena, and as such, they are impossible to assess and are prone to misrepresentation and misunderstanding. (ii) it exists at individual and collective levels wherein it can be considered as attributes that show a person's values, priorities, and desires at individual level whereas for collectives is even more complex to understand. (iii) although it may be expressed in words, it actually manifest through action and or inaction. The researcher wishes to add the fourth reason for its complexity by indicating that political will is influenced by political ideology as Harrison and Boyd (2003) argue. Brinkerhoff (2010) thus defines political will as the commitment by politicians to embark on actions towards achieving objectives and to sustain the costs of such actions over time. As noted in the preceding sections, the issue of political will in the provincial sphere is embedded in the notion of selfishness which is motivated by interests and values (Rand, 1964).

With regard to its relationship to a political ideology, the researcher opines that politicians will rarely act outside a political ideology that they subscribe to since their values, motivations, and interests are part of the same political ideology. For example, Twala (2014) argues that the ANC held a liberation ideology before it was in power and now it holds a ruling and power-maintaining ideology. He adds that what the ANC

ideologically aspired to as a liberation movement before 1994 is not the same compared to what it is confronted with as the ruling party, as such, the ideology has changed over time and its current ideology now is to keep, maintain, and sustain its ruling power status by all means in South Africa (Twala, 2014). So what does this mean for the political will of the ANC politicians? It means that they will keep their power by all means. The findings of the study propose an option of addressing political will for the programme that seems to remove power from the provinces which are predominantly governed by the ANC to local government where different political parties are gaining strength. In the researcher's observation, this may not necessarily work. Probably, the best option could be for the ANC to strengthen its local structures and branches in order to ensure that when decentralisation (delegation and devolution) occur, the local government will be in the hands of the ANC still.

#### 5.6.5 Integrate the Programme with other Government Programmes

One of the most crucial option which also contribute to coordinated development in the country as suggested in the findings is that of linking the Accreditation Programme to other developmental programmes of the country. The development of the NDP 2011 was one of the ways to bring some alignment to government development since it touches on nearly every government sector (NPC, 2011). Findings reveal that some of the challenges encountered by the Accreditation Programme could be addressed if the programme can be linked to the developmental direction of the state. In the researcher understanding, findings indicate that the implementation of the programme to contribute in the ambition of establishing a developmental state in South Africa. A participant indicated that:

*"...integrate the programme to other development initiatives established in other sectors of government and see what happens" (P#12).*

The sentiment is shared by the panel member who indicated that:

*"the accreditation programme should be consolidated to other programmes of government..." (P#25).*

One area that the South African government has been blamed on is uncoordinated development where government development programmes are not in sync (Siswana, 2007; Razzano, 2016). This is probably the reason why government introduced the outcome-based approach to link different departments whose work relates to one another in order to plan and coordinate projects together. Mthiyane (2011) suggest that there should be a policy framework in order to monitor and evaluate such outcome-based approach in government development programmes in order for the approach to yield intended results.

The findings of the study propose integration of the different developmental programmes of government towards ensuring coordinated and seamless development. This is one of the objectives that the South African government has been attempting to meet in the previous two (2) decades. In South Africa, government introduced the government programme of action which came along with different government clusters wherein sector departments were clustered together in order to assist government in chasing common strategic goals. One may argue that the outcome-based approach that was introduced during President Zuma's administration is also attempting to achieve coordinated development by bringing together different sector department and their programmes, and projects for coordinated development. Coordinated planning among different sector departments is exactly what the South African government needs otherwise the silos mentality and silos operation have no space in effective human settlements development because human settlements delivery requires different sector departments to work together in order to achieve it (DHS, 2009). In his attempt to clarify what human settlements is all about, the former President Zuma indicates that human settlements is not only about building houses, apartments, and providing serviced sites but it is about the transformation of cities and towns and building cohesive, sustainable and caring communities that are closer to places of work, social amenities, sports and recreation facilities (Presidency, 2009). The former Minister of Human Settlements, Mr Tokyo Sexwale indicates that human settlements is about ensuring that where people live must also be where they can learn which has to be also in close proximity to where they leisure, play and pray (Polity, 2011). Right there, a number of sector departments are implicated because this implies involvement of departments such as education, public works, sports and recreation, among others.

In order to demonstrate the importance of the finding on integrating government developmental programmes, the researcher is reminded of a blunder that was made by the human settlements sector at one point in the implementation of one mega-human settlements project under the Integrated Residential Development Programme (IRDP). The project was implemented in the City of Johannesburg Metropolitan Municipality in an area called Cosmo-City which is in the North Western side of the Johannesburg. As a classic IRDP project, the project had to cater for different types of housing typologies. The project was meant to achieve spatial integration among different social class of people, thus, four (4) typologies of housing arrangements were developed and those typologies are: (i) fully subsidised housing which is also known as free government houses, (ii) rental stock, (iii) finance credit-linked housing, and (iv) fully bonded housing wherein all residents receive same level and quality of services from the government (Lebeta, 2009; Ruiters, 2009; Palmer Development Group, 2011).

In its inception, the project incorporated the implementation of full range of other government services and social facilities which include, among others: crèches, schools, clinics, and parks, among others since the aim was to create a socio-economically viable community based on the sustainable development principles (Lebeta, 2009; Ruiters, 2009). However, due to poor coordination with other sector departments, no health facilities, no trading facilities, and no police station were built in the area, and this necessitated retrofitting so that these other sector departments can bring their own services to the people (Lebeta, 2009). Out of the 43 conservation sites, 6 were completed - out of 12 schools, 3 were completed – out of 3 clinics, 1 mobile clinic was secured – neither municipal nor business nor institutional erven was developed by the time when people started to occupy the houses (Social Housing Foundation, 2008). This became the classic case for drawing lessons regarding the integration of development programmes in the country. As such, the finding on integrating the accreditation programme to other development programmes makes a lot of sense. As part of the contribution of this study, the researcher attempts to map out a framework for identification of municipalities in a way of locating the Accreditation Programme within other government programmes for the purposes of coordinated development and within the spirit of building a South African developmental state. Details of this will be discussed in Chapter 7.

### 5.6.6 Consider Renaming the Programme

Findings indicate that the name accreditation may have to be changed since the term accreditation is commonly utilised to refer to something different to what it suggests in relation to the housing decentralisation programme. The Municipal Accreditation Framework (2012) defines accreditation as a recognition by an provincial MEC for Human Settlements that whilst a municipality has satisfied criteria and standards such a municipality requires additional support and capacity towards assuming full responsibilities for administering national housing programmes (DHS, 2012). Although it may not have been elucidated in the definition provided, however, the undertone of assessment in order to obtain a recognised status for something is clear in the definition. However, the findings indicate that the term utilised is not a suitable one for the programme. A participant indicated that:

*“It may not seem very important, but the name given to the programme does not suit it. It is not very common in government” (P#14).*

Findings suggest that the name is not suitable to designate the programme. It can be renamed to housing decentralisation programme. The participant puts it this way:

*“repackage it in the manner of using a more acceptable concept. Maybe housing decentralisation programme” (P#2).*

A participant from local government also indicated that:

*“try to rename the programme and call it decentralisation of housing function. Accreditation is known to mean something else and the term is utilised loosely” (P#21).*

Howard, Gengler, and Jain (1995) indicate that names are very important because they carry a complimentary persuasion of phenomena to which the names are given and ascribed.

The findings suggest an option of renaming the Accreditation Programme to a catchier and common name for what the programme is all about. It is suggested from this findings that the name brings along confusion which affects implementation of the programme. The term *accreditation* is common in the education and training sectors (Hegji, 2017). The South African Council for the Project and Construction Management Professions (SACPCMP) defines accreditation as an assessment for an academic programme, department or an institution against a set of requirements to ensure competency and desired conduct among graduates (SACPCMP, 2018). Another definition is provided by Gola (2003) who opines that accreditation is a process to introduce quality standards in accordance with objective parameters for subjects who implement actions in order to achieve policies for human resource development. Regardless of the literature input on issues of names, the researcher's view is that the option of changing the name as suggested in the findings of the study could be more impactful if the biggest challenge of the programme was mainly on the name which is confused with something else, however, as the findings revealed, the greatest challenge is politics and political interference. As such, for the researcher, probably the order of priorities could be to address the issues of politics and political interference, and thereafter change the name of the project into something catchier and this is because the researcher believes that the name can be changed but still the political challenges of the programme continues. It could therefore be more useful to start off by addressing the elephant in the room which is political challenge. Regardless of the researcher's misgivings, the finding is consistent with the literature as Howard, Gengler, and Jain (1995) indicate that names carry a complementary persuasion of phenomena.

#### 5.6.7 Review the Programme for better Implementation in Future

It is also suggested in the findings that the government (human settlements sector) should consider reviewing the Accreditation Programme in order to tighten other loose screws in it. Findings suggest that as, it is currently, the programme has been negatively affected by a number of challenges. As such, the programme should be halted and resume after sometime of cooling off especially because it has attracted a lot of negative energy. One participant had this to say:

*“...let’s try and change it. In its current form, it will create a lot of fights with municipalities. Give it a cooling period, and thereafter review it. No need for a rush...” (P#23).*

Another participant indicated that:

*“We can consider to stop the programme until we are ready and bring it back in a different form” (P#5)*

Another one commented and said the following:

*“Refine the programme. It’s not working currently. Politicians are all over it. You know that when politicians smell money and fame on a government programme they politicise it” (P#11).*

For the researcher, this option from the findings indicates that there is a need for the Accreditation Programme to be implemented, therefore, whatever it take to make the programme work should be attempted.

Reviewing the programme for better implementation in future is a possible option as the findings suggest. The researcher is of the view that a scientific study was thus very important in order to form the basis of such review from the empirical findings. The outcome of this study can thus serve that purpose. The findings suggest that a gap could be taken on the implementation of the programme. This means that the programme should be stopped for a while until the environment is conducive for its implementation. This finding differs from a usual review process of government policies since reviews occur while policies and programmes continue to take place in a normal/usual way while awaiting approval in order for the alterations that come with the review to take effect. The finding thus suggests something very unusual and this may create a challenge in determining whether or not the environment is conducive for the programme to resume.

## 5.7 Chapter Summary

This chapter explored challenges associated with the implementation of the Accreditation Programme in South Africa. Findings discussed in this chapter are categorised into themes and sub-themes derived from the data analysis exercise discussed in the previous chapter. For the purposes of buttressing the discussion of the themes and sub-themes, the researcher utilised extracts from the data to demonstrate the authenticity of the themes that the researcher identified. The researcher provided three (3) relevant extracts to support the themes in the discussion. In summary, five (5) themes were discussed in this chapter. The first one was about the poor understanding of the programme among top bureaucrats and politicians which cause challenges for the programme. This was followed by the discussion about poor implementation of the programme in South Africa. The sub-themes were administrative challenges, political challenges, capacity challenges, and institutional challenges. Another theme was on the areas where challenges are experienced across the accreditation process. Another one was in respect to the possible cause of future intergovernmental dispute due to the implementation of the Accreditation Programme. The last one focused on some of the possible solutions for the challenges identified. The next chapter examines and discusses findings on existing perceptions of the Accreditation Programme in South Africa.

## CHAPTER 6: EXISTING PERCEPTIONS ON THE ACCREDITATION PROGRAMME

### 6.1 Chapter Overview

This is the second chapter on the empirical findings. As noted in Chapter 1 and chapter 5, the aim of the study was expressed in two-fold which was to explore both *challenges* and *perceptions* on the implementation of the Accreditation Programme. The exploration of the challenges was done in the previous chapter and this chapter continues to explore perceptions on the programme. Findings in this chapter are compressed into a number of themes that were formed/developed during the data analysis process. The themes provide some enlightenment on different perceptions that participants raised regarding the Accreditation Programme, and that includes among others, perceptions on: (i) preference between centralisation and decentralisation systems, (ii) understanding of decentralisation in government, (iii) the notion that accreditation disempowers provinces, (iv) the location of powers to implement the housing function, (v) the notion that accreditation removes power from a political party to another, (vi) who should have powers to accredit and assign, among others. These perceptions are very useful for the researcher to have a sense of what accreditation champions in the human settlements sector think about the programme.

### 6.2 Preference between Centralisation and Decentralisation Systems

Since the study aimed to explore perceptions on the decentralising of powers to implement the housing function in the local government in South Africa, it was prudent for the researcher to examine the perceptions of participants regarding their preference between the centralised government system and decentralised government system. In *table 2: Profile of the Sample*, the researcher made a highlight on the participant's preference in order to present the imbalance on preferences between the two (2) government systems right from the sample representation. However, in this section, the preferences are presented and discussed as findings alongside justifications that participants provided with regards to what they prefer. Findings indicate that there are participants who prefer decentralisation, others prefer centralisation, whereas others prefer the combination of the two (2) government systems. For the researcher, the significance of examining preferences was to enable

the researcher to determine whether there is a relationship between the challenges affecting the programme and the preferences of the implementers. This would assist the researcher to understand the attitude of the implementers of the housing decentralising programme towards the programme.

### 6.2.1 Preference on Decentralised Government System

Findings demonstrate that the decentralised government system is mostly preferred as compared to a centralised government system. Participants provided a variety of reasons for preferring a decentralised system. One participant indicated that:

*“I prefer decentralisation because it locates powers and functions over government services at a sphere of government that is closer to the citizens...It also reduces government red tape...and enhances accountability to communities... It also improves government efficiency” (P#9).*

Another participant said that:

*“I prefer decentralisation as it makes more sense and prevents duplications and delays in both governance and delivery of services to the people” (P#10).*

This comment relates to the concept of organisational efficiency and effectiveness which are important concepts in the Weberian theory of bureaucracy. The other participant commented in almost the same way with the previous one by putting it this way:

*“...decentralisation is the best. It rationalise government work for good governance and service delivery. Research on decentralisation proves that the closer the policy and implementation sphere is to the people, the adequate and responsive it is, ‘ceteris paribus’ (other things being equal)” (P#3).*

The three (3) participants cited here are from the three (3) spheres of government, and to a certain extent, this may to a certain extent, signify that the implementers of the programmes across all spheres prefer the decentralised government system. This finding is important in the way government officials in charge of programmes like the Accreditation are aware that decentralisation yields efficiency by rationalising government operations. There seem to be a shared view among officials of the centrality of decentralisation and its benefits. This demonstrates an awareness among officials on what decentralisation is and what it brings to the way government works. It is not simply a case of preference for the sake of it.

As noted in the literature review, the International Council on Human Rights Policy (ICHRP) (2005) argues that the preference for decentralisation more especially in the developing countries in recent past decades has been unparalleled where over 80 per cent of all developing countries have adopted some form of decentralisation. This notion has a reflection on the responses received from participants regarding their preference between centralisation and decentralisation. The preference for the decentralised systems appears to be justified by reasons that link to established theory in literature. For example, findings indicate that the preference for the decentralised government system enables government to be efficient and effective on matters of governance and service delivery. The other reasons that is worth noting is that decentralisation rationalises the work of government. These two (2) reasons are crucial in understanding the characteristics of the Weberian theory of bureaucracy. Weber (1978) indicates that the application of bureaucracy is the rationalisation of societal structures, organisational structures, and social relations in order to achieve specific goals in a society. Weberian theory of bureaucracy provides that state organisations and societies can adopt a bureaucratic model in order to be efficient and effective in addressing their mandates and achieving their goals (Weber, 1930, 1946, and 1978). Decentralisation as it is understood from the perspective of the participants rationalises government work and makes government work effective, it means that the findings are consistent with the Weberian theory of bureaucracy in its interest towards making states and organisations to be effective in achieving their goals. Therefore, literature confirms that decentralisation assists in achieving the goals of improving governance and service delivery (See Heller, 2001; Barankay and Lockwood, 2006; Hetland, 2007; Faguet, Fox, and Poeschl, 2014).

### 6.2.2 Preference on Centralised Government System

Among the interviewed participants, only one (1) participant indicated that his preference is on the centralised government system. It is important for the researcher to highlight this because the fraction of a number has a meaning (qualitative value) in the interpretation of reality. The other important issue to highlight is that the participant is from the local government sphere which is the sphere that is gunning for decentralisation of housing function implementation powers through the implementation of the Accreditation Programme. The participant indicated that:

*“my preference is centralisation. It keeps everything under control.”*  
(P#22).

The justification of putting things under control makes a lot of sense for the researcher. The researcher looks at this justification on the basis of challenges and crises that local government face in South Africa. Hart (2013) testifies to the crises facing the state and indicates that the reflection of the same crises is seen and experienced at the local government sphere. It appears that the participant is looking for some order and control which would ensure order. Boffa, Piolatto, and Ponzetto, (2016) support centralisation of governance system in order to ensure control and preservation of order.

### 6.2.3 Preference on both Decentralised and Centralised Governance Systems

The study yielded findings that indicate participants' preference on both centralised and decentralised government systems at the same time. Out of the 26 sampled participants, three (3) participants shared their views and justify their preference of both the government systems at the same time. A participant from the national government indicated preference for both systems by saying that:

*“...both centralisation and decentralisation is preferred due to the powers given to different spheres of government...”* (P#4).

Another participant from local government said that:

*“I personally prefer that it be a two way street as there are some cases where officials at the top (central) can assist officials at the bottom (local) in order to successfully achieve a particular task.” (P#11).*

A participant from the provincial government indicated that:

*“Decentralisation has to be to a certain extent...” (P#5).*

Literature evidence indicate that such systems can be applied at the same time in what is referred to as cooperative federalism (Shah, 2008; Aliff, 2015; Simbine and Oladeji, 2015). In cooperative federalist system, responsibilities of orders from different spheres/tiers of government are interweaved/interlinked one to another (Simbine and Oladeji, 2010; Simbine and Oladeji, 2015). This is what is commonly referred as intergovernmental relations (Stanton, 2009; Senoamadi, 2014).

What participants indicated in the findings is the preference on both the two governance system. The combination of the two (2) systems are common in South Africa and Germany which are considered unitary states with federalist aspects, and as such, the system is referred to as cooperative federalism of interdependent spheres (Simbine, and Oladeji, 2015). As noted in the literature review, the researcher indicated that cooperative federalism has three (3) forms, namely: (i) interdependent spheres, (ii) marble cake, and (iii) independent spheres (Shah, 2008; Aliff, 2015; Simbine and Oladeji, 2015). With specific reference to the interdependent spheres as implemented in countries such as Germany and South Africa where the national government determines policy, and other levels of government (the provincial/state and local) act as the implementers of the national policies (Simbine, and Oladeji, 2015). The finding is consistent with literature as demonstrated. For the researcher, it means the findings demonstrate appreciation for the manner in which the government system is organised in South Africa. This is regardless of the compromise that the researcher discussed in the analysis of the previous findings.

### 6.3 Understanding of Decentralisation in Government

The researcher was interested in examining participants' understanding of the notion of decentralisation in government. This interest was mainly generated by the desire to determine the relationship between the research problem and the participants' level of understanding of what the research problem is about which is the unwillingness to decentralise (delegate and devolve). The researcher is of the view that participants' understanding of the researcher problem will always have a bearing on the rectitude of responses that they provide as well as the overall quality on which the objectives of the study are achieved. In the literature review chapter, the researcher raised an argument by Akbaş (2007) who indicates that it is useful to understand what decentralisation is all about ahead of analysing it. This gave the researcher an interest to establish how much do participants understand the concept decentralisation both in theory and practice. The findings of the study indicate that the implementers of the programme across the sector understand the subject of decentralisation in government. Their understanding was demonstrated by: (i) defining the concept accreditation in government, (ii) demonstration of empowerment to sub-national governments, and (iii) support for cooperative governance. The researcher discusses each of the ways to demonstrate the understanding of decentralisation in government in turns.

#### 6.3.1 Definitions of Decentralisation in Government

Findings of the study demonstrate that the implementers of the Accreditation Programme in the human settlements sector understand the concept of government decentralisation. In a way of demonstrating their understanding of the concept, participants provided definitions and some of the definitions provided are herewith presented. One participant indicated that:

*“decentralisation is to devolve functions to the coal face of service delivery for better coordination and delivery so that some responsibilities and accountability over functions are assigned to other levels of government from national” (P#18).*

Another participant provided similar definition by indicating that decentralisation is about:

*“Shifting or delegating authority of a service delivery function from a higher level of government to a lower level” (P#8).*

Another definition provided indicated that decentralisation is a:

*“structured process of moving power/function from a central/higher point of configuration to the lower point of the same so that sub-national governments get powers and function through delegation and devolution” (P#1).*

The definitions given provide a sense to the researcher that participants understand very well the concept of decentralisation in government. This finding is crucial in the manner in which government officials responsible for implementing the Accreditation Programme are aware about what decentralisation yields is about. There appears to a common view that is shared among officials of the delegation and devolution of administrative powers over government functions. This signifies awareness among officials on the relationship between the Accreditation Programme and decentralisation.

From the findings, the researcher perceives that the knowledge of practitioners is adequate for them to articulate what decentralisation is all about. Interesting to consider for researcher is the consistency between the definitions provided by participants and those that are provided by theorists on the subject of decentralisation. The definitions by participants indicate the notion of shifting/moving/transfer/delegating and devolving powers and functions from the central/national government to sub-national governments (provincial/district/municipal/local) tiers/spheres of the same government. This is the manner in which Rondinelli, Nellis, and Cheema (1983), Smith (1985), Neven (2003), and Falleti (2005) define decentralisation in their contribution to the literature on the subject. For the researcher, the definitions provided means that participants have a very fair understanding of government decentralisation.

### 6.3.2 Empowerment to Sub-national Governments

Empowering local government was more central to the findings of the study as participants demonstrated their understanding of what government decentralisation does. Participants indicated that decentralisation in government empowers sub-national governments in various ways which include capacity building, delegation and devolution of powers to implement government functions, and improve local government accountability. One participant demonstrated understanding of empowerment that decentralisation brings to sub-national government by explaining that:

*“...decentralisation increases capacity, responsibility and accountability in the local sphere of government where local government become responsible and accountable for certain government functions” (P#4).*

Another participant noted that that:

*“it (decentralisation) empowers local government institutions and improves local government accountability to communities...” (P#9).*

Another one reflected that:

*“National allocate some of their functions to a province, district or local municipality. So, national implements its functions, provinces their own, and local government its own functions but they cooperate and interrelate because they serve the same people” (P#14).*

This participant raises an important aspect for the researcher with regard to cooperation between spheres of government especially because they serve the same clients who are the citizens.

The findings provide that decentralisation empower sub-national government and in this case, local government. Participants demonstrated their knowledge of what

decentralisation can do by outlining different ways in which sub-national government can be empowered. Neven (2003) and Falleti (2005) argue that capacity, empowerment, and accountability is strengthened locally when the implementation of government functions are delegated and devolved to sub-national governments. The other empowerment mechanism that goes with the transfer of functions to sub-national governments is the funding and resourcing mechanisms that assist the subnational government to perform delegated and devolved functions. The researcher acknowledges that by explaining empowerment in a manner that is consistent with the literature, participants who are practitioners in the housing decentralisation programme in South Africa know and understand the programme that they are championing. Of course this finding does not come as shocking to the researcher, however, for the purposes of adopting a neutral position as a researcher, the finding is useful for him to understand the perception of participants.

### 6.3.3 Strengthening of Cooperative Governance

Participants' understanding of decentralisation in government reveal that intergovernmental relations can be improved by implementation of decentralisation. As such, the findings of the study show that decentralisation strengthens cooperative governance. This is shown by participants who share their views on the relationship between decentralisation and cooperative governance. Most importantly, the participants indicated the subject of federalism and its connectedness to decentralisation. One participant indicated that:

*“Decentralisation supports intergovernmental relations in one government because spheres are obliged to plan together like in federalism” (P#7).*

Another participant mentioned the aspect of federalism as it relates to cooperative governance. He indicated that:

*“Like in typical federalism, all tiers of government work together to achieve the same goal. They bring different sectors of government work together for success of decentralisation” (P#18).*

One more participant raised a comment that aligns to the objectives of the Accreditation Programme and indicated that:

*“It enhances horizontal and vertical integration in government and include the private sector partners” (P#24).*

The Municipal Accreditation Framework (2012) the Municipal Accreditation Programme seeks to achieve two (2) objectives which are horizontal integration and vertical integration in the delivery of housing and human settlements in South Africa.

The findings demonstrate that decentralisation strengthens cooperative governance and intergovernmental relations. Most importantly, the findings introduced the practise of federalism as an important aspect for cooperative governance and intergovernmental relation. As noted in the literature review, there is general consent among a theorists on federalism and decentralisation that the two (2) are strongly related and interlinked in both theory and practice (See Elazar, 1995; Oates, 1999; Bednar, Eskridge, and Ferejohn, 1999). Oates (1999) indicates that the two (2) terms are utilised interchangeably at times although there are some notable differences between them. Although for the researcher, things could be even much better if the political support existed in order to concretise the practice of decentralisation and federalism which are important aspects of cooperative governance as the findings indicate. Specifically in the case of the Accreditation Programme, the national government and provincial government have a role of monitoring, supporting, and providing policy advice from time to time when the implementation of the housing function is delegated to the local sphere of government (DHS, 2012). The National Accreditation Task Team (NATT) Forum serves to also monitor intergovernmental institutional arrangements with regard to the implementation of the Accreditation Programme. This is one among other ways in which decentralisation strengthens cooperative governance. Therefore, the researcher is of the view that the champions of the Accreditation Programme in South Africa have a very fair knowledge and understanding of the programme that they are implementing.

Participants also demonstrated knowledge that decentralisation rationalises and simplifies government bureaucracy in a manner that makes government effective and

efficient which is what was discussed in the theoretical framework of the study where authors such as Evans (1995), Bednar, Eskridge, and Ferejohn (1999), Halvorsen, Hauknes, Miles, and Røste, (2005), Curristine, Lonti, and Joumard (2007). The researcher's view is that participants know and understand what decentralisation in government is. What the researcher found to be very profound from the understanding given by participants about decentralisation in government was the responses which are consistent with the literature and theoretical framework of the study as discussed in the previous chapters. For the researcher, this confirms that the subject of decentralisation as problematised in this project is well understood by the selected sample. Otherwise, the sample was purposively selected to comprise of people who deal with decentralisation. Therefore, this brought confidence that the objectives of the study would sufficiently be achieved given the selected sample

#### **6.4 The Notion that Accreditation Disempowers Provinces**

As an official in the human settlements sector by the time this study was conducted, the researcher was privy to some of the debates on the Accreditation Programme in the sector especially in top management conversations. In the researcher's observation, one of the issues that has been central to the discussions on decentralisation in South Africa is the question on whether decentralisation empowers or disempowers provinces. What is known from the literature is that when a function moves from one sphere of government to another, resources have to move along in order to enable the implementation of the function (De Visser, 2009b, DHS, 2012). What the researcher sought to do was to establish some truth about this notion through a scientific investigation by addressing one of the study objectives. As such, the responses by participants on the notion of whether or not accreditation disempowers provinces with regard to the human settlements function would be very useful in addressing the research problem that this study sought to explore. As can be seen below, the findings of the study demonstrate two (2) opposing views on the matter where some participants indicated that the notion (of disempowerment) is incorrect and the other indicate that it is correct. When the perceptions cancel each other like this, the best thing to consider is the merits of the explanations/justifications that are provided for each of the opposing perceptions on the notion.

#### 6.4.1 The Notion is Incorrect: Accreditation does not Disempower Provinces

Comparatively, most parts of the findings demonstrated that the notion is incorrect. Meaning that the implementation of the Accreditation Programme does not disempower provinces. The perceptions in the findings reflect that provinces still have a role to play after when municipalities are accredited. It is also indicated that approval powers on anything that requires funding is still held at the provincial level. As such, findings indicate instead, the Accreditation Programme builds capacity in the sector of the very same government which means that provinces should not look at themselves as outside the same government. A participant from the national government indicated that:

*“The view is incorrect. The programme does not take away provinces’ powers. Any form of delegation does not disempower anyone, instead it build capacity in lower levels of government” (P#2).*

The notion that accreditation disempower provinces was also rejected by one participant who said that:

*“The view is totally unfounded. The regulatory framework of accreditation spells out powers, roles, and function regarding the housing function under accreditation. Under accreditation level 1 and 2, provinces still have a role of approvals and we are just implementers...” (P#13).*

A participant from the provincial government seem to share the sentiment that the notion is incorrect as he responded by saying:

*“no, it does not disempower provinces. Actually, provinces are assisted in housing delivery. Instead it empowers the government of South Africa to delivery on the housing mandate. This is not about provinces but the whole government” (P#8).*

The last participant quoted here mentions something quite profound in indicating that the South African government is one, therefore, decentralisation does not disempower provinces but it empowers government.

Findings demonstrate that decentralisation does not disempower provinces. Instead it empowers local government. For the researcher, this goes back to the idea of intergovernmental relations which are not working well in South Africa. Provinces consider themselves outside the cooperative governance system, otherwise, the notion that accreditation disempower them would not exist in the human settlements sector. As indicated in the Municipal Accreditation Framework, the programme seeks to integrate government vertically where the three (3) spheres work together, plan, and discuss human settlements matters (NATT Forum as an example) and horizontally to bring various sector departments together for coordinated human settlements delivery (DHS, 2012). As such, the findings indicate that the applicable policy framework for the programme spells out roles and responsibilities for each sphere of government in order for them to cooperate with each other. Thus, the findings indicate that the programme should be viewed in the spirit of cooperative governance. The Accreditation Programme as problematised in this study is one of the signs of unwillingness to involve local government in human settlements development. This constitutes an area that warrants further analysis outside the scope of this project.

#### 6.4.2 The Notion is Correct: Accreditation Disempowers Provinces

Some participants indicated that the notion that decentralisation disempowers provinces is correct. Meaning that the implementation of the Accreditation Programme disempowers provinces. Participants explained why they perceive the notion as correct. They mentioned the issue of resources moving to local government. This is confirmed by the principles that indicates that funding follows function and to a certain extent human resources are deployed to assist in accredited municipalities (DHS, 2012). One participant had this to say:

*“It (accreditation) does to a certain degree because provinces have blotted organograms...once you accredit a municipality you require less resources and that goes to municipalities” (P#11).*

The other participant responded and said the following:

*“Yes. It does because it takes away some responsibilities and allocates them to municipalities” (P#4).*

This view was emphasised by a participant from the provincial government indicated that:

*“Once accredited, municipalities want to take over all programmes from provinces...Municipalities want to dictate to the provinces and this might cause an IGR dispute. Our municipalities are arrogant. They want to manipulate provinces whereas human settlements is not their original function” (P#5).*

The reference to ‘original’ function is the approach utilised by Christmas and De Visser (2009) who make a separation between *original functions* as functions that are directly allocated to a sphere of government by the Constitution and *assigned functions* which are functions that are devolved from one sphere of government to another in terms of Section 156(4) of the Constitution, Municipal Systems Act of 2000 and any other sector specific legislation.

Actually, four (4) participants out of the twenty-six (26) indicated that accreditation does disempower provinces. For the researcher, the analysis of the findings signifies that there seems to be some confusion around what it means to decentralise. For some participants to decentralise appears as to give away power and resources, and if this is the case, it means confusion could be one (1) of the challenges with regard to decentralisation in South Africa. If there is such a confusion, obviously, it means that the implementation of decentralisation programmes will be affected. The perception that accreditation disempowers provinces is a reflection that there are some practitioners of the programme that hold this notion throughout the human settlements

sector. The existence of such view might have a bearing on the acceptability of the programme and also the resistance that the programme faces. It is quite ironical to note that participants are able to define and explain the programme as seen in the preceding sub-sections, however, fail to explain its application accurately as the policy provides. From the findings, the researcher also perceives that the justifications provided for what is referred to as disempowerment is exactly what the programme is about which is to delegate the implementation responsibility of the housing function and the funding thereof to local government (DHS, 2009 and 2012). One does not see delegation as disempowerment on the part of the delegating authority as the finding suggests.

Therefore, empowering local government does not mean disempowering provinces. This is the meaning of the finding when it is considered from the main purpose of what decentralisation is about.

## **6.5 Location of Powers to Administer the Housing Function**

The researcher sought to examine perceptions from participants on how well or not is the allocation of the housing function as one of the Schedule 4A functions meaning it is a concurrent function between the national and provincial sphere of government (RSA, 1996). For the researcher, this is somewhat an interesting exercise because it required participants to interrogate the status quo with regard to the allocation of the housing function by the Constitution. Also, it was the desire of the researcher to allow participants to raise issues that would otherwise not be raised in meetings and workshop for the fear of victimisation and other forms of intimidation. Thus the semi-structured interviews in a less formal context were the best approach to suss out perceptions of such nature from participants. The importance of examining the perceptions is for assisting the researcher to determine if the perceptions of the participants are related to the challenges that the programme faces, and this would be exposed in some of the responses that they provide. Different perceptions were raised and consolidated into themes that were analysed into the findings of the study. Therefore, the findings of the study produced a theme that supported the current location of the function which is between the national and provincial governments, and

the other theme indicated that housing function should belong to the local sphere of government. The perceptions on these issues are discussed in turn.

#### 6.5.1 Implementation of the Housing Function should be Located at Local Sphere

The findings of the study reveal that implementation of the housing function should be at the local government level. Participants were vocal about their perceptions on the preference for the implementation of the function at local level. They provided variety of reasons to support their preferences on the location of the function in municipalities including spatial development planning, developmental local government mandate, and local accountability reasons, among others. This is how one of them justified the perception on the local government as the best place for the housing function:

*“Certainly at local government level. Local government is best placed due to its proximity to communities but also given its current responsibility in strategic and spatial development planning and land use as required by SPLUMA and other pertinent legislation” (P#9).*

The local government was considered the best place for the housing function, however, for a difference reason by a participant that indicated that:

*“Local sphere. Local sphere is a coal face of service delivery. When communities are dissatisfied with service delivery, they protest to municipality not national or provincial sphere. Remember, the regulatory framework requires local government to live up to developmental local government ideal. Housing is key to that ideal...” (P#24).*

Another participant disclosed that:

*“Housing as a key developmental function should be located in local government, maybe in districts to boost the new DDM (district development model), to ensure federalism. Federalism is allowed in South Africa regardless of being a unitary state” (P#19).*

This comment relates to what Simbine and Oladeji (2015) argue about South Africa as unitary state with federal features. This buttresses the relationship that decentralisation and federalism as discussed in previous sub-sections.

As seen in the data extracts, participants indicated that the implementation of the housing function should best be placed at the local government level for the compelling reasons presented in the extracts. One participant suggested the involvement of districts which is consistent with Pretorius and Schurink (2007) who argue for the involvement of district municipalities in development. However, as it currently stands, the implementation of the function is not located at the local government level but provincial level. Literature already admits that allocation and assigning functions to different spheres of government is a difficult and a complex exercise. Scholars such as Khemani (2001), Robson (2006), and Oelofse (2010) argue that a decision to allocate functions in different spheres of government is a tricky one to take especially because it requires thorough analysis of a purpose of the sphere and the amount of contributions by other spheres of government towards achieving such purpose.

The findings raise crucial developmental issues that should not be ignored regarding the developmental mandate of local government which requires the implementation of the housing function at local government along with other developmental functions. This finding means that the local government is compromised since it is given a constitutional mandate that cannot be successfully implemented since the implementation of functions that are crucial to the mandate are allocated to the provincial sphere. This might be helpful in building a developmental and responsive state. The researcher is of the view that the role of local government has to be improved towards building an effective and efficient developmental state in South Africa. Madumo (2012) supports this idea as he argues that the developmental local government mandate is crucial to the quest for delivering a developmental state in South Africa. Therefore, the researcher seeks to theorise around this as part of his theoretical contribution of this study. This is supported by other works (See De Visser, 2009a; Siddle and Koelble, 2016). Due to its developmental implications, the finding is also an important build up towards an effective and efficient developmental state in South Africa.

## 6.5.2 Provinces are better placed to Implement Housing

Other findings on the issue of the location of the implementation powers of the housing function indicate that the provincial sphere is best placed to implement the housing function as it currently is. For their preference towards sustaining the status quo, one participant indicated that:

*“This could be controversial, but housing implementation should stay at provincial level because municipalities lack capacity” (P#5).*

According to the accreditation policy, it is the responsibility of the provincial sphere of government to build capacity to the identified and accredited municipalities (DHS, 2012). Therefore, such a comment sends wrong signals about the role that the provincial sphere has to play in this regard. The other participant raised a comment that:

*“If provinces are stripped off housing functions, they will no longer have meaningful contribution as a sphere of government. They could be redundant” (P#4).*

Another participant that supported the status quo is from the local government and he indicated that:

*“There can be war if the function is removed. It can stay as a provincial function so that programmes like accreditation can be relevant” (P#11).*

The last participant quoted here indicates that the relevance of the Accreditation Programme is dependent of the status quo. In the researcher’s interpretation of the findings, participants that are cited prefer the status quo to remain as it is regardless of the frustrations that are encountered on the implementation of the programme. Among the participants whose view is that the implementation of housing function should remain the responsibility of provinces, one indicated that it should be the case so that the Accreditation Programme can gain relevance. In the researcher view, the participant has missed the purposes of what government is trying to do by introducing

some of these developmental programmes. It appears that the participant looks at the Accreditation Programme as an end in itself as opposed to a means towards an end.

In the researcher's understanding, the programme is meant to align government efforts towards improved housing and human settlements delivery. Therefore, basing the allocation of housing implementation at the provincial level so that the programme can be find relevance could be a weak premise. Evidence shows that the programme is not even implemented efficiently regardless of what the participant perceives as a relevant justification for the course. In the South African context generally, the national sphere is responsible for policy development, the provincial sphere for implementation, the local sphere for planning and implementation as well (RSA, 1996). Schedules 4 and 5 of the Constitution are clear about the functions, and thus the purpose of these three (3) spheres. As such, with regard to local government, Sections 152 and 153 of the Constitution and the White Paper on Local Government (1998) are clear about the developmental role that municipalities have to address in South Africa as the purpose and mandate thereof. Literature argue that in order for developmental local government mandate to be achieved, the implementation of the housing function should be placed in local government (RSA, 1998; Community Law Centre, 2007; De Visser, 2009a; Siddle and Koelble, 2016). Therefore, the findings expressed here are not consistent with literature and thus they relate to the challenges faced in the programme because findings indicate that some implementers of the programme conduct their work of trying to get the implementation of the housing function delegated and devolved to local government, yet, at the same time prefer it to remain at the provincial sphere. The researcher is of the view that the issue of allocation of functions across sphere of government still needs attention.

As noted in the literature review, there was neither assessment nor analysis nor model which would guide the allocation and assignment of functions across spheres of government at the dawn of democracy in South Africa (Robson, 2006). Siddle and Koelble (2016) indicates that constitutional mandates of developmental local government is compromised because some of the key functions to address such mandate are administered at different levels of government. Robson (2006) concurs that the Constitution did not achieve a credible and scientific approach for the allocation and assignment of functions in schedule 4 and 5. The researcher also

recognises the recessive perspective of retaining the status quo and keep the implementation of the housing function at provincial sphere and also the dominant view that perceives that the housing function should be implemented at local government. The dominant perception is also backed by literature which supports the developmental mandate of local government as mandated by the Constitution (RSA, 1998; Christmas and De Visser, 2009; De Visser, 2009a; Siddle and Koelble, 2016). The dominant perception also provides for empowering local government where the role of local government will be uplifted in the South African developmental theory proposed in this study.

## **6.6 The Notion that Accreditation Shifts Power Across Political Parties**

The researcher has already indicated that he was part of the human settlements sector when the study was conducted, as such, he was aware of the dialogues and discourses concerning the programme at the level top management. In the researcher's observation, another common notion is that the Accreditation Programme removes power from one political party to another. The researcher sought to examine what the perceptions of the participants are regarding this notion. The sampled participants were best placed to make comments on this notion since they are aware of it and also that they are confronted with it frequently as officials within the human settlements sector. Perceptions of the participants on this notion would assist in addressing one of the objectives of the study. Thus, the comments by participants on the notion of whether or not accreditation removes power from one political party to another would be very useful in addressing the research problem that this project sought to study. The findings of the study demonstrate two (2) opposing perceptions on the notion where some participants indicated that the notion is incorrect and the other indicate that it is correct. The researcher discusses the findings on the matter below.

### **6.6.1 The Notion is Incorrect: Accreditation does not Remove Power from a Party**

Perceptions from the participant demonstrated that the notion is incorrect which means that the implementation of the Accreditation Programme does not remove political power from a political party to another. Findings dissociate the Accreditation

Programme as a determinant for power shift especially because power shifts across political parties has been happening before accreditation was introduced. Instead, it is accreditation which depends on political support. Findings indicate that power moves from one political party to another through voting which is the responsibility of the electorate. One participant had this to say:

*“The view is incorrect. Accreditation does not move power across parties. Accreditation is an implementation programme and does not form part of political activity. Moving power from one political party to another involve voting...” (P#8).*

Another one pointed out that:

*“Accreditation has nothing to do with political power movement. Power moves across political parties based on votes and that has been happening before accreditation was introduced” (P#3).*

Another participant indicated that:

*“That view is incorrect. Power moves across parties through voting out of one party and that is the responsibility of the electorate. Rather, accreditation depends on the political support” (P#25).*

In this case, the findings emphasise that power shifts is possible by voting and not the implementation of a government programme. What is known from the literature is that the unwillingness to decentralise is a way of holding on to political power (Enemark, Gibson, McCubbins, and Zimmerman, 2012). The findings that power moves from one political party to another is consistent with the argument by Przeworski (2003) who argues that the electorate have powers to remove one political party and replace it with another one in a functional democracy. Participants view the Accreditation Programme as something that can rather be influenced by politics and not vice versa. As noted in the previous chapter, it is the politicians and political interference that negatively affect the programme. This means that there is no way in which the programme can determine politics. The majority party was put in power by the

electorate and it is only the electorate that can keep it in power. It is the researcher's view based on the findings that there is actually no need to politicise government programmes. The important thing to do for political parties is to keep their promises that are given in the launches of their manifestos. Literature confirms that the crises, popular discontent, and uprisings in South Africa is an outcome of unfulfilled promises by the government as led by the African National Congress (ANC) (Alexander, 2010; Managa, 2012; Nyawasha, 2017). Therefore, the researcher observes that the findings carry a lot of weight since the Accreditation Programme does not influence polls, but the unfulfilled promises by government influences the electorate to take other political directions.

#### 6.6.2 The Notion is Correct: Accreditation Removes Political Power from a Party to Another

Some participants view the notion as correct. Meaning that the implementation of the Accreditation Programme removes power from one political party to another. To support this perception, findings demonstrate that the programme is associated with politics and it is difficult to look at it without political consideration. One participant associated the loss of control by the majority party in some of the biggest metropolitan municipalities in the country by speculating the involvement of the Accreditation Programme. The participant indicated that:

*"It does. If City of Tshwane and City of Johannesburg are retained by the DA it means power is lost to the opposition" (P#5).*

Another one pointed out that:

*"It will be difficult to divorce accreditation programme from politics and vice versa" (P#4).*

Another participant said that:

*"Where there is power, functions, and money politics are involved. That's why the programme is political in nature" (P#11).*

For the researcher, it is the question of what follows what between politics and accreditation, and based on the findings discussed in Chapter 5, it is clear that it is politicians that are interfering with the implementation of the programme.

Based on the justification provided for the perceptions that the notion is correct, one can depict that politicians could be focusing on the wrong target. As politicians are public representatives who are put in power in order to serve/provide the needs of the electorate and the communities, the focus should be mainly on that purpose. As such, if power becomes the end in itself and not the means to achieve the end which is to attend to the needs of the people, then they are missing the point of their calling. Weber (1946:5) posits that politicians are called, or simply put, the work of politicians is a “calling” to them or a vocation. Basing on the views of the research participants, it appears that most of the South African politicians have forsaken their calling or they are not called for politics at all but using politics for their on economic survival and social recognition. This line of thinking is also recognised by Weber (1946). The researcher suspects that the finding as presented by the perception of the participants could be based on the influence by politicians who are trying to keep their political power by all means forgetting that they are placed in those positions for the purpose of serving the needs of the people. An example that was provided by the participant regarding the Democratic Alliance (DA) which took power in some of the metros has absolutely nothing to do with the Accreditation Programme. The perception on the finding appears to be missing the main purpose on why political parties are in power and what they should do to maintain such power.

A political party that campaigns well and take over bigger numbers in the electorate takes over the government across all three (3) spheres. Financial resources and political power will be controlled by such a political party. This is the power (political, resource, and financial) that political parties should be contesting in their strategic process and development of manifestos towards elections. The obsession about money makes government programmes to suffocate since politicians have neglected their calling to serve the people but serve themselves. This is the selfishness that Rand (1964) theorises about. Therefore, the assertion by Jacobs (2016) that money brings

with it power in a society changes credible politicians into power mongers who no longer think about the poorest of the poor but themselves.

## **6.7 Who should have Powers to Accredite and Assign?**

The researcher thought it could be important to determine from the perceptions that the participants would provide who can best be vested with powers to decentralise especially between politicians and senior bureaucrats in government. As noted in the theoretical framework of the study, the main difference between politicians and bureaucrats is their accounting mandates. Politicians account to their political movements and the electorate regarding how they satisfy voters whereas bureaucrats account to their professionals superiors and to the public and stakeholders, as such, politicians are motivated by winning elections whereas bureaucrats are motivated to meet organisational targets and enhance their career growth (Alesina and Tabellini, 2005). The interesting commonality is that both politicians and bureaucrats seek to satisfy the citizens but for difference reasons and this is the drive for their vocations as Max Weber in one of his classic work on *Politics as a Vocation*, argues Weber (1946).

As it currently stands, the provincial members of executive council (MECs) are responsible for the delegation and devolution of powers to implement government functions to the local government (RSA, 1997 and 2000). As noted in the literature review, legislation provides in Section 10 of the Housing Act of 1997 that it is the responsibility of relevant political principals in provinces to accredit municipalities when certain conditions are met (RSA, 1997a). This means that powers to accredit rest with the political principals that head the human settlements portfolio at the provincial sphere. The researcher sought to determine from the participants' views who is better placed to hold legislative powers to accredit having had challenges in the course of the implementation of the programme hitherto. Perceptions by the participants on this matter are directly linked to one of the objectives that the study sought to achieve. Three (3) perceptions came out of the findings. One indicated that the powers to decentralise should remain with politicians, the other one indicated that powers to decentralise should be given to bureaucrats, and the last one indicated that powers to decentralise should be vested on an intergovernmental structure of bureaucrats.

### 6.7.1 Powers to Decentralise should Remain with MECs

Some parts of findings indicate perceptions that support the status quo where participants preferred the power to remain with politicians. Although not much reasons were provided for this perception. The argument that anchored this perception was based on the hierarchy which structurally puts politicians above bureaucrats in government power positions. The other aspect that was raised for this perception was that the applicable legislation designates politicians as the powers holders. One participant indicated that:

*“I do believe that it should remain with the MECs because politicians are the ones that are in charge of the (human settlements) portfolio” (P#22).*

Another participant pointed out that

*“The Act says it is the responsibility of the MECs, then MECs should retain the powers” (P#4).*

The other participant that supported this perception said that:

*“I think the MEC in terms of the hierarchy, powers and authority given by legislation should remain the case” (P#11).*

The researcher observes that the cited participants could not be able to view the situation differently when it comes to the allocation of powers to decentralise. The findings as indicated here appear to contradict literature especially because the Accreditation Programme is a housing service delivery programme whose implementation is administrative. As indicated in the previous chapter, the fight for power occurs at the expense of the poor citizens whose hope for survival and shelter is on the state. This finding appears to support continuous involvement of politicians on administrative process by indicating that powers should remain with politicians regardless of the challenges faced because of the current arrangement. Masuku and Jili (2019) indicate that service delivery programme are negatively affected by political

influences in South Africa. This argument demonstrates that involvement of politicians in administrative process for service delivery compromises the delivery of services in South Africa. Linked to Weber's (1946) of the relationship between politicians and bureaucrats, what pertains to administrative process for service delivery in government should be handled by bureaucrats whereas politicians should be interested in providing strategic leadership and good governance. The researcher's view aligns to the idea by Weber (1946) who provides the example of his German context, and argue that bureaucrats emerged as administrative officials who deal with administrative matters of government and support politicians on matters of governance and leadership. In other words, politicians should not be involved in administrative/operational matters of government but focus on providing strategic leadership. This means that if politicians run administrative government programmes there is a confusion right there. Therefore, the finding provided here does not appear to support with addressing the challenges that are currently encountered on the Accreditation Programme.

#### 6.7.2 Powers to Decentralised should be held by Senior Bureaucrats in the Sector

Findings indicated that the power to decentralise the housing function should be given to the senior bureaucrats in the provinces. Different justifications were provided for this perception. Among the reasons given, participants indicated that bureaucrats have better understanding of administrative processes as compared to politicians. Another justification points out to the fact that bureaucrats know what is efficient and are not driven by pleasing the masses. One participant reflected that:

*"Powers to accredit should be held by accounting offices. Politicians are clueless about administrative process. They only thing they know is say things that will please people which cannot be implemented" (P#2).*

Another one said that:

*"I think accounting officers should have powers to accredit. At least they understand the processes better" (P#15).*

The other participants indicated that:

*“The HoD could be the best person. Bureaucrats are not like politicians. They know what is efficient and they are not driven by pleasing masses on what cannot be feasible...” (P#9).*

In the researcher's view, the idea that politicians are clueless about administrative processes may not necessarily be correct especially because some politicians are educated and some have once been bureaucrats in their earlier lives. Probably, the issue could be whether or not they are willing to adhere to administrative processes when they know that they can easily over rule/by pass administrative processes without any fear of possible punishment.

One's understanding is that Weber (1978 and 1946) would easily identify with this finding since it suggests that power and control should be given to bureaucrats. In Weber's theorisation, bureaucrats are very important in states and enterprises (Weber, 1930 and 1978). This is mainly because of the technical expertise that is associated with bureaucrats having come out of a thorough training process and capacity building process. As such, the finding that suggests that administrative power on government's programmes should be held by bureaucrats would align with Weber's (1946) model on the role of bureaucrats in government. However, in this case the challenge that has been faced by the Accreditation Programme goes beyond the idea of bureaucrats versus politician because both politicians and bureaucrats can fail in their individual capacities. Notwithstanding the technical expertise and knowledge that bureaucrats have, one understands that government functions require a cooperative effort between politicians and bureaucrats where each of the two (2) play their roles in a manner that complement each other in order to succeed. Thus, replacing a politician with a bureaucrat in the position of decision-making on accreditation may assist to a certain extent obviously because of their knowledge and expertise on administrative and technical aspects of government work. Therefore, this finding supports the established Weberian theory of bureaucracy.

### 6.7.3 Powers should be held by Intergovernmental Administrative Body

The study findings reveal that powers to decentralise can best be vested on an intergovernmental structure constituted by senior bureaucrats within the human settlements sector. Findings also indicate that the South African Local Government Association (SALGA) should be part of such a structure. It was indicated by the participants that placing powers to decentralise the housing function on one (1) person is not a good idea. One participant provided a view and said the following:

*“In my view, the MEC has too much control if decision making lies with a single individual. Accrediting powers should be held by an intergovernmental structure of administrators that involves all spheres” (P#13).*

The same sentiment was shared by the participant who pointed out that:

*“One person can easily compromise the programme and applicant municipalities. An intergovernmental body should be empowered to decide on accreditation. Like Technical MinMEC” (P#19).*

Another participant emphasised the same idea by saying that:

*“It is very cumbersome for one person to have powers to decide on accreditation. An administrative IGR (intergovernmental relations) structure which also include SALGA would be best” (P#24).*

From the findings, it appears that participants emphasised the same sentiment especially that (1) one person (MEC) should not be the final decision maker regarding the programme. Perception on vesting power on an intergovernmental structure appears to be a new perspective altogether. The debate in the human settlements sector has only been looking at politicians and bureaucrats in their individual capacities with regards to powers to decentralise. In the researcher's view, this new perspective could help in collective responsibility for ensuring that the programme does not fail like the way it currently is. An important aspect that is coming along with this new

perspective seems to emphasise the importance of the South African Local Government Association (SALGA) as part of such an IGR structure that holds powers to accredit. Just like the previous finding, this finding supports the Weberian theory of bureaucracy. The most important thing about this finding which makes it a good option in the researcher's view is that it combines a number of senior bureaucrats across the human settlement sector into a structure that is empowered to take decision on the Accreditation Programme. In this case, the Accreditation Programme will not be compromised because of individual preferences since the intergovernmental structure will debate on the merits and qualification of matters pertaining to accreditation and take an informed decision. The other important aspect that the researcher picks up from the finding is that there will be collective responsibilities for the decision taken on the programme. Lastly, bureaucrats are permanent in government, and this helps them to ensure sustainability of government programmes unlike politicians whose tenures are temporary, at least in South Africa.

## **6.8 Other Approaches to Decentralise the Housing Function**

The researcher had a desire to establish from participants if there could be another approach to decentralise the housing function besides the Accreditation Programme. This desire is linked to the aim of the study wherein the researcher sought to explore perception regarding the decentralisation of the housing function if participants think of a different approach that could be adopted to replace the Accreditation Programme. As such, the researcher anticipated responses that could frame up a programme which would be more efficient and effective in decentralising the housing function. The findings point to three (3) options. The first one considers the Accreditation Programme as the best option, the second one suggests constitutional and legislative review on the allocation of the housing function, whereas the third one suggests the utilisation of the newly established District Development Model. Each of these are discussed in turn.

### **6.8.1 Accreditation is the best Approach to Decentralise Housing**

Findings indicate that the Accreditation Programme is still the best way to delegate and devolve the implementation of the housing functions in South Africa. This

perception as expressed in the findings is regardless of the challenges that have been experienced on the implementation of the programme. Participants hailed the Accreditation Programme as it is and indicated that it covers all relevant areas and it is clear on the procedure and the steps to be taken. They indicate that it is a pity that it is negatively affected by challenges. A participant commented and said that:

*“For me, accreditation covers all areas, processes, and procedure on how the housing function can be decentralised” (P#26).*

One other participant indicated that:

*“So far, I think accreditation is the way to go, it just need to be quick to implement. Challenges on its implementation should be addressed” (P#7).*

The similar view was provided by another participant who indicated that:

*“The accreditation is the only way to decentralise the housing function. Unfortunately, it has challenges” (P#16).*

Findings indicate that the Accreditation Programme is fine as it is. Literature already indicates that the Accreditation Programme constitute a decentralisation dilemma due to the challenges that have been faced by the programme (Sithole and Mathonsi, 2017). Replacement of programmes in government is not a new phenomenon in South Africa. In his other piece of work, the researcher discussed how macro-policy programmes in South Africa have shifted from the RDP through GEAR and ASGISA Programmes to the NDP (Mathonsi, 2017). Authors such as Visser (2004), Gelb (2007), Singo (2012), and Nathan (2013) attest to these shift in policy programmes where one replaced the other. The Local Government Turnaround Strategy (2009) mentions another programme (Project Consolidate) that was established in 2004 to assist with capacity in municipalities which replaced by other capacity programmes (CoGTA, 2009). The findings suggest that the accreditation policy is does not have any problem. The only issue that has not been up to the anticipated standard is the implementation thereof. Some of the challenges that are referred in this case have been discussed in Chapter 5.

There has never been a scientific analysis of the accreditation policy in order to identify areas that the policy has shortfalls on. As the researcher indicated in the previous chapter, the review that human settlements MinMEC suggested for the accreditation policy could be more of political consideration rather than scientific. The findings acknowledge that the programme faces challenges, and it is unfortunate that the challenges that are referred to are deeply entrenched in politics which in turn are deeply embedded on the ideology of keeping power by all means as Twala (2014) argues. Based on the findings and the comments noted in the extracts, the researcher is of the view that the majority party have some introspection in order in order to avoid fear of losing power to the opposition. Being in power should benefit the majority party by guiding the government into serving the needs to the citizens as opposed to trying to keep power by ways that are self-defeating like sabotaging and politicising government programmes.

#### 6.8.2 Amend the Legislation to Make Housing a Municipal Function

The other section of the findings indicate that the Constitution and the Housing Act of 1997 should be reviewed in order to locate the administration of the housing function at local government level. The researcher indicated in the previous chapter that there could be a mismatch between the mandate of the local government and the functions allocated where the researcher utilised literature to back this claim (Robson, 2006; Stanton, 2009; Siddle and Koelble, 2016). One participant indicated that:

*“Change the Constitution and make housing a schedule 4B or 5B function”  
(P#10).*

By this, the participant suggests that administration of the housing function should be an original function of local government and designated as such by the Constitution. This was also reflected by another participant by saying that:

*“A constitutional amendment and the (Housing) Act to make housing a local government function cannot be over emphasised...” (P#12).*

A view from another participant on the same issue was that:

*“The Constitution should allocate housing as an original function for local government” (P#6).*

Findings suggest that all complications associated with the delegation and devolution of the implementation of the housing function could be put to rest once and for all if the administration of the housing function can be allocated as an original function not transferred to local government by means of programmes like accreditation.

As the findings reveal, one of the options that could be attempted is to review/amend Housing Act and the Constitution in order to locate the housing function in local government. Literature supports this suggestion (Community Law Centre, 2009; De Visser, 2009b; Christmas and De Visser, 2009; Siddle and Koelble, 2016). The researcher observes that the implementation of this finding requires support by certain figure of majority in Parliament in order to allow for a constitutional review/amendment. To be exact, 75% of the members of the National Assembly (NA) and six (6) members out of the nine from the National Council of Provinces (NCoP) (RSA, 1996). This may not be an easy option to achieve especially given the diversity of political parties in Parliament. The review that the findings proposes will have implications on various aspects which include the funding arrangements and structural changes in local government, among other issues. It also means that capacity and operational funding for the implementation of the housing function will be sourced from the national coffers.

### 6.8.3 Utilise the District Development Model

Another option that is suggested in the findings is the utilisation of the newly established District Development Model (DDM). This model is purposed at fast-tracking delivery and coordinating government investments in order to monitor various funding streams for government programmes (and projects) per district throughout South Africa (Government Communication and Information System, 2019). Some of the comments from participants were:

*“The new district development model can be utilised” (P#2).*

The other one indicated that:

*“What if we try operation Khawuleza (hurry up) which the President has launched for districts to coordinate development in the country? The district development model can be an option. We can consolidate accreditation to DDM or vice versa, I don’t know...” (P#18).*

Operation *Khawuleza* is the new DDM for trying to ignite speed in government delivery. One other participant suggested that:

*“Let’s first see if the recently announced district model will be correctly implemented. If so, it can be an option” (P#25).*

With the introduction of the DDM, the researcher observes that the model seems to be commanding much political support from both the office of the President and the Minister of Cooperative Governance and Tradition Affairs. The DDM is a developmental approach to coordinate government programmes for service delivery in district and metropolitan municipalities’ spaces. City Press/News24 (2019) refer to what was said by the President in October 2019 that the district development model is established in order to accelerate, align and integrate government service delivery under a single development plan per district/metropolitan municipality jointly by national, provincial and local government in cooperation with the private sector, labour and communities throughout the country. The Government Communication and Information System (GCIS) (2019) adds that the DDM is a call of action in order to improve coherence, efficiency and effectiveness in the implementation of government programmes and project. The suggestion for the adoption of the DDM as well as consolidation between DDM and Accreditation Programme comes as a new alternative altogether. The only input that the researcher can sponsor to this finding as part of his analysis is that probably the Accreditation Programme could be consolidated into the DDM since the DDM is broader and government wide while the Accreditation Programme is only meant for the human settlements sector. The researcher’s input is based on the fact that the DDM has what the Accreditation Programme lacks which is the political will and support as the findings demonstrated.

This is with the hope that the DDM will not be politicised as time goes on. One lesson that the researcher adopts from this finding is that government developmental programmes should be synchronised in order to achieve coordinated and sustained development in the South African state. This finding is an important link to the developmental theory in South Africa.

## **6.9 Chapter Summary**

The chapter reflected on the empirical findings by exploring perceptions on the Accreditation Programme by practitioners. This was a continuation in the discussion of empirical findings having started in the previous chapter which focused on examining the challenges in the implementation of the Accreditation Programme. As its goal, the intention was to examine perceptions in order to explore what the practitioners make of the situation around the programme. As demonstrated in the chapter, the findings discussed can be summarised into a number of themes that were formed/developed during the data analysis process. The themes give a highlight of different perceptions that participants raised regarding the programme, and those perceptions included, among others: (i) preference between centralisation and decentralisation systems, (ii) understanding of decentralisation in government, (iii) perceptions on the notion that accreditation disempowers provinces, (iv) the location of powers to implement the housing function, (v) the notion that accreditation removes power from a political party to another, (vi) who should have powers to accredit and assign, among others. The researcher corroborated the themes and sub-themes in the discussion of findings with the use of extracts from the data in order to demonstrate the authenticity of the themes that were identified and to demonstrate the connectedness of the themes to the data. This chapter provides some important findings that are useful for framing the South African developmental state theory.

## CHAPTER 7: THE CRISIS OF DECENTRALISATION IN SOUTH AFRICA: EMPIRICAL AND THEORETICAL REFLECTIONS

### 7.1 Chapter Overview

This is last empirical chapter of the study. It serves two (2) crucial purposes. Firstly, it discusses a number of suggestions that emerged from the data on how to address some of the challenges affecting decentralisation of the Housing function. However, it goes beyond the Accreditation Programme by relating the findings to the overall decentralisation practice in South Africa. Secondly, the chapter relates the empirics to the attempt towards theory development and application. The chapter begins by discussing the empirical findings relating to the need solutions to the crisis of decentralisation in South Africa. An analysis of data yielded the following suggestions on the way forward to arrest what this study refers to as the 'crisis of decentralisation'. These are, amongst others: (i) forgive the past, (ii) correct/fix the government ideology, (iii) consummate cooperative governance beyond rhetoric, (iv) make the current system work, (v) practice decentralisation and developmentalism, (vi) depoliticise government programmes, (vii) Address the political will and support aspects, (viii) build capacity and empower bureaucrats to implement the developmental agenda of the state, and (ix) integrate government development programmes. The chapter goes on to discuss some of the theoretical issues that relate to the crisis of decentralisation in South Africa and proposes an approach towards the Weberian developmental state in South Africa. These are discussed in details below.

### 7.2 What needs to be done: Way Forward?

Participants in the study suggested a number of ways to make the decentralisation exercise successful in South Africa. This success will entails a responsive and developmental state. The first suggestion was the need to ***forgive the past***. At a greater societal level, the South African state should forgive the past. Being psychologically caught in the evils of the past may make it difficult for the post-apartheid democracy to build a 'Weberian developmental state'. This has been clear in the manner in which the majority party has been championing governance in South Africa. As far as this suggestion is concerned, one participant had this to say:

*“We should stop blaming apartheid for everything that is happening now, but put measures in place to move on” (P#13).*

Another participant mentioned that:

*“Apartheid is history. Why can’t we move on” (P#23).*

One more participant indicated that:

*“The leaders are trapped in apartheid psychology and that makes it difficult to move on” (P#20).*

For example, Murray and Simeon (2011) argue that the aspect of federalism in South Africa has not been entirely welcomed by the ANC because of historical reasons. The 1909 Constitution that was adopted by the Union of South Africa came up with the federal government system that benefited the whites and excluded blacks by denying them basic socio-economic and political rights (Wiechers, 1985; Robson, 2006; Collins and Burns, 2007; Yitirmesi, 2018). Currently, the South African state government is in the hands of the majority party which is an African born movement, however, there is still a phobia for federalism because its reputation is linked to the white rule. This is just an example, a lot can be written about the fear of the past and inability to do what the government is supposed to do because of the anxiety of the past. Therefore, it will be important to forgive the past and move forward.

The second finding on way forward is that the majority party should **correct/fix one of its governance ideology**. One participant had this to say:

*“The ANC should address its approach on government and focus on what will be beneficial for citizens” (P#6).*

Another participant indicated that:

*“The Ruling Party has capacity to correct the current modus operandum for the benefit of its followers” (P#18).*

While another participant noted that:

*“Things have changed, the struggle is no longer for power politics but for keeping support. Citizens need services not nice political speeches” (P#9).*

It is the researcher’s interpretation basing from the above extract that the ruling party has adopted several ideologies over the years and some of them have made it stand the test of time for more than a century. However, among the current ideologies in the movement is the ideology of keeping its power by self-defeating means. Self-defeating in the sense that the means are not assisting the majority party to keep voters, instead, the movement has been losing support over the years. Twala (2014) indicates that the ANC held a liberation ideology before it was in power, and now as a ruling party, it harbours a ruling and power-maintaining ideology. He adds that what the ANC ideologically aspired to as a liberation movement before 1994 is not the same compared to what it is confronted with as the ruling party, as such, the ideology has changed over time and its current ideology now is to keep, maintain, and sustain its ruling power status by all means in South Africa (Twala, 2014). The ANC has to get its house in order in order to sustain itself in power as a ruling party. The current status of the ruling party can be likened to the story in the Holy Scriptures, Genesis Chapter 4 Verses 6-7 which says “why are you so angry...why do you look so dejected would you not be accepted if you did right? But if you refuse to do right, trouble is approaching seeking to take over you” (New Living Translation, 2004). This emphasises the need for the ruling party to get its house in order before trouble comes. Certainly, the symptoms of crises that Hart (2013) theorises about is the beginning of the trouble that is approaching.

One of the fundamental principles that the researcher presents as part of the foundational basis of the Weberian developmental state is an ***effective intergovernmental relation and cooperative governance system*** in South Africa. One participant said the following:

*“The three spheres should improve their collaboration on service delivery and governance matters” (P#2).*

Another one had this to say:

*“Cooperation among governments should be based on signed agreements for it to be effective” (P#3).*

The other participant indicated that:

*“The government should ensure efficient IGR system as a starting point, the rest shall follow” (P#10)*

As the above participants (s), the intergovernmental relations and cooperative governance arrangements in South Africa are not working as they are supposed to. The researcher's observation is that political speeches especially in provincial and national governments are infested with rhetoric and it makes even the very politicians to deceive themselves to think that the system is working whereas it is not. The challenges affecting the South African intergovernmental relations and cooperative governance system are witnessed by Tapscott (2000) and Ngoy (2009) who discuss some of the deep-seated problems facing it and thus making it not to work. Both the ruling party and the government should go beyond rhetoric and begin to make the system work. The starting point for doing so is to recognise local government as a part of the South African government system and an integral partner in achieving a Weberian developmental state in South Africa.

Related to the previous finding, participants suggested the South African state should ***make the current government system to work*** in order to create a more functional developmental state. One participant suggested the following:

*“The government has to work effectively within the current arrangement since it empowers all spheres on paper” (P#15).*

It was also indicated that:

*“The unitary and federal aspects of the South African government system should be very useful for development. We have Germany as a good example to customise some lessons from” (P#25).*

One other participant commented that:

*“Spheres of government are created for the purpose, and that is what we should work with for now” (P#5).*

Basing on the above view(s), a (Weberian) developmental state will never take root in South Africa until the current system is made effective. Local government has to be mainstreamed in order to play its roles the government of the South African state is constituted by three (3) spheres and each of the sphere is assigned with different mandates (Stanton, 2009; Siddle and Koelble, 2016). For the local government sphere, there is constitutionally allocated functions and responsibilities towards addressing the developmental mandate. The findings revealed that the developmental mandate of local government is unachievable because the South African state is not building adequate capacity and decentralise developmental functions which would assist local government to contribute meaningfully towards building a Weberian developmental state in South Africa. This part of the findings is consistent with the literature (See Community Law Centre, 2007; Stanton, 2009; De Visser, 2009; Siddle and Koelble, 2016).

Another finding on the suggested way forward which is central to the research project relates to the way the South African state should ***practice true decentralisation and developmentalism***. The findings emphasise that political elites and politics are interfering with the government agenda for decentralisation and developmentalism in local government. To support this finding, one participant indicated that:

*“The Constitution prescribes that local government should be assisted to ensure decentralisation and development” (P#1).*

Another participant had this to comment:

*“Government development projects should be decentralised for implementation in municipalities” (P#16).*

It was also indicated by another participant that:

*“Government should focus on decentralisation and socio-economic transformation as the main drivers for development” (P#9).*

The two (2) features are central to building Weberian developmental state in South Africa, however, the South African state has been self-defeating against the achievement of these two (2) important features of the post-apartheid South African local government spheres. Literature also confirm that active local governmental is important for achieving the developmental state (Stanton, 2009; Madumo, 2012; Chrsitmas and De Visser, 2009). Actually, Siddle and Koelble (2016) indicate that decentralisation of key developmental functions is a prerequisite for ensuring that developmentalism is achieved in local government. Therefore, the South African state should address this important aspect towards creating a Weberian developmental state.

Among other important key findings of the study, it was depicted that the South African state should **depoliticise government programmes**. By this, the participants referred to political interests, interference, and control over government programmes. One participant highlighted the following:

*“Politicians should not be involved in the implementation of developmental programmes” (P#12).*

Another participant indicated that:

*“Programmes should be implemented without political interference from the MECs” (P#7).*

One more participant said that:

*“Government programmes should be depoliticised but bureaucratised”  
(P#17)*

The researcher’s observation from the findings is that once a well-meaning government programme is introduced, the more it gains attention and association with budgets, politicians begin to be all over such a programme. For example, with regard to decentralisation literature indicate that politics are the greatest challenge to decentralisation of function to local government in different parts of the world and this may be due to the financial resources that move along with decentralisation (Cuadrado-Ballesteros, Garcia Sanchez, and Prado-Lorenzo, 2013; Yeboah-Assiamah, 2016). The finding is consistent with the advice by White (1996) who posits that politicians should stop politicising development programmes and social development initiatives. Therefore, in order for the creation of a (Weberian) developmental state to be possible in South African, politicians have to cease from politicising government programmes for their selfish ambitions that are not beneficial to both the majority party and the South African society.

An important finding relates to lobbying of ***political will and support*** from the South African political principals. Participants highlighted that:

*“The only role that politicians should do is to support the implementation of programmes if they trust us” (P#8).*

Another one said that:

*“We need support from our MEC to implement programmes” (P#21).*

It was also indicated by a participant that:

*“Efforts should be made towards obtaining political buy-in otherwise we run a risk of running in cycles” (P#12).*

Weber (1946) is very clear with the roles of politicians and bureaucrats in a state bureaucracy. According to him, politicians are responsible for providing strategic direction and leadership in state institutions whereas bureaucrats are responsible for applying their technical knowledge and skills to administer state affairs (Weber, 1946). The meaning of the responsibility that Weber (1946) outlines for politicians is political will and support. The findings of the study suggest that politicians should provide political will and support instead of meddling in administrative programmes of the state which undermines the role of bureaucrats in the South African government. This simply means that politicians should trust the bureaucrats since they are appointed on the basis of capacity to manage and implement the work as dictated by the government positions that they hold. Political will goes beyond rhetoric and demonstrate practical support and political backing. An example of what appeared like political will and support for the 'Weberian developmental state in South Africa occurred at the National General Council of 2005, the ANC committed to create a developmental state, as such, the developmental state subject was one of the themes in its 2007 Conference in Polokwane 2007 and election manifesto of 2009. President Zuma emphasised it in his State of the Nation Address (SoNA) of 2012 by indicating that cooperation with citizens and public servants (bureaucrats), the government will build a developmental state in order to improve service delivery and deepen democracy. President Ramaphosa reiterated same in his SoNA of 2019. An indication of political will was provided by the ANC, however, the practical aspect would be more useful for the ambition of creating a developmental state. This an in important action point towards the creation of a Weberian developmental state in South Africa.

From the findings, it is clear that the idealised (Weberian developmental) state will also require the South African state to **build capacity and empower bureaucrats** to implement the developmental agenda of the state. A participant had this to say:

*“Officials should be trained in order to do the work effectively” (P#11).*

It was also commented that:

*“Capacity building programmes should be implemented for officials that are dealing with government programmes for improved efficiency” (P#26).*

Another participant said that:

*“Powers and responsibilities should be held by DG and HoD not MECs”  
(P#24).*

In the researcher’s view, this finding suggests a practise that has to be common any developmental state since it emphasises capacity building for bureaucrats. The reason for this is the state has to be active in intervening and directing socio-economic policies as well as taking a lead in implementing social developmental programmes (Mabasa, 2014). This has been the most problematic area in the South African state. Luiz (2002) argues that the issue of capacity challenge is right across the South African state bureaucracy at large. Siddle and Koelble (2016) argue that the capacity challenge is even far worse in the local government bureaucracy in South Africa because of issues like nepotism, cadre deployments, and poor recruitment processes that make it difficult for local government to attract relevant skills that are required to address their developmental mandate. Empowering bureaucrats can take different forms, for Weber (1946) it means to allow bureaucrats to do their role without political interference. Addressing capacity challenges and empowering the South African bureaucracy is fundamental towards creating a Weberian developmental state.

An important finding on how to address the decentralisation crisis in South Africa relates to the need for to ***integrating government development programmes***. One participant suggested the following:

*“Government programmes should be administered from a single coordination point. Accreditation should align to other programmes” (P#4).*

It was noted by another participant that:

*“The District Development Model should integrate all government development programme including accreditation for effective monitoring”  
(P#22).*

Another participant commented that:

*“Integrated development for programmes should be ascertained” (P#5).*

The finding that suggested this indicates that it is not only important towards achieving coordinated and integrated development, but also for bringing different sector departments together which is something that the South African state has been struggling to achieve since the attainment of democracy. In line with this finding, the researcher discussed several aspects that the government has attempted to do away with the silo mentality and silo operation but consistently failed. In the researcher’s view, the finding on integrating government development programmes is at the heart of creating a developmental state. As the name suggests, developmental states are about development, and development is about changing as well as improving people’s lives for the better. Weber (1930) refer to it as civilisation in a society. Modern societies utilise development programmes for civilisation. Therefore, synchronising government programmes to move towards the same direction could be the most important move for the South African state towards creating a Weberian developmental state. The next sub-section looks at what literature analysis guides towards creating an effective and efficient (Weberian) developmental state in South Africa.

### **Identification and Integration of Government Programmes necessary for Successful Decentralisation**

During data analysis process, one finding that came out strongly to indicate that there is a need for identifying municipalities that will strengthen the existing government developmental direction and align to other programme. This finding was buttressed by the extracts cited below: One participant had this to comments:

*“There should be a system that would assist in identifying municipalities that are already within the existing government development nodes” (P#’15).*

Another participant said that:

*“Government programmes should be aligned for coordinated development. New municipalities should be identified in existing programmes for consistency” (P#18).*

One more participant indicated that:

*“Let’s integrate government programmes, strategic identification of relevant municipalities is a best option” (P#7).*

From the analysis of data, it was discovered that this means that the process of identifying municipalities for accreditation is not in sync with the direction of where other relevant development programmes in South Africa are headed to. For the researcher, this meant that there is clear a contradiction and paradox for development in this context because there is no synthesis in the implementation of government programmes. Cameron and Quinn (1988) as well as Lewis and Dehler (2000) argue that a paradox is a contradiction where mutually elements exist at the same time with no synthesis among them and the result become undesirable. Lewis and Dehler (2000:708) add that “such contradictions...appear irrational and even absurd when framed together”. Therefore, if the programme for housing decentralisation is not aligned to other government programmes, then its implementation does not support development.

Thus far, the Accreditation Programme has contributed to development in terms of supporting human settlements delivery. However, the impact of the programme can be maximised if the Programme can be aligned to other government programmes for development. The responses obtained during data collection process of the study confirm that there is no single national approach/criteria which can be utilised to identify municipalities for accreditation. Among the four (4) stages of the accreditation value chain, the first stage is the strategic identification of municipalities. As the foundation stage of the value chain, this is the most important stage since the process and its end are justified by the means. Pascal, Bertram, and Rouse (2019) posit that the foundation stage is the most important stage in any development process. As such,

once there are faults at this stage, the entire accreditation process value chain might be flawed. Therefore, in a way of aligning accreditation to other development programmes, the table below proposes a framework for the identification of municipalities which can be utilised in the human settlements sector for future identification of municipalities.

This is probably the most practical example of integrating government development programmes implemented in various sector departments towards establishing an effective (Weberian) developmental state in South Africa. The researcher seeks to demonstrate such integration using the findings of the study. Firstly, the researcher looks at different government developmental programmes, and secondly, he aligns the Accreditation Programme for its possible integration so that government programmes can possibly reinforce each other in their implementation.

### **Government Development Programmes: An Integration Approach**

Some of the key findings of the study suggest that government programmes should be harmonised and integrated with other development programmes of government that are implemented in different sectors. Participants raised the following:

*“An integrated approach to development should be the solution to government challenges because programmes can reinforce each other” (P#19).*

It was noted by another participant that:

*“Programmes of government must be integrated in order for coordinated development to be achieved” (P#14).*

Another participant commented that:

*“Government should ensure alignment across all programmes that are implemented in different sectors” (P#24).*

This finding is consistent with both local and international literature. For example, the National Development Plan (NDP) supports the establishment and harmonisation of existing government programmes for development in South Africa to support its 2030 vision (NPC, 2011). The Provincial Growth and Development Strategy (PDGS) Guidelines (2005) developed by the former Department of Provincial and Local Government (now CoGTA) and the Presidency support the harmonisation of various government programmes in various spheres and sectors of government for development (DPLG/CoGTA, 2005). The Asian Development Bank (2018) takes it beyond a country level and make harmonisation of developmental programmes a continental agenda wherein some countries (such as Bangladesh, Indonesia, and Vietnam, among others) in Asia harmonise their developmental programmes and strategies for regional/continental development. In this context, the Asian Development Bank (ADB) utilises the concept harmonisation to refer to synchronisation wherein strategies and programmes in the countries are implemented at the same time wherein one programme depends on the other in order to produce results that will benefit all countries involved (ADB, 2018). Klaver and Tibamwenda (2009) indicate that the harmonisation of government initiatives should take root and produce result at local government level. The White Paper on Local Government (1998) indicates that development in South Africa should reflect in the local government sphere (RSA, 1998). Thus, local government requires adequate capacity to manage development and its concomitant demands. This in line with the findings of the study which support capacity building in local government sphere in order to manage development programmes in local government.

Some of the developmental programmes in South Africa which that are implemented in local government space which need integration include (i) District Development Model, (ii) Spatial Land Use Management, (iii) Integrated Urban Development Framework, (iii) Treasury's Non-Delegated Municipalities, (iv) Human Settlements Master Spatial Plan, (v) Restructuring Zones, (vi) Special Economic Zones, (vii) Mining Towns, (viii) Priority Housing Development Areas, (ix) National Upgrading Support Programme, (x) Expanded Public Works Programme, among others. Some of the mentioned programmes are conceptualised as plans and some as policies, however, they are all developmental programmes that are implemented in South Africa. For the whole exercise of decentralisation to become effective, the study findings suggest a

need for integration. Their impact, success, and failure is evident at local government level as a sphere that provides spatial input for their implementation as Klaver and Tibamwenda (2009) as well as RSA (1998) argue. The impact of these development programmes in the country should reflect in its local government sphere due to its propinquity to the citizens in order to involve citizens in the state development process (Klaver and Tibamwenda, 2009). Although it is still early to make an objective analysis for some of the programmes, however, the researcher's observation is that their implementation is not yielding much success and this could be due to silo operation by sector departments which the Weberian developmental state as proposed in this study seeks to do away with. With regards to the strategic identification of municipalities, this proposed government-programme integrated model can be implemented in order to ensure that the Accreditation Programme is in sync with other government development programmes. The next sub-section aligns housing decentralisation and development for the Weberian developmental state in South Africa.

### **7.3 Towards the Weberian Developmental State in South Africa: Addressing Decentralisation Crisis**

This section links the proposed Weberian developmental state to some of the existing theoretical debates and make some crucial proposals for addressing decentralisation crises using the suggested the suggested theory. Issues such as the basis of the Weberian developmental state, theoretical and practical reflection, as well as the proposed method for the theory are discussed.

#### **7.3.1 The Basis of the Weberian Developmental State**

The adjective 'Weberian' as utilised in the researcher's conception means 'effective and efficient' which is exactly how Weber characterised his bureaucratic ideal type model (Weber, 1978). As indicated in the theoretical framework (Chapter 3), a 'Weberian developmental state' means an 'effective and efficient' developmental state. Whetten (1989) advises that foundational basis for any theory should grapple with the what, how, why, and who-where-when questions. While all these aspects are important in framing the basis for the development of a theory/model/framework, not

all of them are equally applicable – one/two might be dominant over others depending on the nature of phenomenon that is problematised or studied (De Farias, 2015). The researcher is guided by the ideas of Whetten (1989) in his proposal for the foundational basis of the ‘Weberian developmental state’ in South Africa. It is believed by the researcher that other scholars and theorists will build and advance the Weberian developmental state theory in South Africa from the basis set in this thesis because the researcher strongly believes that the interests that different sectors of the South African society has on issues of development in the country are massive, and this is just an input in the quest for addressing the challenges and crises experienced in South Africa.

The relevance of this theoretical basis is that it is integrated to both the constitutional mandate of the South Africa local development and the findings of the study as they relate to the role of local government in South Africa towards framing a unique and a context-based South African developmental theory. Most importantly, it takes advantage of some of the existing positive foundations that the country has put in place for a developmental state as discussed in chapters 2 and 3. Consolidation of some of the social and economic development projects, policies, and programmes that are already implemented in South Africa is an important aspect of the country’s developmental theory. In arguing the basis of the Weberian developmental state in South Africa, the researcher is of the view that both socio-economic development policies/programmes and a dedicated state bureaucracy are important for creating a developmental state. The researcher strongly believes that any theory of development in South Africa has to be grounded on the role of local government. The South African local government as the sphere that is located in the community, society, and citizens at large is the crucial piece of the puzzle in the framing of an embedded developmental state.

### 7.3.2 Theoretical Reflections and a Weberian Developmental State

The analysis of the South African context reveals and exposes that there is still some work that needs to be done towards the creation of a Weberian developmental state in South Africa. Without trying to discuss all areas that require attention towards creation of an efficient and effective (Weberian) developmental state because that

would otherwise prove impossible, the researcher seeks to highlight some few issues which take into account the South African context linking to the ideas of Weber (1978) and Evans (1995) regarding effective bureaucracy, autonomy, embeddedness, and the role of the state in ensuring socio-economic development. Some of the issues raised in what follows buttress the findings of the study and some of the theoretical issues reflected in chapters 2 and 3.

As the first issue that needs attention, Siddle and Koelble (2016) indicate in order for the South African state to achieve the developmental ambitions, the current framework that governs the role of local government has to undergo drastic reform. By this, Siddle and Koelble (2016) refer to the legislated role of local government, capacity building and resourcing for municipalities. This means that there should be deliberate efforts by the South African state to radically transform the local government sphere from the current state that is in into an active government agency that is hands-on and capable for coordinating all developmental programmes from a single coordinating point. In the researcher's understanding, this is exactly what developmental local government is all about. Developmental local government is a constitutional mandate for municipalities in South Africa in terms of Sections 152-153 of the Constitution.

Secondly, the ANC discussion document on Economic Transformation Policy of 2007 indicates that the South Africa's developmental state should have a unique flavour that is informed by local realities in South African underpinned by both popular democracy and social content (2007). The ANC also outlines four (4) key attributes of an efficient and effective South African developmental state as: (i) its strategic orientation should be based on people-centeredness and change-driven, and continual development premised on high economic growth rates, economic restructuring and inclusive socio-economic development, (ii) the South African developmental state should build capacity to lead in a shared national agenda and mobilise the entire society to participate in its implementation, (iii) its organisational capacity should be able to ensure that its structures and systems facilitate the realisation of a set national agenda, and (iv) it should have the required technical capacity in order to translate broader objectives into government programmes and projects for effective and efficient implementation (ANC, 2007 and 2010). In their literature contribution on the subject, Subira (2011), Mabasa (2014) as well as Siddle and Koelble (2016) also

support the four (4) attributes towards the creation of an effective and efficient South African developmental state.

Thirdly, in order to build an effective and efficient developmental state in South Africa, Laubscher (2007), De Visser (2009a); Mabasa (2014) Siddle and Koelble (2016), the South African state should conquer the following obstacles: (i) poor recruitment system that fails to build a meritocratic state bureaucracy that is capable of attracting the finest talent in the society, (ii) political interference on the role of bureaucrats, (iii) government's regulation of the market processes instead of direct participation, (iv) unavailability of a leading organisation to direct the activities and processes of the developmental state like the MITI in Japan. Although with the latter one, it is not necessary a must that there should be an organisation like a MITI specifically, however, depending on the contextual circumstances of what can yield socio-economic and industrial development in South Africa. If needs be, the Development Bank of South Africa (DBSA) could be an option.

Lastly, Stanton (2009) advises that in order for the South African local government to effectively implement its role towards achieving the developmental mandate, and by extension contribute to the South African developmental state, adequate financial resources should be provided from the nationally generated revenue. The same sentiment is shared by Siddle and Koelble (2016) who indicate that while metropolitan municipalities are better off in terms of capacity to generate their own financial resources, smaller municipalities suffer to an extent of implementing responsibilities that are to then unfunded mandate. Therefore, the national government in South Africa should look into this issue of funding and resourcing local government towards building a Weberian developmental state. The next sub-section, attempts to deal with the how part in providing a foundational basis of the Weberian developmental state theory in South Africa by proposing a possible implementation method in line with the outcome of this study. Effectively, it proposes the methodology for applying the Weberian developmental theory.

### 7.3.3 Proposed Implementation Method

Ahead of proposing the possible method for the application of the Weberian developmental state in South Africa, the researcher seeks to make an outline of the South African state-government bureaucracy. Section 1 of the Constitution provides that the Republic of South Africa (RSA) is a unitary sovereign democratic state. Section 40(1-2) provides that the government of the Republic is constituted as national, provincial and local government spheres which are distinctive, interdependent and interrelated, and three (3) spheres must observe and adhere to the principles of cooperative governance and intergovernmental relations to conduct their activities (RSA, 1996). This means that the three (3) spheres constitute one (1) South African state. Therefore, the South African bureaucracy is constituted of three (3) levels of bureaucracies referred to as spheres. The only difference is the constitutional and legislative roles that are allocated to the three (3) levels of the bureaucracies of the South African state to perform state functions. This means that for functions of the state to be implemented, each of the three (3) levels of bureaucracy may have a role to play towards ensuring that the functions of the South African unitary state bureaucracy are achieved. Of paramount importance in this sub-section is the constitutional mandate that is given to the local government bureaucracy of the South African state. The concept local (government) bureaucracy has been utilised by Weberian theorists such as (Bennett, 1984; LeRoux, 2004; Christopher, Brent, and Nicholas, 2018). In this case, the researcher herewith utilises the concept to refer to the South African local government.

With regard to the implementation method, the researcher observes that there can be different ways of structuring the implementation method of the Weberian developmental state in South Africa. However, the best way that suits the decentralisation agenda as problematised in this study is that of empowering local government in order to contribute towards building a developmental state in South Africa using the developmental local government approach. Section 152 (1) of the Constitution of provides that the objects of local government are stated in of South Africa, namely: (i) to provide democratic and accountable government for communities, (ii) to ensure sustainable provision of services to communities, (ii) to promote social and economic development, (iv) to promote a safe and healthy

environments, and (v) to encourage the involvement of communities on government processes (RSA, 1998). Section 153 provides local government must structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community; and participate in national and provincial development programmes (RSA, 1996). The White Paper on Local Government outlines the characteristics of developmental local government as: (i) maximising social development and economic growth, (ii) integrating and coordinating, (iii) democratising development, empowering and redistributing, and (iv) leading and learning. The Constitution and the White Paper on Local Government effectively define the developmental mandate of the South African local bureaucracy. Scholars and researchers that study the possibility of a developmental state in South Africa seem to agree that the developmental local government mandate is instrumental towards the creation of a developmental state (Van Dijk and Croukamp, 2007; Madumo, 2012; Khambule, 2018).

As noted in the literature review, government functions such as local economic development, transport, land use planning and housing, among others are developmental functions (Community Law Centre, 2007; Christmas and De Visser, 2009; Siddle and Koelble, 2016). Khambule (2018) attests to this in arguing that the role of local economic development is crucial in achieving South Africa's development state ambitions. As such, the decentralisation (delegation and devolution) of such functions to be administered at the local government bureaucracy of the state is important for two (2) mutually related reasons: (i) to assist the local government bureaucracy to address its developmental mandate, and (ii) to assist the local government bureaucracy to contribute towards building a developmental state. On the basis of Weber's model of bureaucratic rationalisation, decentralisation is a form of rationalisation for government responsibilities (Nyanjom, 2015). Although the decentralisation advocated for in this theorisation is for all developmental local government function, however, for the purpose of this project, greater attention is given to the devolution and delegation of the administration of the housing function. Literature is also in support for this proposed method as Community Law Centre (2007), Christmas and De Visser (2009) as well as Siddle and Koelble (2013) argue that the administration of the housing function should be delegated and devolved to local government in order for local government to: (i) receive the equitable share and

other funding initiatives for the housing function, and (ii) build necessary capacity for the sustainable delivery of human settlements in South Africa. Otherwise, capacity in the local government bureaucracy is unlikely to emerge if there is no relevant authority to administer the developmental functions in municipalities (Christmas and De Visser, 2009; Siddle and Koelble, 2013). Building capacity for the state bureaucracy is an important aspect for the autonomy of a developmental state (Evans, 1995).

Since housing is a developmental function (Christmas and De Visser, 2009; Siddle and Koelble, 2016), it is linked to achieving the constitutional developmental mandate of local government, and thus, the developmental state. This means that planning and policy implementation for the delivery of housing have to be done at the local bureaucracy of the state thereby involving communities for them to have a voice in development matters of government and in ensuring a bottom-up approach. This is in line with the embeddedness of a developmental state (Evans, 1995). As seen in the previous sub-section, social and economic development policies are the strategic direction of a developmental state. Theoretical literature confirms that the housing policy in South Africa is both a welfarian and economic policy (DHS, 2004; Trusler, 2009; Smeddle-Thompson, 2012; DHS, 2015; Eglin, 2019). As such, through the implementation of housing programmes, two (2) of the developmental states' objectives are addressed, namely: (i) economic development, and (ii) social (welfare) development. Smeddle-Thompson (2012) posits that the implementation of housing development programmes is an instrument for job creation and poverty alleviation strategy in South Africa. This argument is also supported by the Breaking New Ground (BNG) Policy 2004 which indicates that the implementation of human settlements programmes does not only benefit the end-users who are beneficiaries, however, since partnership with private sector service providers and civil society is involved, it becomes a major job creation strategy and a lever for economic growth in the country's economy (DHS, 2004). Eglin (2019) concurs in his argument where he links incremental human settlements development and job creation in South Africa. From these arguments, the essence of inclusive and cooperative governance which Evans (1995) conceptualises as embeddedness can be implemented.

Both the findings of the study and theoretical ideas discussed in literature point to the issue of improving and practicalising cooperative governance and intergovernmental

relation as an advice towards building a Weberian developmental state in South Africa. One of the practical part of doing this can be integrate different government programmes for social and economic development.

#### **7.4 Chapter Summary**

The chapter makes a discussion on the crisis for decentralisation in South Africa and makes some crucial reflection on empirical and theoretical issues. More than anything else, it is focusing on solutions that are oriented towards creating a Weberian developmental state in South Africa. The chapter discusses a number of suggestions that emerged from the data/findings on how to address some of the challenges affecting decentralisation of the Housing function. However, it goes beyond the Accreditation Programme by relating the findings to the overall decentralisation practice in South Africa. In the discussion, the researcher drew linkages between the empirics to the attempt towards theory development and application. This was done by discussing the empirical findings relating to the need solutions of decentralisation crisis in South Africa. Amongst other suggestions discussed were: (i) forgive the past, (ii) correct/fix the government ideology, (iii) consummate cooperative governance beyond rhetoric, (iv) make the current system work, (v) practice decentralisation and developmentalism, (vi) depoliticise government programmes, (vii) Address the political will and support aspects, (viii) build capacity and empower bureaucrats to implement the developmental agenda of the state, and (ix) integrate government development programmes. Issues such as the basis of the Weberian developmental state, theoretical and practical reflection, as well as the proposed method for the theory were discussed. Drawing the lessons from the findings, the chapter concludes by discussing some of the theoretical issues that are proposed as an approach towards the creation of a Weberian developmental state in South Africa.

## **CHAPTER 8: STUDY SUMMARY, RECOMMENDATIONS AND CONCLUSION**

### **8.1 Chapter Overview**

The chapter concludes the study by making reflections on what has been discussed. It starts off by providing a highlight on the study, key findings, and make deductions/inferences from the findings yielded. A summary of both theoretical and empirical contribution of the study is also provided. Some of the issues that were discussed in the literature review, theoretical framework, and most importantly in the findings are utilised to draw some crucial policy recommendations. In conclusion, the researcher closes off the study by providing overarching concluding remarks.

### **8.2 Study Summary, Key Findings and Inferences**

This section summarises the study and the findings on the basis of the two-fold issues that the study sought to explore. Crucial inferences are also made from some of the key findings. The first was about the challenges on the implementation of the Accreditation Programme, and the other was about perceptions on the implementation the programme.

#### **8.2.1 Study Summary**

In summation, the study explored challenges and perceptions on the decentralisation of powers to administer the housing function in the local sphere of government using the case of the Accreditation Programme. The implementation of the programme has been plagued with challenges that almost make the programme defunct due to frustrations encountered in the housing/human settlements sector in South Africa. The main theoretical framework approach adopted to anchor the study is the Weberian theory of bureaucracy and rationalisation which was integrated with Peter Evans' philosophy on the embedded autonomy of developmental states. A qualitative research approach was adopted to conduct the research. In order to address the aim and objectives, an explorative case study design was followed to study the typical case of the Accreditation Programme. An initial sample of forty-two (42) participants was selected, however, due to the saturation point being reached with twenty-six (26) participants that were interviewed, the researcher stopped collecting data. The sample

was selected from the populations' composites of the three (3) spheres of government and relevant stakeholders in the implementation of the problematised Accreditation Programme. An interview method was utilised to collect the data. Semi-structured interviews were conducted guided by an interview guide tool annexed to this thesis. Thematic data analysis was utilised to interpret the findings.

### 8.2.2 Key Findings on Accreditation Programme Challenges

Key findings that the study yielded while exploring challenges on the implementation of the Accreditation Programme are herewith highlighted as follows:

- (i) There is limited understanding of what the Accreditation Programme is all about especially at the level of senior management and political principals. This limited understanding manifests by confusing accreditation and assignment. As such, this affects the implementation of the programme. It can thus be inferred that inadequacy of the knowledge and understanding poses a challenge to its implementation.
- (ii) The Accreditation Programme is poorly implemented in South Africa due to challenges relating to four (4) sources and those are: (a) administrative related challenges, (b) political related challenges, (c) capacity related challenges, and (d) institutional related challenges. From these sources of challenges, it can be deduced that the implementation of the Accreditation Programme cannot adequately achieve its policy objectives.
- (iii) Challenges/bottlenecks occur throughout the four (4) stages of the accreditation implementation value chain/process. The four (4) stages are: (i) strategic identification of municipalities, (ii) capacity building on municipalities, (iii) delegation of roles and responsibilities on the housing function, and (iv) assignment (devolution) of the implementation of the housing function (complete transfer of administration role to municipalities). From this finding, the researcher can infer that political principals in the provincial sphere are not interested in the Accreditation Programme, and thus their reluctance to accredit municipalities.
- (iv) Intergovernmental disputes are likely to occur in future, and three (3) issues are likely to cause them to happen. The issues are: (i) selfishness of the

provincial sphere of government, (ii) resources for implementing the housing function, and (iii) constitutional provisions for decentralisation (delegation and devolution) which indicate that functions **must** be assigned to local government with the conditions provided. It can thus be inferred that intergovernmental disputes will certainly occur given the current conditions and the three (3) issues indicated.

- (v) Some of the possible solutions to the challenges on the programme are presented in options which may not necessarily implemented all at the same time. As such, one or more complementary options can be implemented together. The options are: (i) give the programme a chance of uninterrupted implementation, (ii) depoliticise the Accreditation Programme, (iii) improve cooperative governance in spheres and sectors of government, (iv) address the political will and political support aspects, (v) integrate the programme with other programmes of government, (vi) consider renaming the programme, and (vii) review the programme for better implementation in future. The researcher deduces from the findings that there is hope for the programme, and some of the suggestions/options presented here demonstrate that the programme is important and relevant.

### 8.2.3 Key Findings on Perceptions about the Accreditation Programme

The key findings yielded in the study while exploring perceptions of the implementers of the Accreditation Programme are as follows:

- (i) Greater preference is on the decentralised government system because decentralisation empowers local government, deepen democracy and rationalise government work in terms of service delivery and governance which allows citizens to be involved through public participation, among other means. From this, it can be deduced that bureaucrats prefer decentralisation because of its associated benefits, however, the same is not the case for politicians especially in the provincial sphere.
- (ii) In their perception of what government decentralisation is, implementers of the Accreditation Programme across the sector demonstrate a fair understanding of what the subject of decentralisation in government is

about and this understanding was demonstrated by: (i) defining the concept decentralisation in government, (ii) demonstrating that decentralisation empowers sub-national governments, and (iii) reflecting that decentralisation supports and strengthens cooperative governance. The researcher infers that knowledge and understanding of policy implementation among implementers is important, however, even more important is the support by all relevant stakeholders for policy implementation.

- (iii) Findings depict that decentralisation does not disempower provinces. Instead, it empowers local government in order to participate on matters of development in a state especially because it is the sphere that is closer to the citizens. As such, from the analysis of the findings, the notion that decentralisation disempowers provinces is incorrect and misleading. It can be inferred from the findings that the notion that decentralisation disempowers provinces is politically motivated because bureaucrats are not necessarily concerned about power and resources across spheres.
- (iv) Powers to implement the housing function should be located at the local government level due to other related responsibilities which are implemented at local government level such as spatial development planning, developmental local government mandate, and local accountability reasons, among others. From this finding, it can be concluded that the allocation of powers to administer the housing function at provincial level was wrongly done. The correct location for the administration powers of the housing function is local government.
- (v) The analysis of the findings revealed that the notion that the implementation of the Accreditation Programme removes power from one political party to another is incorrect because power shifts across political parties has been happening before accreditation was introduced. Instead, it is accreditation which depends on political support. Power moves from one political party to another through voting which is the responsibility of the electorate. This finding demonstrates that the programme is negatively affected by politics, and thus, it is utilised as a scapegoat by politicians. From this finding, the researcher infers that politicians are concerned about the loss of power and not about effective delivery to citizens and residents.

- (vi) With regards to the relevant responsible person/structure to decentralise, three (3) views emerged from the findings. One indicated that the powers to decentralise should remain with politicians, the other one indicated that powers to decentralise should be given to individual bureaucrats (accounting officers), and the last one indicated that powers to decentralise should be vested on an intergovernmental structure of bureaucrats. The perception that the power should be held by an intergovernmental structure of bureaucrats was the dominant view in the findings. It can be inferred from this that bureaucrats should take a lead in government development programmes.
- (vii) Regarding other options to decentralise the implementation of the housing findings, three (3) options were raised. The first one considers the Accreditation Programme as the best option, the second one suggests constitutional and legislative review/amendment on the allocation of the housing function to local government, whereas the third one suggests the utilisation of the newly established District Development Model. The researcher can deduce for this finding that it was important for a developmental theory of the South African state to be developed in order to guide the development of the country which brings all government programme together for coordinated development in municipalities.

### **8.3 Summary of Empirical and Theoretical Contribution**

This section seeks to make a reflection on the highlight of the study in terms of both its empirical and theoretical contribution as well as their implications. This is a crucial section because it demonstrates fulfilment of the promise which necessitated the study to be conducted which is the generation of knowledge and linked to that, to provide possible solutions for consideration as a way of addressing the research problem.

#### **8.3.1 Implications and Contribution of the Study: Empirical**

Empirically, the study brings to the fore the challenges that often hinder the implementation of decentralised government programmes. It provides crucial theoretical insights on causal and interlocking factors that are at the centre of defective

institutional arrangements within government in South Africa. The focus on the idea of 'reluctance' as noted in Chapter 1 is not only crucial but theoretically illuminating. As the results of the study have shown, most government programmes in South Africa fail because politicians are reluctant to delegate or devolve power where it is due. This is contrary to the popular view that seem to blame public officials. Putting politicians at the centre of scholarly analysis becomes one of the most important contribution that the study brings. Across the globe, politicians are usually not seen as useful and reliable unit of analysis. However, this study has brought back the study of politicians at the heart of sociological scrutiny. Taking cues from the work of Max Weber, the study of politicians, political power, and government bureaucracy has provided significant empirics that are useful not only for South African context but for other parts of the world as well. In what follows, the other empirical benefits of the study are summarily discussed:

- (i) As demonstrated in this thesis, the study contribute to enhance knowledge on the subjects of decentralisation and development in the context of government.
- (ii) The other benefit relates to providing understanding on some of the challenges and bottlenecks that are common in the implementation of decentralisation projects. According to the empirical findings, some of these challenges and bottlenecks relate to administration, politics, capacity, and institutional arrangements of the context at which decentralisation projects are implemented. It was envisaged that the findings of the study would explore and shed some light in identifying those challenges and finding ways of addressing them in the quest for improving efficiency and effectiveness of decentralising government functions from one sphere/tier of government to another. Therefore, this study provides some of those ways of addressing decentralisation challenges.
- (iii) This study provides a South African experience of analysis of the decentralisation of the housing function and lessons that the experience brings about.
- (iv) The study brings about policy recommendations on the decentralisation of the government powers and functions. This is beneficial to South Africa as it appears that there are some functions that necessarily relate to local

government yet they appear under Schedule 4 Part A of the Constitution. For example, public transport as cited in literature. The policy recommendations that this study brings may not necessarily only be useful for the South African context exclusively, other countries may customise them for application and lessons that can be implemented in their own contexts.

- (v) The last benefit that this study brings is a guidance on areas that are exposed in this study which can further be investigated in order to close gaps in the knowledge and literature with regards to decentralisation, governance, and development in states. This study has drawn its limit within the confines of the research problem and the study objectives on housing decentralisation. However, in its approach, more related areas have been teased out in order to make broader recommendations that are applicable even to other government services at large. Thus, the study provides recommendations on other areas that warrant further scientific investigation.

### 8.3.2 Implications and Contribution of the study: Theoretical

Apart from the immense empirical significance (contribution) that this study makes, it also provide crucial theoretical insights. Theoretically, the study proposes and advances a partial theory that can be utilised to examine and understand the subject of decentralisation in South Africa and beyond. It does this by integrating Weber's theory of bureaucracy and Evans's theory of embedded autonomy. The integration of such ideas resulted into what has been referred to as the theory of the 'Weberian developmental state'. A 'Weberian developmental state' is simply an ideal type of an 'effective and efficient' developmental state. In other words, the Weberian developmental state theory is simply a hybrid theoretical framework that draws principally from the works of the two (2) theorists. In developing or proposing this partial theory, the work of Whetten (1989) was significant. Whetten (1989) provides crucial guidance on the necessary ingredients of a theory. Such ingredients address issues related to the *when, how, what and who* questions. While all these aspects are important in framing the basis for the development of a theory/model/framework, not

all of them are equally applicable – one/two might be dominant over others depending on the nature of phenomenon that is problematised or studied (De Farias, 2015).

As highlighted in Chapter 3, the overarching elements (tenets) of the proposed theory (Weberian Developmental State theory) include the following:

- (i) *The centrality of local government:* The researcher strongly believes that any theory of development in South Africa has to be grounded on the role of local government. The researcher started off by integrating ideas of Weber and Evans ahead of outlining the foundational basis for framing a Weberian developmental state theory in South Africa.
- (ii) *Intergovernmental relations and coordination:* Spheres of government should work together in the spirit of cooperative governance where the mandates, roles, and responsibilities of each sphere are clear. Each sphere is equally important for ensuring that the Weberian developmental theory is achieved. Memoranda of Understanding (MoU) and binding agreements should be signed among spheres of government in order to assist towards holding each other accountable on agreements and set targets.
- (iii) *Developmental and policy coherence:* Consistency on the nature of policies and programmes developed towards ensuring the developmental agenda should be ascertained. Policies developed should be focused on social and economic well-being of the citizens.
- (iv) *State-society relationships:* The state should be embedded in the society in order for the government to deliver according to the needs of the citizens. State and society relations should be guided by the social contract where each will play its role accordingly as expected.
- (v) *Bureaucratic credentialism:* Bureaucrats should be appointed to hold various offices on the basis of the suitability of their candidacy. There should be set standards that are applied to hold variety of office positions in government offices.
- (vi) *Political and ideological insulation:* Partisan politics and ideologies should not affect the work of the government. There should be clear distinction on the roles of politicians and administrators. The state should put mechanisms in place to ensure such insulation.

- (vii) *Relative autonomy*: Drawing from Marxist political economy, the theory proposes that the decentralised programmes must be given some degree of relative autonomy for effective results. Autonomy from central government, political heads and even political parties is crucial to realise a Weberian Developmental State.
- (viii) *The primacy of historical antecedents and local realities*: For the Accreditation Programme that was studied, the practical aspects of the theory will also suggest changes in the manner in which the programme is implemented especially on the aspect of strategic identification/prioritisation of relevant municipalities for capacity building towards delegation and devolution of powers to administer the housing function. This is mainly because of the contextual history of the country and the fact that apartheid left abject destitution and inequalities among citizens as well as weak local government systems in South Africa. The South African local government as the sphere that is located closer the community, society, and citizens at large is the crucial piece of the puzzle in the framing of an embedded developmental state. It appears that both Weber and Evans do not condition their analysis on the place of history in social development. As a corrective, the proposed idea of a Weberian Developmental State seeks to address this limitation.

#### **8.4 Study Recommendations**

Based on the literature reviewed, theoretical framework discussed, lessons learnt, and most importantly the empirical findings of this study, the researcher forthwith presents some crucial recommendations for consideration. It can be noted that most of the action-oriented recommendations are already provided in the proposal of the Weberian developmental state theory that the researcher discussed. On its own, the theory as proposed is the overarching recommendation for this study. Therefore, other recommendations that are more at a policy level serve to close the gaps on issues that may not necessarily have been covered. Such recommendations are provided as per the thematic areas reflected in this document as follows:

#### 8.4.1 Capacity Building

*The human settlements sector should invest in building capacity across the sector by establishing structured programmes that are funded from the Human Settlements Development Grant (HSDG) in order to effectively deliver on the mandate. For example, the findings of the study indicate that provinces do not have capacity, and as such, it is difficult and impossible for provinces to building capacity in local government. The implementation of this recommendation will assist the entire human settlements sector with the required capacity needed for the implementation of the Accreditation Programme across all spheres since all spheres have different roles to play. This will ascertain that the expectation for provinces to build capacity in municipalities is addressed.*

#### 8.4.2 Accreditation Policy Advocacy

*The human settlements sector should package/establish an extensive accreditation advocacy programme in order to assist executive bureaucrats as well as politicians to improve understanding of the Accreditation Programme. Findings of the study indicate that the Accreditation Programme is understood by junior bureaucrats in the human settlements hierarchy, and this creates a challenge for junior bureaucrats when they have to clash with their seniors who appear to be less knowledgeable than them with regards to the Accreditation Programme. Thus, an extensive policy advocacy programme is necessitated to assist senior and executive bureaucrats as well as politicians in the human settlements sector. The implementation of this recommendation will assist to reduce the knowledge gap regarding the Accreditation Programme in the sector.*

#### 8.4.3 Distinction between Accreditation and Assignment

*Practitioners of the Accreditation Programme in the human settlements sector across all three (3) spheres of government should provide clarity on the distinction between accreditation and assignment in order to ensure that the two concepts of the Programme are well understood. This has to be done because the findings of the study state that there is confusion and conflation of the two (2) concepts such that the*

Accreditation Programme has attracted all sorts of negative connotation because the two aspects of the Programme are taken as one whereas they are different. Their difference should be emphasised in their two (2) frameworks which have been developed in 2017 especially because in their execution, accreditation is a human settlements sector matter whereas assignment is a cooperative governance sector matter. The implementation of this recommendation will assist to reduce the negativity that the programme has attracted thus far due to the conflation of the two (2) concepts.

#### 8.4.4 Power Politics versus Accreditation Benefits

*The government should put measures in place to ensure that the implementation of the Accreditation Programme is not about power politics and fights over financial resources associated with the housing function.* The findings indicate that the Accreditation Programme is as utilised a political battlefield and political power tool. The implementation of the programme should focus on the developmental, intergovernmental relations, and local government delivery objectives as envisaged in the establishment of the Accreditation Programme. The implementation of this recommendation will assist to reduce the proclivity of politicising government programmes while ignoring the interest and welfare of the citizens.

#### 8.4.5 Addressing Process-Based Bottlenecks on Accreditation

*The human settlements sector should implement the options provided in the findings of this study when implementation bottlenecks occur along the accreditation process value chain.* The three (3) options are: (i) National government should be involved for intervention, (ii) Accreditation Programme should be depoliticised, (iii) An external intergovernmental structure which includes SALGA should intervene to address the bottlenecks. The implementation of this recommendation will assist in ensuring that powers to decide on the Accreditation Programme are not concentrated upon a single individual which appears to be the challenge in the current way of implementing the Programme.

#### 8.4.6 Relevant Sphere for Administering the Housing Function

*Government should reconsider the allocations of functions across spheres of government and consider amending both the Constitution and the Housing Act in order to allocate the housing function in the local sphere. This should include putting in place all necessary institutional arrangements to ensure effective implementation of the housing function by the local sphere.* Findings indicate that the implementation of the housing function can best be located at the local government sphere which is the sphere closest to the citizens. This will also ensure that the developmental local government mandate is achieved since it requires all developmental functions at local government, and as it currently stands, the implementation housing function (which would assist local government to achieve their constitutional mandate) is located at the provincial sphere. The implementation of this recommendation is in support of federalism. Findings also indicate that the housing function is wrongly allocated as a concurrent function between provincial and national spheres (Schedule 4 Part A function/matter). As such, two (2) options are suggested: (i) rightfully allocate the housing function under Schedule 4 Part B or 5 Part B which would make it a default function for local government. (ii) Federalisation should be implemented where the housing function could be shared between national and local government spheres such that the implementation of the housing function will be at local government while national government supports with policy responsibility. The implementation of this recommendation will assist in rationalisation the state machinery for the effective delivery of social and basic services and also for assisting the local government sphere to achieve its constitutional mandate.

#### 8.4.7 Intergovernmental Disputes Resolution

*Government should implement the following options when intergovernmental dispute arise due to the implementation of the Accreditation Programme, and depending on what the dispute is about, the three (3) options could be implemented: (i) involve the national minister, (ii) an intergovernmental oversight body should intervene to resolve the disputes, and (iii) the Intergovernmental Relations Framework Act of 2005 should be utilised.* The findings indicated that intergovernmental disputes may arise due to the implementation of the Accreditation Programme, and if such disputes occur, they

should be addressed within the spheres of government without involving courts. The implementation of this recommendation will assist in protecting the reputation of the government and avoid instances where one sphere of government takes another sphere of the same government to court. All the options should be thoroughly attempted ahead of involving the courts as the last resort. Running to courts should not be a priority no matter how fierce the disputed can be.

#### 8.4.8 Alternatives for Housing Decentralisation

*Government (through the Department of Performance Monitoring and Evaluation) should ensure that programmes across all sector departments are synchronised/harmonised and rationalised in order for them to make maximum impact especially in local government.* This may include an option where the human settlements sector should harmonise the Accreditation Programme to the District Development Model for better implementation. This harmonisation should take into account other government development programmes that are implemented by other sector departments in the local government space. This is what the DDM is about – consolidation of government programmes into a single coordination point. The implementation of this recommendation will assist government to avoid duplication of efforts and resources while optimising efficiency and save time.

#### 8.4.9 Framework for Strategic Identification of Municipalities

*The human settlements sector should consider the proposal of the framework developed in this study as part of the Weberian developmental state theory in order to assist in the identification of future municipalities for accreditation in line with other developmental programmes of government.* Findings indicated that there are challenges that occur at the foundation stage of the accreditation process value chain wherein undeserving municipalities are identified for accreditation and this result in flawing the entire process because the foundation was not tight. The implementation of this recommendation will assist both the human settlements sector and government at large to harmonise their programmes for coordinated development.

#### 8.4.10 Prioritisation of Municipalities: Integrated Approach

Prioritisation and identification of municipalities can be harmonised to other government development programmes in order for the Accreditation Programme to be in sync with the developmental direction of the country. Focusing on table 3 below, prioritisation/identification of municipalities for assessment towards accreditation can take a form of considering capacity building of municipalities which have three (3) ticks and more across all the government programmes for assessment towards accreditation. Provinces may also have their own criteria that can be applied for prioritisation/identification of municipalities towards accreditation in line with their provincial growth and development strategies. All municipalities listed in the table above form part of either the forty-four (44) districts' or eight (8) metropolitan municipalities' spaces. As such, their areas of jurisdiction are covered under the new District Development Model (DDM). Table 3 below demonstrates a possibility of relationship between some of the government programmes implemented in South Africa and the Accreditation Programme as proposed in the findings of the study. The ticks on the table relate the programmes to the municipalities wherein such programmes are implemented. The simple message to the human settlements sector in South Africa is to say look among the list for strategic identification of municipalities for accreditation which aligns to other government programmes for synchronisation.

Table 3: Possible relationship between government programmes and Accreditation Programme

Municipality	NON-IUDF DELE GTD		HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN		PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
1. Johannesburg Metro	✓	✓	✓	✓	✓	✓	✓	✓	Accredited at L2	Gauteng
2. City of Cape Town Metro	✓	✓	✓	✓	✓	✓		✓	Accredited at L2	Western Cape
3. Ekurhuleni Metro	✓	✓	✓	✓	✓	✓		✓	Accredited at L2	Gauteng
4. eThekweni Metro	✓	✓	✓	✓	✓	✓		✓	Accredited at L2	KwaZulu-Natal
5. City of Tshwane Metro	✓	✓	✓	✓	✓	✓		✓	Accredited at L2	Gauteng
6. Nelson Mandela Metro	✓	✓	✓	✓	✓	✓		✓	Accredited at L2	Eastern Cape
7. Mangaung Metro	✓	✓	✓	✓	✓	✓		✓	Accredited at L2	Free State
8. Emfuleni LM	✓					✓			Not Identified/Prioritised	Gauteng
9. Buffalo City Metro	✓	✓	✓	✓		✓		✓	Accredited at L1	Eastern Cape
10. Msunduzi LM	✓	✓	✓	✓		✓		✓	Accredited at L2	KwaZulu-Natal

Municipality	NON-IUDF DELE GTD		HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN		PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME		PROVINCE
11. Matjhabeng LM	✓		✓			✓	✓		Identified/Prioritised	Free State	
12. Emalahleni LM	✓		✓	✓		✓	✓	✓	Accredited at L1	Mpumalanga	
13. Matlosana LM	✓					✓	✓	✓	Identified/Prioritised	North West	
14. Rustenburg LM	✓	✓	✓	✓		✓	✓	✓	Accredited at L2	North West	
15. Mogale City LM	✓			✓		✓	✓	✓	Identifiable	Gauteng	
16. Govan Mbeki LM	✓			✓		✓		✓	Accredited at L1	Mpumalanga	
17. Polokwane LM	✓	✓		✓		✓		✓	Accredited at L2	Limpopo	
18. Newcastle LM	✓		✓	✓		✓			Accredited at L2	KwaZulu-Natal	
19. Sol Plaatjie LM	✓	✓	✓	✓		✓		✓	Accredited at L2	Northern Cape	
20. Drakenstein LM	✓			✓		✓		✓	Not Identified/Prioritised	KwaZulu-Natal	
21. Steve Tshwete LM	✓			✓		✓	✓	✓	Accredited at L2	Mpumalanga	
22. Mbombela LM	✓	✓	✓	✓	✓	✓		✓	Accredited at L1	Mpumalanga	
23. Kwadukuza LM	✓			✓		✓		✓	Accredited at L2	KwaZulu-Natal	

Municipality	NON-IUDF DELETED		HS MSP	RSTRCTRN G ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN		PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE THE
24. Merafong LM	✓			✓		✓	✓		Identifiable	Gauteng
25. Thembisile Hani LM	✓					✓			Not Identified/Prioritised	Mpumalanga
26. George LM	✓	✓	✓	✓		✓		✓	Identified/Prioritised	Western Cape
27. King Sabata Dalindyebo LM	✓		✓	✓		✓		✓	Identifiable	Eastern Cape
28. Metsimaholo LM	✓		✓			✓		✓	Identified/Prioritised	Free State
29. uMhlathuze LM	✓	✓	✓	✓		✓		✓	Accredited at L2	KwaZulu-Natal
30. JB Marks LM	✓		✓			✓			Accredited at L1	North West
31. Moqhaka LM	✓					✓	✓		Identified/Prioritised	Free State
32. Madibeng LM	✓					✓	✓	✓	Identified/Prioritised	Free State
33. Lukhanji LM	✓						✓		Not Identified/Prioritised	Eastern Cape
34. Maluti-A-Phofung LM	✓				✓	✓		✓	Identified/Prioritised	Free State
35. Randfontein LM	✓			✓		✓	✓		Identifiable	Gauteng
36. Alfred Duma LM	✓		✓			✓			Accredited at L2	KwaZulu-Natal

Municipality	NON-IUDF DELETED	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE	
37. Breede Valley LM	✓		✓		✓		✓	Identifiable	Western Cape
38. Msukalingwa LM	✓		✓					Not Identified/Prioritised	Mpumalanga
39. Stellenbosh LM	✓		✓		✓			Identified/Prioritised	Western Cape
40. Thulamela LM	✓				✓			Accredited at L 1	Limpopo
41. Ngwathe LM	✓				✓			Not Identified/Prioritised	Free State
42. Mogalakwena LM	✓				✓			Identified/Prioritised	Limpopo
43. Dihlabeng LM	✓				✓		✓	Identified/Prioritised	Free State
44. Westonaria LM	✓		✓		✓	✓		Identifiable	Gauteng
45. Setsoto LM	✓				✓			Not Identified/Prioritised	Free State
46. Saldhana Bay LM	✓		✓				✓	Not Identified/Prioritised	Western Cape
47. Lekwa LM	✓		✓		✓			Identifiable	Mpumalanga
48. Ditsobotla LM	✓							Not Identified/Prioritised	North West

Municipality	NON-IUDF DELETED	HS MSP	RSTRCTRN G ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
49. Ray Nkonyeni LM	✓		✓	✓	✓		Accredited at L1	KwaZulu-Natal
50. Mossel Bay LM	✓		✓		✓		Identified/Prioritised	Western Cape
51. Kouga LM	✓		✓		✓		Identifiable	Eastern Cape
52. Lesedi LM	✓						Shew interest	Gauteng
53. Abaqulusi LM	✓						Not Identified/Prioritised	KwaZulu-Natal
54. Swartland LM	✓		✓				Not Identified/Prioritised	Western Cape
55. Dr JS Moroka LM	✓						Not Identified/Prioritised	Mpumalanga
56. Oudtshoorn LM	✓		✓				Not Identified/Prioritised	Western Cape
57. Albert Luthuli LM	✓						Not Identified/Prioritised	Mpumalanga
58. Overstrand LM	✓		✓				Not Identified/Prioritised	Western Cape
59. BaPhalaborwa LM	✓						Not Identified/Prioritised	Limpopo
60. Theewaterskloof LM	✓				✓		Not Identified/Prioritised	Western Cape
61. Mkhondo LM	✓						Not Identified/Prioritised	Mpumalanga

Municipality	NON-IUDF DELETED	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
62. Nala LM	✓				✓		Not Identified/Prioritised	Free State
63. Makana LM	✓				✓		Not Identified/Prioritised	Eastern Cape
64. uMngeni LM	✓						Not Identified/Prioritised	KwaZulu-Natal
65. Thabazimbi LM	✓				✓	✓	Identified/Prioritised	Limpopo
66. Langeberg LM	✓						Not Identified/Prioritised	Western Cape
67. Thaba Chweu LM	✓		✓		✓	✓	Identifiable	Limpopo
68. Knysna LM	✓		✓		✓		Identifiable	Western Cape
69. Maquassi Hills LM	✓				✓		Not Identified/Prioritised	North West
70. Witzenberg LM	✓						Not Identified/Prioritised	Western Cape
71. Pixley Ka Seme LM	✓						Not Identified/Prioritised	Mpumalanga
72. Midvaal LM	✓						Not Identified/Prioritised	Gauteng
73. Modimolle LM	✓						Not Identified/Prioritised	Limpopo
74. Masilonyana LM	✓				✓		Not Identified/Prioritised	Free State

Municipality	NON-IUDF DELETED	HS MSP	RSTRCTRN G ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
75. Phokwane LM	✓				✓		Not Identified/Prioritised	Northern Cape
76. Inxuba Yethemba LM	✓					✓	Not Identified/Prioritised	Eastern Cape
77. Victor Khanye LM	✓		✓				Not Identified/Prioritised	Mpumalanga
78. Ndlambe LM	✓				✓		Not Identified/Prioritised	Eastern Cape
79. Greater Kokstad LM	✓						Identified/Prioritised	KwaZulu-Natal
80. Endumeni LM	✓						Identified/Prioritised	KwaZulu-Natal
81. Mafube LM	✓				✓		Not Identified/Prioritised	Free State
82. Mamusa LM	✓						Not Identified/Prioritised	North West
83. Nkokobe LM	✓						Not Identified/Prioritised	Eastern Cape
84. Mnquma LM	✓				✓		Not Identified/Prioritised	Eastern Cape
85. Naledi LM	✓				✓		Not Identified/Prioritised	Free State
86. Umjindi LM	✓		✓				Not Identified/Prioritised	Mpumalanga
87. Umtshezi LM	✓						Not Identified/Prioritised	KwaZulu-Natal

Municipality	NON-IUDF DELETED	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE	
88. Nketoana LM	✓						Not Identified/Prioritised	Free State	
89. LekwaTeemane LM	✓						Not Identified/Prioritised	North West	
90. Greater Tzaneen LM	✓				✓		Identified/Prioritised	Limpopo	
91. Elias Motsoaledi LM	✓				✓	✓	Identifiable	Limpopo	
92. Bela-Bela LM	✓						Identified/Prioritised	Limpopo	
93. Tswaing LM	✓						Not Identified/Prioritised	Limpopo	
94. Bushbuckridge LM	✓						Not Identified/Prioritised	Mpumalanga	
95. Lephalale LM	✓				✓	✓	✓	Accredited L1	Limpopo
96. Musina LM				✓			✓	Accredited L1	Limpopo
97. Makhado LM				✓	✓			Accredited L1	Limpopo
98. Tubatse-Fetakgomo LM				✓	✓	✓	✓	Identified/Prioritised	Limpopo
99. Moses Kotane LM				✓	✓	✓	✓	Identified/Prioritised	North West
100. Dawid Kruiper LM (IIDE)				✓	✓			Accredited at Level 2	Northern Cape

Municipality	NON-IUDF DELETED	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
101.Nama Khoi		✓					Identified/Prioritised	Northern Cape
102.Mahikeng LM (IUDF)	✓	✓				✓	Identified/Prioritised	North West
103.Camdeboo LM			✓		✓		Not Identified/Prioritised	Eastern Cape
104.Bitou LM			✓				Not Identified/Prioritised	Western Cape
105.Nkomazi LM			✓			✓	Not Identified/Prioritised	Mpumalanga
106.Ephraim Mogale LM					✓	✓	Not Identified/Prioritised	Limpopo
107.Tsantsabane LM					✓	✓	Not Identified/Prioritised	Northern Cape
108.Gamagara LM					✓	✓	Not Identified/Prioritised	Northern Cape
109.Ga - Segonyana LM						✓	Not Identified/Prioritised	Northern Cape
110.Kgetlengrivier LM					✓	✓	Not Identified/Prioritised	North West
111.Ulundi LM		✓					Identified/Prioritised	KwaZulu-Natal
112.Kareeberg LM		✓					Not Identified/Prioritised	Northern Cape
113.Umsobomvu LM		✓					Not Identified/Prioritised	Northern Cape

Municipality	NON-IUDF DELE GTD	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
114. Karoo Hoogland LM		✓					Not Identified/Prioritised	Northern Cape
115. Beaufort West LM		✓					Not Identified/Prioritised	Western Cape
116. Amahlati LM					✓		Not Identified/Prioritised	Eastern Cape
117. Elundini LM					✓		Not Identified/Prioritised	Eastern Cape
118. Mhlontlo LM					✓		Not Identified/Prioritised	Eastern Cape
119. Umzimvubu LM					✓		Not Identified/Prioritised	Eastern Cape
120. Ntabankulu LM					✓		Not Identified/Prioritised	Eastern Cape
121. Mbizana LM					✓		Not Identified/Prioritised	Eastern Cape
122. Nkonkobe LM					✓		Not Identified/Prioritised	Eastern Cape
123. Nqgushwa LM					✓		Not Identified/Prioritised	Eastern Cape
124. Great Kei LM					✓		Not Identified/Prioritised	Eastern Cape
125. Mbashe LM					✓		Not Identified/Prioritised	Eastern Cape
126. Tsolwana LM					✓		Not Identified/Prioritised	Eastern Cape

Municipality	NON-IUDF DELE GTD	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
127. Inkwanca LM					✓		Not Identified/Prioritised	Eastern Cape
128. Emalahleni (EC)					✓		Not Identified/Prioritised	Eastern Cape
129. Sakhisizwe LM					✓		Not Identified/Prioritised	Eastern Cape
130. Inxuba LM					✓		Not Identified/Prioritised	Eastern Cape
131. Maletswai LM					✓		Not Identified/Prioritised	Eastern Cape
132. Senqu LM					✓		Not Identified/Prioritised	Eastern Cape
133. Bluecrane Route LM					✓		Not Identified/Prioritised	Eastern Cape
134. Ikhwezi LM					✓		Not Identified/Prioritised	Eastern Cape
135. Sundays River Valley LM					✓		Not Identified/Prioritised	Eastern Cape
136. Koukama LM					✓		Not Identified/Prioritised	Eastern Cape
137. Baviaans LM					✓		Not Identified/Prioritised	Eastern Cape
138. Nyandeni LM					✓		Not Identified/Prioritised	Eastern Cape

Municipality	NON-IUDF DELE GTD	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
139. Port St Johns					✓		Not Identified/Prioritised	Eastern Cape
140. Ingquza Hills					✓		Not Identified/Prioritised	Eastern Cape
141. Kopanong LM					✓		Not Identified/Prioritised	Free State
142. Mantsopa LM					✓		Not Identified/Prioritised	Free State
143. Letsemeng LM					✓		Not Identified/Prioritised	Free State
144. Nketoana LM					✓		Not Identified/Prioritised	Free State
145. Tswelopele LM					✓		Not Identified/Prioritised	Free State
146. Mahokare LM					✓		Not Identified/Prioritised	Free State
147. Tokologo LM					✓		Not Identified/Prioritised	Free State
148. Phumelela LM					✓		Not Identified/Prioritised	Free State
149. Modimole LM					✓		Not Identified/Prioritised	Limpopo
150. Greater Giyani LM					✓		Not Identified/Prioritised	Limpopo
151. Blouberg LM					✓		Not Identified/Prioritised	Limpopo

Municipality	NON-IUDF DELE GTD	HS MSP	RSTRCTRNG ZONES	SPECIAL ECONOMIC ZONES	NUSP MINING TOWN	PHDAs	STATUS IN RELATION TO ACCREDITATION PROGRAMME	PROVINCE
152. Greater Letaba LM					✓		Not Identified/Prioritised	Limpopo
153. Maruleng LM					✓		Not Identified/Prioritised	Limpopo
154. Mookgopong LM					✓		Not Identified/Prioritised	Limpopo
155. Siyancuma LM					✓		Not Identified/Prioritised	Northern Cape
156. Khaima LM					✓		Not Identified/Prioritised	Northern Cape
157. Ga-Segonyane LM					✓		Not Identified/Prioritised	Northern Cape
158. Ubuntu LM					✓		Not Identified/Prioritised	Northern Cape
159. Umdoni LM							Identified/Prioritised	KwaZulu-Natal
160. Ubuhlebezwe LM							Identified/Prioritised	KwaZulu-Natal
161. Mtubatuba LM							Identified/Prioritised	KwaZulu-Natal
162. Umvoti LM							Identified/Prioritised	KwaZulu-Natal
163. Emthanjeni							Accredited at L1	Northern Cape

#### 8.4.11 Solutions to challenges of housing decentralisation

*Governments within the African region and internationally should consider the lessons learnt in the implementation of the decentralisation project as exemplified by the Accreditation Programme in South Africa and customise lessons for their various contexts and dynamics.* Linked to that is to take note of some of the overarching suggested solutions to typical challenges that affect decentralisation of government that have been exposed in this project. A combination of one or more of the following solutions are suggested: (i) accreditation of municipalities should be on the basis of meritocracy on municipalities (credible planning, capacity, compliance, and performance), (ii) change the name from 'accreditation' to 'human settlements decentralisation' programme, (iii) depoliticise the Accreditation Programme and make it more bureaucratic-driven using the Weberian developmental state model, (iv) address the aspect of political will, (v) secure buy-in from all relevant stakeholders are willing and committed towards decentralisation, (vi) identification of municipalities should follow a credible framework that takes into account other government development programmes, and (vi) harmonise the Accreditation Programme to other government development programmes implemented in other sectors. The implementation of this recommendation will assist to avoid overarching challenges on decentralisation.

#### 8.4.12 Future research studies

*Future research studies on decentralisation may focus on some of the areas that need further consideration in scientific investigation and analysis as exposed in this study such as:* (i) the allocation of function in spheres of government, (ii) decentralisation (delegation and devolution) of transport function, (iii) whether or not the provincial sphere of government is relevant in South Africa, (iv) rationalisation of government programmes, and (v) capacity building in the human settlements sector. The implementation of this recommendation will assist in providing continuation on areas that this study did not cover and also close gaps in knowledge and literature on the subject of decentralisation.

## 8.5 Concluding Remarks

In its initial planning, the study started off focusing specifically on the Accreditation Programme, however, due to the connectedness of the programme to issues of socio-economic development, the study evolved to discuss issues of integrated development in the country over and above addressing the aim and objectives as set out in the beginning.

The findings of the study assisted the researcher to sufficiently breakdown the researcher problem and achieved the aim and objectives as set out in the beginning. It was demonstrated in the thesis that the challenges that the researcher sought to explore are multifarious in nature and they have deep-seated sources which, among others, are ideological in nature and the manner in which the transition from the pre-1994 to the post-1994 South African state unfolded. On the latter, the issue of compromising was central to ensuring peace in the transition process, however, it appears that the compromise is catching up with the developmental interest of the country as it currently stands. As such, the implementation of the decentralisation of the housing function to be administered at the local sphere of government encounters challenges such as administrative related challenges, political related challenges, capacity related challenges, and institutional arrangements related challenges. However, the main cluster of challenges that suffocate the decentralisation programme (Accreditation Programme) and make its implementation almost unfeasible are politically related challenges. This occurs mainly at the provincial sphere of government, and it leaves frustrations on the officials who are championing the Accreditation Programme right across the human settlements sector. This was one of the researcher's interests which necessitated this study in order to explore challenges and come up with possible solutions regarding the Accreditation Programme dynamics.

The researcher utilised findings from both the exploration of challenges and perceptions on the Accreditation Programme as guidance in the framing/proposing the Weberian developmental state theory for the South African context. In the researcher's observation, the framing of context-based developmental theory was very necessary based on some of the issues that were coming up from the literature, theoretical ideas

of others scholars, and the findings of the study. Therefore, from an empirical contribution point of view, the study provides findings some of which are in the form of solutions towards addressing challenges encountered in the implementation of the Accreditation Programme. Most importantly, the study contributes theoretically by exploring the possibility of a Weberian developmental state theory for South Africa. The researcher acknowledges that a solution for just one (1) government programme (Accreditation Programme) may not necessarily be adequate to address some of the other issues that are experienced in the country. Thus this necessitated the proposal of the Weberian developmental state theory which provides an integrated approach in the country's development, and take into account the context and circumstances that are prevailing in the country. Linked to this, the role of the local government sphere is uplifted due to its strategic position in the society to ensure citizen-driven and citizen-centred development. The researcher hopes that some of the insight from this work will be useful for knowledge generation and addressing challenges on decentralisation in governments.

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## APPENDICES

### Appendix 1: Interview Guide Questions

<b>Title of Thesis: Decentralisation of Administrative Powers for the Housing Function to Local Government in South Africa: A Case Study of the Municipal Accreditation Programme</b>	
<b>Section A: Demographic and Generic Questions</b>	
1. How long have you been in the housing – human settlements/related sector?	
2. What is your highest educational qualification?	
3. How long have you been exposed to the decentralisation of the housing function/accreditation of municipalities to implement the housing function?	
4. What role do you play in relation to accreditation of municipalities?	
5. What is your preference between centralisation and decentralisation system?  Kindly substantiate your response.	

**Section B: Government decentralisation and strategic objectives of the study**

<p>6. What is your understanding about decentralisation in government?</p>	
<p>7. What do you understand about the Accreditation Programme?</p>	
<p>8. What is your comment on the implementation of the Accreditation Programme in South Africa?</p>	
<p>9. In your view, do you think the Accreditation Programme is well understood in the human settlements sector?</p> <p>Kindly substantiate your response.</p>	
<p>10. At what stage are bottlenecks likely to occur within the accreditation process: municipal identification, capacity building, delegation, and assignment?</p> <p>Please elaborate...</p> <p>[Research Objective 1]</p>	
<p>11. In your view, what should happen when accreditation stalls/gets frustrated along its value chain?</p> <p>[Research Objective 1]</p>	
<p>12. What is your comment on the view that accreditation disempowers provinces on the housing function? Kindly substantiate your response.</p> <p>[Research Objective 2]</p>	

<p>13. In which sphere of government would the implementation of the housing function be better placed?</p> <p>Kindly substantiate your response.</p> <p>[Research Objective 2]</p>	
<p>14. What do you think about the view that accreditation of municipalities removes power from one political party to another? Kindly substantiate your response.</p> <p>[Research Objective 3]</p>	
<p>15. In your view, between politicians (MECs) and bureaucrats (Accounting Officers), who should have powers to accredit?</p> <p>[Research Objective 4]</p>	
<p>16. What is your view on the allocation of the housing function as a concurrent function between provincial and national governments? Kindly substantiate your response.</p> <p>[Research Objective 4]</p>	
<p>17. Is there a likelihood of intergovernmental disputes in relation to the decentralisation of the housing function? Kindly substantiate your response.</p> <p>[Research Objective 5]</p>	
<p>18. What should happen if intergovernmental disputes on</p>	

<p>the decentralisation of the housing function occur? Kindly substantiate your response.</p> <p>[Research Objective 5]</p>	
<p>19. What other approaches of decentralising the housing function besides the Accreditation Programmes would you suggest?</p> <p>[Research Problem]</p>	
<p>20. In your view, what would be the solution to the challenges faced regarding the Accreditation Programme?</p> <p>[Research Problem]</p>	

## Appendix 2: Ethical Clearance



**University of Limpopo**  
Department of Research Administration and Development  
Private Bag X1106, Sovenga, 0727, South Africa  
Tel: (015) 268 3935, Fax: (015) 268 2306, Email: anastasia.ngobe@ul.ac.za

**TURFLOOP RESEARCH ETHICS COMMITTEE**  
**ETHICS CLEARANCE CERTIFICATE**

**MEETING:** 05 November 2019

**PROJECT NUMBER:** TREC/399/2019: PG

**PROJECT:**

**Title:** Decentralising the housing function from provincial to local government in South Africa: a case study of the Municipal Accreditation Programme

**Researcher:** NS Mathonsi

**Supervisor:** Prof SL Sithole

**Co-Supervisor/s:** Dr TS Nyawasha

**School:** Social Science

**Degree:** PhD in Sociology

  
PROF P MASOKO

CHAIRPERSON: TURFLOOP RESEARCH ETHICS COMMITTEE

The Turfloop Research Ethics Committee (TREC) is registered with the National Health Research Ethics Council, Registration Number: REC-0310111-031

**Note:**

- i) This Ethics Clearance Certificate will be valid for one (1) year, as from the abovementioned date. Application for annual renewal (or annual review) need to be received by TREC one month before lapse of this period.
- ii) Should any departure be contemplated from the research procedure as approved, the researcher(s) must re-submit the protocol to the committee, together with the Application for Amendment form.
- iii) PLEASE QUOTE THE PROTOCOL NUMBER IN ALL ENQUIRIES.

**Appendix 3: Consent Form**

Project title: Decentralising the housing function from provincial to local government in South Africa: a case study of the Municipal Accreditation Programme

Project leader: NS Mathonsi

I, .....hereby voluntarily consent to participate in the following project: “Decentralising the housing function from provincial to local government in South Africa: a case study of the Municipal Accreditation Programme”.

I understand that:

- 1. My responses will be treated with confidentiality and only be used for the purpose of the research.
- 2. No harm will be posed to me.
- 3. The research project aim has been explained to me.
- 4. I do not have to respond to any question that I do not wish to answer for any reason.
- 5. Access to the records that pertain to my participation in the study will be restricted to persons directly involved in the research.
- 6. Any questions that I may have regarding the research, or related matters, will be answered by the researcher.
- 7. Participation in this research is entirely voluntary and I can withdraw my participation at any stage.
- 8. I understood the information regarding my participation in the study and I agree to participate.

**Signature of interviewee**

\_\_\_\_\_

**Signature of interviewer**



\_\_\_\_\_

Signed at \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

#### **Appendix 4: Debriefing Letter**

Enquiries : Mr NS Mathonsi  
Cell : [REDACTED]  
E-Mail Addr : buqedaka@gmail.com

Dear Sir/Madam

#### **LETTER OF CONSENT TO PARTICIPATE IN THE RESEARCH STUDY**

My name is Mr NS Mathonsi (Student Number: [REDACTED]), a postgraduate student in the School of Social Sciences, Faculty of Humanities at the University of Limpopo. This letter serves to request your consent to participate in this project by answering a few questions and sharing your views.

This research project investigates the challenges in decentralising the housing function in South Africa using the Accreditation Programme as a case study. Hopefully, the study findings will contribute towards recommendations to improve housing delivery. The researcher has applied for ethical clearance to conduct the study.

As a selected participant, you are valuable to this project since your contribution will assist to bring about solutions and recommendations that will assist the government in the overall delivery of housing and human settlements in South Africa.

Participants' identities will not be disclosed and are encouraged to respond to questions anonymously. The data generated will only be utilised for purposes of this study.

Your cooperation and assistance in this regard will be highly appreciated.



---

**Signature of interviewer**

## Appendix 5: Request for Permission to Conduct the Study



**human settlements**  
Department:  
Human Settlements  
REPUBLIC OF SOUTH AFRICA

Private Bag X644 Pretoria 0001 RSA Tel: (012) 421 1311 Fax: (012) 341 6512  
Private Bag X2627 Cape Town 8000 RSA Tel: (021) 468 7900 Fax: (021) 465 3610  
<http://www.housing.gov.za> Fraud Line: 0800 701 701 Toll Free Line: 0800 1 46873 (0800 1 HOUR)

Enq: Mr NS Mathonsi  
Email: [Ntsako.Mathonsi@dhs.gov.za](mailto:Ntsako.Mathonsi@dhs.gov.za)

Mr A Vawda  
Deputy Director-General: Human Settlements Delivery Frameworks  
Private Bag X644  
**PRETORIA**  
0001

Dear Mr Vawda

### **REQUEST FOR CONSENT TO CONDUCT A STUDY ON THE DECENTRALISATION OF HOUSING FUNCTION: ACCREDITATION PROGRAMME**

I have registered for my PHD studies with the University of Limpopo. I have already submitted a research proposal for my project which is titled 'Challenges in decentralising the housing function in South Africa: The case of the Accreditation Programme'.

The study will adopt a qualitative research design in which data will be collected through interviews. Purposive sampling will be applied wherein officials will be identified from the currently accredited municipalities, provinces, and one official within the Directorate: Accreditation Frameworks. An ethical clearance is applied with the University's responsible committee to ensure that respondents are well taken care of.

The study is about unblocking the challenges in decentralisation which is identified as key to development. I believe that the study will not only have a positive impact on the human settlements sector since cross-cutting recommendations will be drawn from it.

Attached to the letter is the research proposal that details the grand plan of the project for which your support is herewith requested. Attached also is a consent form to allow me to go ahead with the study as planned.

**Mr NS Mathonsi**  
**Manager: Accreditation Facilitation**

**Date:** 15/08/2018

## Appendix 6: Permission Letter



### human settlements

Department:  
Human Settlements  
REPUBLIC OF SOUTH AFRICA

Private Bag X644 Pretoria 0001 RSA Tel (012) 421 1311 Fax (012) 341 8512  
Private Bag X9057 Cape Town 8000 RSA Tel (021) 466 7600 Fax (021) 465 3610  
<http://www.housing.gov.za> Fraud Line: 0800 701 701 Toll Free Line: 0800 1 46873 (0800 1 HOUSE)

#### To whom it may concern

This serves to confirm that Mr NS Mathonsi, PERSAL No: 22994106 is a Manager: Accreditation Facilitation sub-unit in the Policy Unit under the Branch: Human Settlements Delivery Framework which I serve as the Branch Head.

I was made aware of his PHD studies with the University of Limpopo. It is envisaged that the outcome of his studies will yield the desired outcomes that will assist in improving efficiency in what we do. Thus Mr Mathonsi is permitted to continue with his study and conduct interviews with his sampled respondents within the Branch.

Mr Mathonsi will work with his academic supervisor to satisfy all the requirements in relation to his studies. In my capacity as a Branch Head, I do not take any responsibility for anything outside my consent for him to conduct the study. All operations between him and his academic supervisor shall continue as planned between them. All these shall not happen at the expense of the work that he is responsible for in the Department of Human Settlements as his employer.

I therefore hereby give consent for him to continue with his PHD studies on the topic 'Challenges in decentralising the housing function in South Africa: The case of the Accreditation Programme'.

**Mr A Vawda**  
**Deputy Director-General: Human Settlements Delivery Frameworks**

Date: 17.09.2018