THE RELATIONSHIP BETWEEN SERVICE DELIVERY PROTESTS AND CRIME IN THE SEKHUKHUNE DISTRICT OF THE LIMPOPO PROVINCE

By

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DECLARATION

I, Mokgadi Johanna Aphiri, do hereby declare that the work contained in this research report is entirely a product of my own original work with the exception of such quotations or references which have been attributed to their sources. I further declare that this research has not been previously submitted before for any other degree at any other institution.

Signature: …………………….   Date: ..../........./.........

DEDICATION

This study is dedicated to my mother Manthepane Martha Ndlovu who always wants the best for me and always encourages me to believe in God and my full potential. Secondly to thank my good loving and caring daughters Kgothatso Moloto, Itshidiseng and Dimpho whom I spent a lot of time away from due to my commitment to completing this study.

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ABSTRACT

The study aimed to determine the relationship between service delivery protests and crime in the Sekhukhune District Municipality. To achieve the study a qualitative approach was adopted. Focus group discussions were held with 10 discussants in each of the municipalities within the Sekhukhune District Municipality (10 in Elias Motsoaledi Municipality, 10 in Ephraim Mogale Municipality, 10 in Greater Tubatse Municipality, 10 in Fetakgomo Municipality, and 10 in Makhuduthamaga Municipality).Thematic analysis were used to analysed data collected from 50 participants. The results revealed that lack of service delivery, corruption, poor housing and unemployment cause service delivery protests. Service delivery protests turn violent due to community frustrations and police presence escalates the violence. Sekhukhune District Municipality members participate in violent service delivery protests due hopelessness and lack of knowledge of participatory mechanisms. Road barricading, tyre burning and vandalism are the nature of criminality associated with service delivery protests. Public protests are caused by a myriad of factors; however the findings indicate that there is a gulf that exists between the public and the municipal authorities. The public voice seems not to be heard by authorities, which leads to the public engaging in public protests. Public protests come only as a last resort, after all public participation avenues have been exhausted including the failure of the authorities to respond timeously to public demands. The study was able to determine the relationship between service delivery protests and crime. Sekhukhune District Municipality need to explore ways for both the invited spaces and invented spaces of participation to co-exist. This will provide for early detection (warning signs) for the levels of frustrations and subsequent protests.

KEY WORDS: Service Delivery, Violence, Protests, Crime and Corruption.

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CHAPTER 1

GENERAL ORIENTATION

1.1 INTRODUCTION

Protests are not crimes in themselves when organized within the prescripts of the Constitution of South Africa 1996 (hereinafter the constitution). This is because Section 17 of the Constitution provides that everyone has a right, peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions. Read with the constitution, the Regulation of Gatherings Act (205 of 1993) requires compliance with certain criteria before protesters are permitted to gather in public. Failure to meet this requirement delegitimises public gatherings. However, violence has often been reported in both illegitimate and legitimate gatherings. The violent death of Andries Tatane at the hands of the police in Meqheleng outside Ficksburg in April 2011 and the 2012 Marikana miners tragedy are cases in point.

Most studies on violent protests place emphasis on public order policing of making attempts to understand the dynamics of social protests (Fernandez, 2008). The emphasis on public order policing may be explained by the fact that public violence occurrences are captured as crowd-related incidents (South African Police Service Annual Report, 2012). The report distinguishes between peaceful incidents and unrest-related incidents. According to the report, peaceful incidents are non-violent public assemblies, gatherings and meetings where there was a police presence. On the contrary, unrest-related incidents refer to incidents such as labour disputes and dissatisfaction with service delivery in which violence erupted and the South African Police Services action was required to restore peace and order.

In light of the foregoing, an explanation of social protests from the standpoint of the activists who engage or may engage in mass-demonstrations, direct action, and violent resistance is imperative. In as much as protest action is not a crime in South Africa, violence, the disturbance of public order and armed protests are criminal conducts. According to the SAPS Annual Report (2012), public protests and gatherings are becoming increasingly violent as unrest incidents substantially increased by 23% in 2011/12 compared to the previous year. Sekhukhune District Municipality has experienced service delivery protests that turned violent.

As a result, the questions that need to be pondered are; why do activists violate the law by organising and, or participating in protests that turn violent, and disrupt public order?; why would an otherwise law-abiding citizens risk arrest and possible imprisonment by engaging in acts of violent protests?; how are the acts of organising and participating in violent protest actions classified? – are they crimes of dissent or criminal participation? The proposed study investigates the relationship between service delivery protests and crime in the Sekhukhune District Municipality.

1.2 PROBLEM STATEMENT

Stemmet and Barnard (2003) reported that in the 1980s the ANC created alternative structures in order to defy and destroy the previous government, and subsequently empower the people. These structures were parliament in the form of street committees; army and police in the form of self-defence units and combat groups and its courts: the people's courts. Malaquais (2011) argued that for many average South Africans, the sense is that the only way to get attention of government is by burning tires, barricading roads and engaging in other forceful display of frustration. The right to protest in terms of regulation is protected in South Africa but has limitations enforced in terms of the Regulation of Gatherings Act 205 of 1993. Notwithstanding the provisions of this fore mentioned Act, many organic community groups fail to apply for permission to protest. As a result, public protest takes on a spontaneous form that the police consider to be illegal (Tait & Marks, 2011).

The problem is that some organisers of and participants in illegitimate or legitimate crowd-related incidents are tending more frequently towards unrest-related incidents irrespective of their consequences. According to Lovell (2009) 'protests need to be seen in order to be effective'. In South Africa, it appears as if violence is the highlighter that makes protests to be visible. However, if protests are altruistic in nature, bodes no personal gains, carry the intent to educate or persuade a political majority of a perceived injustice, must they be violent? Moreover, if the contrary is the case, why do individuals exploit violence for private ends? Another problem arises from the classification of the criminality of crowd-related incidents, whether as a crime of decent or criminal participation, protests require a collective endeavor. Therefore, there is a collective dimension to deviant activities which require protesters to establish affinity groups.

However, this communal dimension includes also the potentially negative consequences such as arrest, trial, jail time, and death amongst others. Sekhukhune District Municipality is a situated in the Limpopo Province and is comprised of the following local municipalities: Elias Motsoaledi, Ephraim Mogale, Greater Tubatse, Fetakgomo and Makhuduthamaga. The district has previously experienced service delivery protests that turned violent. The question then arises as to why ordinarily citizens embark on public violence in order to highlight their plight?

1.3 DEFINITION OF CONCEPTS

For the purpose of the study, the following terms were used to mean what is stated here.

1.3.1 Service Delivery

According to Harber (2009), service delivery contains a host of assumptions, policies, attitudes and promises, which are starting to haunt a government because it has built its promise entirely on the notion of improving service delivery.

1.3.2 Public Violence

Protest actions are aspects of public violence but the latter is manifests in a number of ways, including demonstrations, protest actions, strikes, vigilantism, xenophobic attacks and gang violence (Tait & Marks, 2011).

1.3.3 Crime

According to a classic definition by Van der Walt, Cronje and Smit (1985: 5), a crime is "conduct which common or statute law prohibits and expressly or impliedly subjects to punishment remissible by the State alone and which the offender cannot avoid by his own act once he has been convicted".

1.3.4 Civil Disobedience

Civil disobedience is the active, professed refusal to obey certain laws, demands, and commands of a government, or of an occupying international power. Civil disobedience is commonly, though not always defined as being non-violent (Tamukamoyo, 2013).

1.3.5 Criminal Participation

Criminal participation is a situation where people engage in criminal conduct as a group and are jointly liable for the offence (Wilson, 2010).

1.4 PURPOSE OF THE STUDY

1.4.1 Aim

The aim of the study is to determine the relationship between service delivery protests and crime in the Sekhukhune District.

1.4.2 Objectives

The specific objectives of the study are as follows:

- To identify the causes of service delivery protests.
- To determine the factors that turn service delivery protests into violent protests.
- To establish why people participate in violent service delivery protests.
- To describe the nature of criminality that is associated with service delivery protests.

1.5 THE RATIONALE OF THE STUDY

Granted that the exact configuration of grievances varies from one protest to the other and one community to another, one constant is the criminality associated with them notably public violence. Though service delivery protests as they are known now is reported to be a 2004 onward phenomenon, there appear to be considerably established body of knowledge in this era. A variety of literature on the subject matter of service delivery have emphasised various aspects of it, with public order policing enjoying significant coverage. This is justifiably so because the rage of sections of the protestors and the extent of violence and destruction they wreak that is striking. The said rage reflects a fundamental estrangement of the people advertently and inadvertently from the hard won democracy. It suggests an acute sense of marginalisation and social exclusion. Exposing further ramifications of service delivery protest is within the call made in 2010 by the Deputy Minister of Cooperative Governance and Traditional Affairs on the need for practical understanding of these protests, and actions at addressing them. Hence, in this proposed

research study, it is undertaken to explore the relationship between service delivery and violent protests.

1.6 RESEARCH METHODOLOGY

1.6.1   Research Design

This is an exploratory study. The research followed a qualitative design. This is because qualitative research emphasises detailed descriptions and understanding phenomenon within appropriate contexts and from the eyes of the actors themselves (Babbie & Mouton, 2008). In this case, the phenomenon is the understanding of the dynamics of social protest from the stance of the activists who engage or are likely to engage in service delivery protests. Qualitative studies are characterised by a detailed engagement with the object of the study, selecting a small number of cases to be studied, an openness to multiple sources of data if need be, and flexible design features that allow the researcher to adapt and make change to the study when necessary. The qualitative design is implemented because it goes beyond aggregates to responses to seek the interpretation ascribed to the phenomenon that is studied through the eyes of the respondents (Leedy & Ormrod, 2010).

1.6.2   Population and Sampling

1.6.2.1 Population

Population was comprised of youth and adults who participated in service delivery protests in local municipalities in the Sekhukhune District Municipality of the Limpopo Province. The district comprises of five local municipalities, namely: Elias Motsoaledi, Ephraim Mogale, Greater Tubatse, Fetakgomo, and Makhuduthamaga. This is because they constitute the demographics shown in the televised reporting of service delivery protests. The population is readily available and accessible at their physical locations.

1.6.2.2 Sampling

Purposive sampling was used in this study. The characteristics for inclusion of this type of sample is that it is based entirely on the judgement of the researcher, in that a sample is composed of elements that contain the most characteristic, representative or typical attributes of the population that serve the purpose of the study best.

The underlying assumption is that the researcher will select units that have the characteristics of the population. The researcher's judgment can be relied on in terms of knowledge of the population in the Sekhukhune District, its elements, the nature of the study, and the aims of the study (Babbie & Mouton, 2008).

Representatives of members of the community, opinion leaders, community leaders, civil society organisations (Non-governmental Organisations, Non-Profit Organisations, and Community-Based Organisation etc.), quasi-state structure(s) (Community Policing Forum), trade unions, political structures, political office bearers, public administration officials, corporate citizens amongst others with different spectra of knowledge on the subject matter of the study constituted the sample.

1.6.2.3 Sample Size

There were 5 focus group discussions (FGDs) conducted across Sekhukhune District Municipality. FGD's consisted of 10 discussants in the following municipalities: Elias Motsoaledi, Ephraim Mogale, Greater Tubatse, Fetakgomo, and Makhuduthamaga. A total of 50 participants participated in the study.

1.6.3 Data Collection Method

The FGD were employed as the method of data collection. A FGD is used to gain knowledge about a particular topic or need by interviewing a group of people directly affected by the issue. According to Onwuegbuzie, Dickinson, Leech and Zoran (2009) traditionally, focus group research is a way of collecting qualitative data, which essentially involves engaging a small number of people, about ten people plus a moderator and observer in an informal group discussion (or discussions), "focused around a particular topic or set of issues.

The researcher got two assistant to help facilitate and take notes on the responses. This assisted not to distract respondents and create an open and free discussion. The discussions lasted for two hours and were recorded. The audio record of the FGD sessions were transcribed and back translated to English.The focus group meetings were held in a comfortable and quite location. The FGD theme were designed in English and translated to the indigenous language of the discussants.

1.6.4 Data Analysis

The data collected was analysed using Tesch's (1990) thematic method of data analysis (Babbie & Mouton, 2008: 490). This approach proposes eight steps to consider in data analysis, where each step of the process involves both data reduction and interpretation. These steps include organising the data, immersion in the data; generating categories, themes, major topics, unique topics and leftovers; coding of data; offering interpretation through analytic memos; searching for alternative understanding of variables; collation of data and preliminary analysis; and recoding data if necessary.

1.6.5 Reliability, Validity and Objectivity

To ensure validity, the researcher conducted a pilot study. This allowed the researcher to spot flaws in the methodology before conducting the study. Based on the pilot study, the data record sheets were modified before the actual conducting research. To assure reliability, the researcher asked respondents questions which are related to violent protests. Questions that are outside the sphere of violent protests phenomena were not included when conducting FGDs.

1.6.6 Bias

Bias is a form of systematic error that can affect scientific investigations and distort the measurement process. The researcher ensured that biasness is reduced by discussing FGD questions as a group. The researcher was honest and gave respondent enough time during FGDs.

1.7 ETHICAL CONSIDERATIONS

1.7.1 Ethics Approval and Clearance

The researcher received approval and ethical clearance from TREC to collect data from respondents who participated in service delivery protests in the Sekhukhune District.

1.7.2 Consent

The researcher obtained informed consent of the participants by providing them with sufficient information on the goal, procedures and implications of the study, as voluntary participation is an essential condition for FGD's (Mathews & Ross, 2010).

There were no overt material incentives to the participants in this study. This enabled the participants to make informed decisions on voluntary participation, grant the permission for the use of digital voice recording device during the discussions, and have the choice to discontinue with the study at any stage. Therefore, participants were required to sign consent forms that was elaborately explained to them. This is in line with Bless, Higson-Smith and Kagee (2006).

1.7.3 Anonymity

Where anonymity of the respondents is not possible, a researcher should maintain strict confidentiality (Babbie & Mouton, 2008). In this study, the researcher ensured confidentiality by the use of numbers to represent the discussants so that only the researcher and the facilitators and observers may be able to associate identifying characteristics of the discussants (David & Sutton, 2011). Information obtained was considered and treated as privileged. The discussants were assured that there are no 'right' or 'wrong' answers to the questions or opinions or views on an issue, only sincere and concise answers and views were required and expected. An effort were made to ensure as much objectivity by the researcher or facilitators by being neutral or impartial in conducting the FGDs and adhering to the protocol for the conduct of FGD and maintaining high level of professionalism (Streubert, Speziale & Carpenter, 2007).

1.8 SIGNIFICANCE OF THE STUDY

Social and political commentators such as Habib (2012) and Mbeki (2012) have spoken about service delivery protests and associated violence as well as state operatives. A common currency of the comments is the need to device measures to reduce the frequency of the occurrence of service delivery protests and minimise if not eliminate the associated violence. Therefore, the outcome of this study is significant for the insight it will bring on the causes of violent service delivery protests. Generally, the study is significant because it seeks to contribute to the existing body of knowledge on the subject of service delivery and violent protests from the perspective of Criminology.

CHAPTER 2

SERVICE DELIVERY PROTESTS

2.1 INTRODUCTION

Municipalities or local states are the level of state that operates at the level of wards. Wards are geographical areas set up that divide provinces into smaller units. Municipal government then administer a group of wards which are known as a region. The municipalities are the most appropriate level of governance to carry out the objectives of service delivery and local economic development. The reasons are that municipalities are better positioned to know what people need, since they are closer to the communities. Municipalities are convenient ground for participatory decision making since, they are closer to the community. Furthermore, municipalities are the right place for implementing the national government policies. The previous chapter gave the general orientation to the study wherein the study problem, aims and objectives and the research methodology was presented. This chapter presents the literature pertaining to service delivery protests in South Africa. The causes of service delivery protests will be thoroughly discussed together with the legislative framework in service delivery.

2.2 LEGISLATIVE FRAMEWORK GOVERNING DEVELOPMENTAL LOCAL GOVERNMENT

Developmental local government in South Africa is governed by the Constitution of the Republic of South Africa, 1996, the White Paper on Local Government, 1998, and a number of subsequent local government legislations. The following is a brief analysis of the nature and provisions of these legislations in an attempt to establish their contribution in building a developmental local government within a developmental state.

2.2.1 Constitution of the Republic of South Africa, 1996

In 1994, South Africa became a democratic state, following the general elections that took place on 27 April 1994. The elections heralded the end of the apartheid era, in which the approach to development was that of 'apartness', and 'segregation', as opposed to integrated development. These elections also paved the way for the establishment of local authorities based on democratic principles that allow residents to participate in planning and decisionmaking regarding matters affecting their general welfare. In order to create a legal framework for a democratic state, a new constitution was promulgated by the South African Parliament in 1996, known as the Constitution of the Republic of South Africa, 1996. In terms of Section 1 of the Constitution:

a. The Republic of South Africa is one, sovereign state founded on the following values:

b. Human dignity, the achievement of equality and the advancement of human rights and freedoms;

c. Non-racialism and non-sexism;

d. Supremacy of the constitution and the rule of law; and

e. Universal adult suffrage, a national common voter's roll, regular elections and multi-party system of democratic government, to ensure accountability, responsiveness and openness.

In terms of Section 3(1)-(3) of the Constitution of the Republic of South Africa, 1996:

f. There is a common South African citizenship;

g. All citizens are:

> (a) Equally entitled to the rights, privileges and benefits of citizenship; and

> (b) Equally subject to the duties and responsibilities of citizenship

h. National legislation must provide for the acquisition, loss and restoration of citizenship. These rights are further detailed in Chapter 2 of the Constitution, which is commonly referred to as the Bill of Rights.

The above provisions compare favorably with Section 8(1) and (2) of the Interim Constitution of the Republic of South Africa, 1993 (Act 200 of 1993), which stipulates that:

(1) Every person shall have the right to equality before the law and to equal protection of the law.

(2) No person shall be unfairly discriminated against, directly or indirectly, and, without derogating from the generality of this provision, on one or more of the following grounds in particular: race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.

It is evident from the above that the framework for a developmental state was already laid in the 1993 Constitution of the Republic of South Africa. The developmental duties of local government are clearly provided for in the Constitution of the Republic of South Africa, 1996. In terms of Section 153 of the Constitution, a municipality must:

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

(b) participate in national and provincial development programmes.

Furthermore, in terms of Section 152 (1)(a) of the Constitution of the Republic of South Africa, 1996, the objects of local government are, inter alia, to provide democratic and accountable government for local communities. It may be argued that these constitutional provisions make clear references to local government's developmental role, which had not been the case in preceding constitutions or legislations.

It may also be argued that the Bill of Rights provided for in the Constitution is an instrument for social and economic transformation in post-apartheid South Africa. In a way, one can clearly see that the Bill of Rights has its origins in the Freedom Charter of 1955.

In order to give effect to the developmental provisions enshrined in the Constitution of the Republic of South Africa, 1996, a number of local governments had to be promulgated. Amongst these is the White Paper on Local Government, 1998, which is discussed below.

2.2.2 White Paper on Local Government, 1998

Up until 1999, local government in South Africa remained subject to the precepts of the transition process, as regulated by the Local Government Transition Act 209 of 1993, as well as the Local Government Transition Amendment Act 61 of 1995. However, the promulgation of the Constitution of the Republic of South Africa, 1996, envisaged the complete transformation of the local government system. This Constitution envisaged a strong, capacitated developmental local government that would seek to improve the quality of lives of all citizens, irrespective of colour, creed or ethnicity. The process of transforming the institutions of the South African state is premised on the fact that the new democratic state, born in 1994, has a specific mission, namely that of meeting the new developmental objectives that will assist in creating a better life for all citizens. Hence, the formulation of the White Paper on Local Government, 1998.

The policies in the White Paper are the culmination of a long process and even longer history of a strong civic movement, a history of popular participation, and the development of principles that underpinned local government structures through the years of struggle. For this reason, the White Paper on Local Government is unique: it does not deal with a sectoral policy, but with an entire sphere of government. It can almost be regarded as a 'mini Constitution' for local government, as it affects all South Africans.

The White Paper on Local Government, 1998 acknowledges the fact that local government is the sphere of government that interacts closest with communities and is responsible for the rendering of essential public goods and services to residents. It is also tasked with ensuring the growth and development of communities in a manner that enhances community participation and accountability.

As a result, the White Paper on Local Government 1998 provides a brief history of local government under apartheid, which points to the origins of many of the problems currently faced by local government in South Africa. The White Paper highlights the history of community mobilisation in South Africa, and locates the current transition process in its broader historical context. The vision of and policies for how developmental local government should work, are set in the White Paper on Local Government, 1998. The White Paper essentially established how local government should be structured and operate from 1999 onwards. It is divided in eight sections, namely current reality, developmental local government, co-operative government, institutional systems, political systems, administrative systems in local government, municipal finance, and the transformation agenda.

The second section of the White Paper on Local Government puts forward a vision of a developmental local government that centers on working in local communities to find sustainable ways of meeting their needs and improving the quality of their lives. It discusses the four characteristics of developmental local government, namely exercising municipal powers and functions in a manner that maximises their impact on social development and economic growth, playing an integrating and co-ordinating role to ensure alignment between the public (including all spheres of government) and private investment within the municipal area, democratising development, and building social capital through providing community leadership and a vision, whilst seeking to empower marginalised and excluded groups within the community. Even from the kind of wording used in the second section of the White Paper, 1998, it can be noticed that it was influenced by the provisions of Sections 152 and 153 of the Constitution.

The White Paper on Local Government, 1998, urges local government to focus ondevelopmental outcomes, such as the provision of household infrastructure and services; the creation of liveable integrated cities, towns and rural areas; the promotion of local economic development and community empowerment; and the redistribution of national wealth. It also provides three approaches that can assist municipalities in becoming more developmental, namely integrated development planning and budgeting; performance management; and working together with local citizens and other development partners. It emphasises the importance of integrated development planning as a mechanism to enable prioritisation and integration in municipal planning processes, whilst strengthening links between development and institutional planning processes. The White Paper further proposes ways in which municipalities can engage citizens and community groups in their affairs, in their capacity as voters, citizens affected by municipal policies, consumers and end-users of municipal services, and partners in resource mobilisation for the development of the municipal area.

It is clear from the preceding discussions that although the Constitution provides a strong foundation for the creation of a developmental local government, the term 'developmental local government' was used for the first time in the White Paper on Local Government, 1998. It is also evident from the White Paper that developmental local government centres around democratising the affairs of local government, public participation in decision related to matters of their own development, meeting the basic socio-economic needs of communities, and the provision of human rights.

If one wants to appreciate the benefits of developmental local government, it is important to understand that apartheid fundamentally damaged the spatial, social and economic environments in which people lived, worked, raised their families and sought to fulfil their aspirations. It follows that local government, being the sphere of government closest to the citizens, has an important role to play in rebuilding local communities and environments, as the basis of a democratic, integrated, prosperous and non-racial society.

Within the framework of the Constitution, the White Paper on Local Government, 1998 establishes the basis of a new developmental local government system, which is committed to work with citizens, as well as interest groups and communities, to create sustainable human settlements that provide for a decent quality of life and meet the social, economic needs of communities in a holistic way.

In terms of Section 4.1 of the White Paper on Local Government, 1998, municipalities all over the world face the challenge of managing viable and environmentally sustainable urban and rural systems, whilst South Africa faces the following additional challenges:

- Skewed settlement patterns, which are functionally inefficient and costly.

- Extreme contradictions of taxable economic resources in formerly white areas, demanding redistribution between and within local areas.

- Huge backlogs in service delivery infrastructure in historically underdeveloped areas, requiring municipal expenditure far in excess of the revenue currently available within the local government system.

- Creating viable municipal institutions for dense rural settlements close to the borders of former homeland areas, which generally possess large populations with minimal access to services, and little or no economic base.

- Great spatial separations and disparities between towns and townships and urban sprawl, which increase service provision and transport costs enormously.

- Creating municipal institutions that recognise the linkages between urban and rural settlements.

- Entrenched modes of decision-making, administration and delivery inherited from municipalities geared for the implementation of urban and rural apartheid.

- Inability to leverage private sector resources for development, due to the breakdown in the relationship between capital markets and municipalities, the

lack of a municipal bond market, and the poor creditworthiness of many municipalities.

- Substantial variations in capacity, with some municipalities having little or no preexisting institutional foundations to build on.

- The need to rebuild relations between municipalities and the local communities they serve.

Section B of the White Paper on Local Government, 1998 explores developmental local government as the core responsibility of municipalities in working together with local communities to find sustainable ways to meet their needs and improve the quality of their lives. It is clear that the focus of the White Paper on Local Government, 1998 is public participation and involvement in providing sustainable and democratic development. Section B also sets out a series of developmental characteristics and outcomes, and proposes several tools to assist municipalities in becoming more developmental. The developmental characteristics envisaged in the White Paper includes maximising social development and economic growth, integrating and coordinating development, democratising development, and leading and learning.

Citizens and communities are concerned about issues such as the environment in which they live, access to services and economic opportunities, mobility, safety, pollution and proximity to social and recreational facilities. In that regard, Section B(2) sets four desired outcomes, namely the provision of household infrastructure and services; the creation of liveable, integrated cities, towns and rural areas; local economic development; and community empowerment and redistribution.

To achieve developmental outcomes requires significant change in the way local government operates. In terms of Section B(3) of the White Paper on Local Government, 1998, three interrelated approaches are put forward as tools that can assist municipalities in becoming more developmental, namely integrated development planning and budgeting; performance management; and working together with local citizens and partners. These tools and principles were subsequently developed and shaped through, *inter alia,* the Municipal Demarcation

Act 27 of 1998, the Municipal Structures Act 117 of 1998, the Public Finance Management Act 1 of 1999, the Municipal Electoral Act 27 of 2000, the Municipal Systems Act 32 of 2000, and the Municipal Finance Management Act 56 of 2003.

It is clear that, based on the White Paper on Local Government, 1998, a number of local government legislations were promulgated in order to give effect to the constitutional intention of establishing developmental local government within the ambit of a developmental state.

2.2.3 Municipal Structures Act 117 of 1998

Since local government is regarded as the sphere of government closest to the people, the core of all related legislation is to establish ways of ensuring that citizens provide input into the decisions that local municipalities make; hence the promulgation of the Municipal Structures Act 117 of 1998. The intention of the Municipal Structures Act, 1998 is to provide for the establishment of municipalities in accordance with the requirements relating to categories and types of municipalities; establish criteria for determining the category of municipality to be established in an area; determine the types of municipalities that may be established within each category; provide for an appropriate division of functions and powers between categories of municipalities; regulate the internal systems, structures and office-bearers of municipalities; and provide for appropriate electoral systems. In terms of Sections 8-10 of the Municipal Structures Act 117 of 1998, the law provides for the establishment of three categories of municipalities in South Africa, namely Category A, Category B, and Category C. The Nelson Mandela Bay Municipality is a Category A Municipality. In terms of Section 2 of the Municipal Structures Act, 1998, an area that must have a Category A Municipality can reasonably be regarded as:

(a) A conurbation featuring –

i. areas of high population density;

ii. An intense movement of people, goods, and services;

iii. Extensive development; and

iv. Multiple business districts and industrial areas;

(b) A centre of economic activity with a complex and diverse economy;

(c) A single area for which integrated development planning is desirable; and

(d) Having strong inter-dependent social and economic linkages between its constituent units.

According to Section 72(1) of the Municipal Structures Act 117 of 1998, only metropolitan and local municipalities of the type mentioned in Sections 8(c), (d), (g), (h) and 9(b), (d) and (f) of the Act may have ward committees. The Nelson Mandela Bay Municipality falls within the prescribed categories.

The functions and powers of ward committees are stipulated in Section 74 of the Municipal Structures Act, 1998, which provides that, a ward committee:

(a) May make recommendation on any matter affecting its ward –

   i. to the ward councillor; or

   ii. through the ward councillor, to the metro or local council, the executive committee, the executive mayor or the relevant metropolitan sub council.

(b) Has such duties and powers as the metro or local council may delegate to it in terms of Section 59 of the Local Government: Municipal Systems Act 32 of 2000.

It may be deduced from the provisions of the Act that a ward committee is a public participation structure, as it facilitates the involvement of communities in the matters of their local government through the ward councillor. This view is further enforced by Section 3(iii) of the National Framework in the Municipal Structures Act, 1998, which stipulates that municipalities must ensure that ward committees are effectively supported by the provision of communications material and community interaction systems and campaigns.

Even in the case of areas influenced by traditional leaders, Section 82(3) of the Structures Act stipulates that before a municipal council takes a decision on any matter directly affecting the area of a traditional authority, the council must give the leader of that authority the opportunity to express a view on the matter.

Based on, inter alia, the above provisions; it can be proven that the Municipal Structures Act, 1998 is legislation of a developmental nature. This line of thought can be traced back to the White Paper on Local Government, 1998, the Constitution of the Republic of South Africa, 1996 and the 1955 Freedom Charter of Kliptown.

2.2.4 Municipal Electoral Act 27 of 2000

One of the most important ways in which citizens can participate in matters of government is through the ballot box. Voting for political leaders and office-bearers in national, provincial and local elections allows citizens to elect those they think will administer their interests and needs best. In terms of Section 52 of the Republic of South Africa Constitution Act 110 of 1983, the population groups allowed to vote at the time were Whites, Coloureds and Indians. No Bill of Rights was explicitly provided for in the Constitution, although a number of provisions gave more rights to Whites than any other population group. Blacks were excluded in terms of rights and participation in matters of national or provincial governments.

In terms of Section 19(3)(a) of the Constitution of Republic of South Africa, 1996, voting is a right of all South Africans, irrespective of colour, race, creed or ethnicity. In terms of democratic rights, this was a step forward in laying another building block towards the establishment of a developmental state and developmental local government. It brought into reality the provision of the Freedom Charter, 1955, which stated that "the People Shall Govern". In terms of the Section 52 of the Republic of South Africa Constitution Act 110 of 1983: Every White person, Coloured person and Indian who-

(a) Is a South African citizen in terms of the South African Citizenship Act, 1949; and

(b) Is of or over the age of 18 years; and

(c) Is not subject to any of the disqualifications mentioned in section 4 (1) or (2) of the Electoral Act, 1979, shall, on compliance with and subject to the provisions of the Electoral Act 49 of 1949, be entitled to vote at any election of a member of the House of Assembly, the House of Representatives and the House of Delegates, respectively, in the electoral division of the House in question determined in accordance with the last-mentioned Act.

It may be concluded from the above Section that the Electoral Act of 1949 and Section 52 of the Republic of South Africa Constitution Act 110 of 1983, denied all Black South Africans the right to vote, though they constituted the majority of the country's population. This was against all human rights and could not be regarded as having assisted in building a developmental state.

In terms of Section 93 of the Republic of South Africa Constitution Act 110 of 1983, the control and administration of Black affairs vest in the State President, who must exercise all those special powers in regard to Black administration that were vested in him immediately before the commencement of this Act were vested in him, and any lands which immediately before such commencement for the occupation of Blacks and that in terms of any law will continue to vest in him, with all such powers as he may have in connection therewith, and no lands which were set aside for the occupation of Blacks and which could not at the establishment of the Union of South Africa have been alienated except by an Act of the Legislature of a Colony that became part of the Union of South Africa in terms of the South Africa Act, 1909, may be alienated or in any way diverted from the purposes for which they were set aside, except under the authority of an Act of Parliament.

It is clear that the refusal by the government of the time to allow Blacks to exercise their democratic rights resulted in the State President of the day being directly in charge of the administration of Black affairs. This was an awkward state of affairs indeed. According to Section 19(1) – (3) of the Constitution of the Republic of South Africa, 1996,

(1) "Every citizen is free to make political choices, which includes the right –

      a. To form a political party;

      b. To participate in the activities of, or recruit members for, a political party; and

      c. To campaign for a political party or cause.

(2) Every citizen has the right to free, fair regular elections for any legislative body established in terms of the Constitution;

(3) Every adult citizen has the right to –

> a. To vote in election for any legislative body established in terms of the constitution, and to do so in secret; and

> b. To stand for public office and, if elected, to hold office.

The above indicates the sharp contrast between the South Africa Constitution, Act 110 of 1983 and the Constitution of the Republic of South Africa, 1996 regarding voting rights amongst the various population groups.The 1983 Constitution bars Black people from voting, whilst the 1996 Constitution stipulates voting as a right for all population groups, including Black people. In this sense, the Constitution of the Republic of South Africa, 1996 could be viewed as a pragmatic, progressive and developmental law of the land.

In terms of Section 3(1) of the Municipal Electoral Act 27 of 2000, the Act applies to all municipal elections held after the date determined in terms of Section 93(3) of the Municipal Structures Act, 1998. Section 93(3) of the Structures Act stipulates that the first term of all municipal councils would expire on 31 October 2000. It is important to note that the Municipal Electoral Act 27 of 2000 was promulgated in order to regulate municipal elections and to amend certain laws similar to the Electoral Act of 1979 that were not developmental in as far as the democratic right to vote was concerned.

2.2.5 Municipal Systems Act 32 of 2000

Amongst the objectives of the Municipal Systems Act 32 of 2000 is the provision of the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities and ensure universal access to essential services that are affordable to all. In terms of Section 23 of the Municipal Systems Act 32 of 2000, a municipality must undertake developmentally-oriented planning so as to ensure that it:

a) Strives to achieve the objectives of local government set out in Section 152 of the Constitution of the Republic of South Africa, 1996;

b) Give effect to its developmental duties, as required by Section 153 of the Constitution of Republic of South Africa, 1996; and

c) Together with other organs of state, contribute to the progressive realisation of the fundamental rights contained in Sections 24, 25, 26, 27 and 29 of the Constitution of the Republic of South Africa, 1996.

Furthermore, Section 29 (a) and (b) of the Municipal Systems Act, 2000 stipulates that the process followed by a municipality to draft an integrated development plan, including its consideration and adoption of the draft plan, must:

a) Be in accordance with predetermined programme specifying time-frames for the different steps;

b) Through appropriate mechanisms, processes and procedures established in terms of Chapter 4, allow for –

    i. The local community to be consulted on its development needs and priorities;

    ii. The local community to participate in the drafting of the integrated development plan; and

    iii. Organs of state, including traditional authorities and other role-players, to be identified and consulted in the drafting of the integrated development plan.

It is evident from the above that matters of public consultation and community participation in the decision-making process of local government are clearly provided for in the Municipal Systems Act, 2000. These are principles previously embedded in the White Paper on Local Government, 1998 and the Constitution of the Republic of South Africa, 1996. In that regard, the Municipal Systems Act, 2000 can be categorised as being amongst developmental legislation designed as an enabler to municipalities to fulfil their developmental mandate.

2.2.6 Municipal Finance Management Act 56 of 2003

The Municipal Finance Management Act 56 of 2003 was promulgated with the objective to secure the sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government; and to establish treasury norms and standards for the local sphere of government. In terms of Section 23 of the Municipal Finance Management Act, 2003, when the annual budget of a municipality has been tabled, the municipal council must consider any views of:

a) The local community; and

b) The National Treasury, the relevant Provincial Treasury, and any provincial or national organs of state or municipalities that made submissions on the budget. Once again, the importance of the views of the community in the financial and non-financial affairs of their local government is highlighted. Every public action, and especially the development of the environment in which communities live, will carry a financial implication (Meiring, 2001).

2.3 CONTEXT / ESSENCE OF SERVICE DELIVERY IN SOUTH AFRICA

The context and essence of service delivery in South Africa can be viewed from many perspectives, including historical, political or legislative perspectives. As all legislation derives its existence from the Constitution of the country, it is imperative that the constitutional mandate of service delivery in South Africa be discussed.

2.3.1 Constitutional and legislative mandate of service delivery

Service delivery refers to the provision of tangible and intangible public goods and services (Venter, Van der Waldt, Phutiagale, Khalo, Van Niekerk & Nealar, 2007). In this regard, the rendering of public goods and services to local communities in South Africa is a constitutional obligation placed upon all municipalities in terms of the Constitution of the Republic of South Africa, 1996. In terms of Section 40 of the 1996 Constitution, in South Africa, government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. In this regard, the recognition of local government as a sphere of government in Chapter 7 of the Constitution has enhanced the status of developmental local government as a whole and of municipalities in particular, and has given them a new dynamic role as instruments of service delivery.

According to Section 152(1) of the Constitution, the objects of local government are:

(a) To provide democratic and accountable government for local communities;

(b) To ensure the provision of services to communities in a sustainable manner;

(c) To promote social and economic development;

(d) To promote a safe and healthy environment; and

(e) To encourage the involvement of local communities and community organizations in the matters of local government. In addition to Section 152, Section 153 of the Constitution makes specific reference to the developmental mandate of local government by stipulating that a municipality must –

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

(b) participate in national and provincial development programmes.

It is evident from the above that the developmental mandate of municipalities is centered on the following:

- Promoting social and economic development within communities.
- Promoting community participation in the matters of local government in a manner that ensures that the total population is involved in municipal structuring, administration, planning and budgeting processes.
- Provision of basic and essential services to citizens and residents.

It is clear from the preceding arguments that the Constitution of the Republic of South Africa has laid a firm foundation for the creation of developmental local government, mandated to render public services in a manner that is democratic, transparent and equitable. Furthermore, the White Paper on Local Government, 1998, acknowledges the fact that local government is the sphere of government that interacts closest with communities and is responsible for the rendering of essential public goods and services to citizens. It is also tasked with ensuring the growth and development of communities in a manner that enhances community participation and accountability. One piece of key legislation that emanated from the White Paper on Local Government, 1998 has a bearing on service delivery is the Local Government: Municipal Systems Act 32 of 2000.

In terms of Section 23(1) of the Municipal Systems Act 32 of 2000, a municipality must undertake developmentally oriented planning so as to ensure that it –

(a) strives to achieve the objects of local government, as set out in Section 152 of the Constitution;

(b) gives effect to its developmental duties, as required by Section 153 of the Constitution.

In order to discharge a service delivery mandate, an appropriate development strategy needs to be adopted, suited to the unique circumstances in South Africa and attempting to reconcile structural adjustment and reconstruction (Nel, 1998). This is important, because development is a multidimensional concept and must be understood in a holistic sense to not imply economic growth only, but also the pursuit of satisfying the material and psychological needs of the inhabitants.

The closeness of local government to communities means that it is strategically located to perform its mandate of providing basic services to the public, as a first step towards community development. As such, it could be argued that the delivery of basic services assists in poverty eradication within the context of community development. It could, therefore, also be argued that, as part of its developmental role, local government is expected to form partnerships with its communities in order to deliver services in a sustainable manner. As a matter of fact, communities know their needs better than public officials (Tsatsire, 2008 in Porter, 2015).

As the sphere closest to the people, public participation is a vital prerequisite for the successful functioning of local government (Maphazi, 2012 in Porter, 2015). This is why one of the crucial issues in contemporary public management in South Africa is the phenomenon of citizen participation (Hanekom & Thornhill, 1993). According to Caulfield and Schultz (1993), local government cannot provide public services alone. According to Bekink (2006), the concept 'intergovernmental relations', which has emerged in South Africa's new government system, gives more meaning to the foundation of co-operative government, as enshrined in Chapter Three of the Constitution, 1996. In terms of the Intergovernmental Relations Framework Act 13 of 2005, the following are the objectives of intergovernmental relations:

(a) Coordinating strategic planning processes;

(b) Promoting the joint implementation of programmes and projects;

(c) Facilitating co-operation, co-ordination and communication between different spheres of government;

(d) Minimising intergovernmental disputes;

(e) Enhancing accountability between spheres of government, as well as within the community and other stakeholders, with regard to performance and other activities;

(f) Promoting integrated delivery of goods and services to communities;

(g) Improving increased access to services;

(h) Ensuring effective consultation on policy and legislative matters;

(i) Promoting sustainable development;

(j) Marshalling the distinctive effort, capacity learnership and resources of each sphere and directing these as effectively as possible towards the objectives of government as a whole; and

(k) Aligning plans and combine efforts in tackling social problems.

2.3.2 Politics and environment surrounding the provision of public goods and services in South Africa

The rendering of public goods and services in South Africa, as in all developing countries, takes place in a political environment that is rapidly changing. Since politics play a significant role in deciding who gets what services, when, where, and how, it is important to discuss the political environment in some detail.

2.3.2.1 Politics of service delivery

Traditionally, the term politics is associated with the activities of political parties (Hanekom & Thornhill, 1993). Politics is, therefore, viewed as a process through which power and influence can be obtained and exercised. Politics also includes decisions concerning the goals to be achieved, the utilisation of resources, and the means of bringing about equilibrium in the various spheres of social life (Thornhill & Hanekom, 1993).

Some researchers have defined politics as the authoritative allocation of values for society (Easton, 1965 in Shaidi, 2013); as the world of politicians concerned with values, decisions, ends, judgments and responsibilities (Caiden, 1971), a medium through which the ends and purposes of public policy are established (Klinger & Nalbandian, 1980); a process through which interests and causes are articulated and a process by which rules and values are authoritatively allocated and enforced for a specific community (Kotze & Van Wyk, 1986 in Shaidi 2013).

Public service delivery is highly politicised in South Africa, because it represents some of the contradictions of the transition from apartheid to democracy (Mc Lennan & Munslow, 2009). On the one hand, it is a continuing crisis, as the damaging effects of apartheid disrupt government's ability to grow the economy, compete globally and meet local demands. On the other hand, it is a redistributive route to development for those previously denied the right to citizenship, education and employment. This paradox captures the difficulty of building from a highly unequal apartheid base, a developmental state that will secure a "better life for all, in a country that no longer contains within it and represents much that is ugly and repulsive in human society" (Mbeki, 2007).

Since politics is concerned with power, violence will always be near the surface in every country where there is social and economic instability or deep-seated political differences based, for example, on religious, ethnic and cultural dissimilarities (Cloete, 1993). Management in a political institution such as local government, therefore, requires political sensitivity and awareness and an understanding of political purpose (Stewart, 1988). Given apartheid and its legacies, service delivery in South Africa is linked to the politics of distribution, focused on providing access to services previously denied or limited. This leads to an assumption that expanding the delivery process will provide access and that managing delivery is about putting the right elements in place in the right combinations. It could, therefore, be argued that service delivery is multifaceted and political. It is also clear that failure to pay attention to the politics of delivery can compromise the achievement of the developmental vision by government.

Central to understanding and managing the politics of service delivery is an exploration of the role of the state and other institutions, such as markets, civil society, businesses and communities, in the provision of public services.

According to Mc Lennan and Munslow (2009), service delivery is commonly understood to mean the provision of public goods and services, by a government or other public organisations, to those who need or demand them. However, in South Africa, given its apartheid legacy, the provision of services by government is linked to the larger tasks of redistribution, social justice, poverty alleviation and economic growth. In this regard, service delivery is strongly associated with development, while the developmental state is associated with the capacity to provide social justice.

Hemson and Owusu-Ampomah (2005) similarly argue that service delivery in South Africa has a wide meaning, indicating that in South Africa the definition is more encompassing and includes not only the ability to provide users with the services needed or demanded, but also a sense of redress; that the services should raise the standard of living of the majority and confirm their citizenship in the new South Africa. In this regard, in a society of growing inequality and uneven advances in education and training, service delivery is seen, at times, as an instrument for leaping over the contradictions and ensuring social economic justice.

Impoverished rural and urban communities are claiming the benefits of democracy, using service delivery protests as a means to secure the resources to meet their needs (Mc Lennan & Munslow, 2009). Some of these protests have, in the past, turned violent, resulting in loss of lives and properties. Some community members and workers believe that peaceful forms of protest have become ineffective in drawing government's attention to the plight of the poor and marginalised.

Since service delivery is associated with development, the stakes of non-delivery are politically high, as it compromises government legitimacy and possibly also the democratic process. It is also true that the administration of public affairs results from political activities and forms part of political life (Cloete, 1991). It could, therefore, be argued that public service delivery takes place in a political environment, and because politics is about power, violence tends to feature when there is political conflict. Most state-driven delivery processes, while apparently technical or

managerial, are political, as they define a power relationship between the state, its citizens and the economy (Mc Lennan & Munslow, 2009). This is based on the fact that those processes essentially determine who gets what, when, in what ways, and for what reasons. In this regard, defining access denied by apartheid is central to the process of service delivery, as is the case in violent service delivery protests.

In highly unequal societies, service delivery has to attain more than simply redistribute existing resources or provide entry rights: the expectation is that delivery will also shift established deprivation and poverty (Mc Lennan & Munslow, 2009). In this regard, the process of transition from apartheid to democracy has seen the introduction of many strategies to ensure expanded service delivery. Democratic popularity will not secure delivery, but stable, able leadership with moral purpose will. The public service will increasingly be required to build trust by engaging honestly and providing the information that citizens need to make decisions and access resources. This will require strong, ethical and capable institutional leadership with a moral mission that can move beyond policy and planning to action/implementation (Mc Lennan & Munslow, 2009).

The political office-bearers have to accept responsibility for the activities of the institutions entrusted to them, it may be expected that all decisions regarding the curtailment, expansion or changing of activities should be initiated by them (Thornhill & Hanekom, 1993). According to Nelson Mandela Bay Municipality (NMBM) Council Agenda of 24 September 2012, a crucial Human Settlements Committee meeting of the Nelson Mandela Bay Municipality was cancelled due to the lack of attendance by ANC Councillors as a result of the ongoing infighting within the ruling party.

One of the items to be resolved at the meeting was the acquisition of land for the provision of RDP housing to Walmer Township residents, who staged violent service delivery protests during April to July 2012 against the slow pace of housing delivery. In this regard, it is important to note that service delivery cannot happen when there is paralysis at the centre of government and the ruling party (Gumede, 2012). In young democracies, such as South Africa, where democratic institutions are still in their infancy, the example set by political leaders is crucial, as it gives direction and a standard to the rest of the population.

Since public institutions like municipalities are created solely for the purpose of promoting the public good, the actions of the officials manning the institutions should be aimed at the implementation of the policies in accordance with the intentions and aims of and with the same goodwill as the policy makers; without prejudice, ill-will, delay or interruption (Hanekom, 1992). According to Stewart (1988), the management processes of local government are set in a political management system. Due to this fact, the role of management must be to support the legitimate political processes of the authority.

Three participants are involved in the rendering of public goods and services, namely the politicians (elected representatives); the public officials; and the residents of the area (Flynn, 2007). It resembles marriage between three partners, which has to work. Politicians vote for the funds by appropriation resolution; they also prioritise and decide what services should be provided and take decisions about the nature and style of service delivery, as representatives of their constituencies (Flynn, 2007). The responsibility of public officials is to provide politicians with professional technical advice in order for the politicians to take informed decisions, based on facts and figures. Thereafter, it is the responsibility of the officials to implement the decisions and resolutions of the government of the day. The role of the communities as residents is to make input into the political and administrative processes through, *inter alia*, their elected representatives or pre-set public participation avenues and structures.

It could be concluded from the preceding discussions that the rendering of public services to South African communities occurs in a political environment that is rapidly changing. As a result, public officials need to apprise themselves of the new requirements in a changed environment in order to continue supplying their political principals with professional and informed advice. In this regard, the involvement of communities by municipalities, as development partners, cannot be overemphasised.

2.4 SERVICE DELIVERY PROTESTS IN SOUTH AFRICA

In order to understand the emergence of service delivery protests in South African municipalities, it is important to investigate the trends, nature and causes of these protests.

2.4.1 A culture of protest

Local-level social contestation involving regular mass action by communities has been taking place in South Africa since at least the 1970s (Ballard, Habib & Valodia, 2006; Bundy, 2000). Recent 'service delivery protests' may be seen as a continuation of the contestation repertoires of the apartheid era, since there are 'similarities in the issues taken up, their framing, repertoires of resistance, songs, symbols, etc.' (Ngwane, 2011). Indeed the 'long history of violent protest culture' (Netswera & Kgalane, 2014) maintains a trajectory in terms of how protesters use 'the spaces available to them as social and political 'theatres'' (Bozzoli, 2004). As under apartheid, protests today are not 'the practice of the politically marginalised but of the politically engaged' (Piper & Africa, 2012). The political cultures of the past are 'mobilised and reinvented in order to suit contemporary political needs and opportunities' (Bénit-Gbaffou & Piper, 2012).

In the context of social and economic exclusion, by which poor black people are confined to the townships by their poverty, today's protesters often live in very similar spatial terrains to those of apartheid, whereby 'individual/collective bodies suffer from everyday violence' (Stewart, 2014), with limited access to housing, water, sanitation, food and healthcare. Because today's protesters are similarly confined to spaces geographically removed from where other citizens access services, the features of mobilisation bear similar spatial marks, in terms of the operations of local politics, and 'the use of spatial technologies and tactics such as barricades, the myriad ways in which crowds occupy, use and manipulate spaces, and the struggles over territory' (Bozzoli, 2004). This results in similar identity formation and consciousness, so that space becomes 'extraordinarily central to the nature of rebellions' (Bozzoli, 2004). Hence, struggles in post-apartheid South Africa 'are very often local and immediate; they are pragmatic and quite logical responses to everyday hardships' (Ballard, Habib & Valodia, 2006).

The recurrent gesturing to the past makes visible a particular way of understanding politics, particular ways of talking about being political, and a particular way of understanding what it means to be political (Veriava, 2014). Like the civic organisations that came before them, 'service delivery protests' are 'focused upon aspects of life particular to their time and place' (Bundy, 2000). Both during and post-apartheid material demands are often central to mobilising protest, with socio-economic rights seen as central component of democracy (Zuern, 2011). We can also see in the operation of 'service delivery protests' strong connection with the civics' notion of participatory democracy, whereby 'the ballot box constituted a truncated and deformed form of citizen power' (Adler & Steinberg, 2000) — elections are not the sum total of people's political life; indeed township citizens demand much more regular, active participation in the political practices that determine their lives.

While the civic organisations and structures of the past all but collapsed after the end of apartheid, we can arguably see in the convening of 'service delivery protests' a still surviving notion that '[c]ivic organisations should remain independent from and not participate in state structures' (Seekings, 2000). The civics articulated the idea that 'traditional institutions of representation are inadequate and that grassroots organs of resistance are the embryos of popular government' (Steinberg, 2000). Arguably, service delivery protests reveal that township communities are again finding purely representative democracy to be inadequate. And despite the civics having 'lost influence with the institution of new local government structures (Seekings, 2000), similar forms of civic organisation are once again flexing their muscles.

Because 'government only listens when we toyi-toyi' (Piper & Nadvi, 2010), toyi-toyi as a 'resistance culture' is vital to mobilising and uniting black people in political action (Twala & Koetaan, 2006). While the ANC government might be strongly opposed to the idea that civics should play a major role in democratic representation post-apartheid (Seekings, 2000), the consistent displays through (often) violent protest suggest that township communities still retain the right and power to contest the foreclosure of community organising as a means for political expression and finding voice. However, the current form of protest regards creating instability on the doorstep of the local state 'as the most useful strategy by aggrieved members of

society' (Netswera & Kgalane, 2014), so it continually re-inscribes 'political desire within the domain of the nation state' (Veriava, 2014). This means that power is, in effect, handed to the state: the state must resolve issues on behalf of the people. And, in the current milieu, unlike in the apartheid past, there is no overarching broader national struggle uniting these grassroots, issue-based mobilisations (Piper & Nadvi, 2010). Therefore, despite the regularity and militancy of the 'service delivery protests', they continue to operate in atomized silos, preventing 'a broader advance' (Mottiar & Bond, 2012).

2.4.2 Trends and statistics related to emergence of service delivery protests in South African municipalities

According to the South African Broadcast Corporation (SABC), violent service delivery protests in South Africa emerged for the first time during 2004/05. Since then, a number of studies have been conducted in an attempt to establish the underlying reasons for the protests. Transparent Network Services (TNS) undertook these studies in 2011. TNS Research Surveys is a licensee of the TRUSTe Privacy Programme. TRUSTe, in turn, is an independent, non-profit organisation whose mission is to build users' trust and confidence by promoting the use of fair information and practices. TNS also complies with the European Union (EU) Safe Harbour Framework.

In a 2011 survey undertaken among 2 000 residents in South Africa's metropolitan areas, released by TNS Research Surveys (Pty) Ltd and echoed by Nleya (2011) whereby it was revealed that the proportion of residents felt dissatisfied with the services they received from their municipalities, with the dissatisfaction rate rising from 51% in November 2010 to 58% in February 2011. This survey was conducted amongst two thousand adults (1 260 Blacks, 385 Whites, 240 Coloureds and 115 Indians/Asians), with a margin of error of 2.5% for the total sample. It is clear from Table 3.1 that community dissatisfaction with municipal service delivery is growing. According to TNS research, perceptions have worsened amongst both Blacks (from 54% in February 2010 to 61% in February 2011) and Whites (from 44% to 52% in the same period).

This further supports the deduction that citizen dissatisfaction with regard to service delivery by municipalities and government as a whole is on the increase and is being translated into violent service delivery protests. Community dissatisfaction demands an explanation for the reasons behind the worsening perceptions. In this regard, the detailed follow-up highlights common causes of service delivery protests.

2.4.3 Causes of Service Delivery Protest at Municipal Level

The causes for public protest has different dimensions and multi fold reasons. It ranges from social factors to state authority failure. Yet, dissatisfaction with the delivery of basic municipal services are the major reason. These basic service such as electricity, sanitation are critical especially during winter season. The use of electricity, for instance most severely felt in winter to cook foods and serving hot drinks to cope up with the cold temperature.

(a) Social Dependence

On the other hand, being a feeling of social dependent will be the reason for service delivery protest. Unemployment that claims 23% of South Africans to sit at home, according to the data revealed by Department of Labour, 2009. " an idle brain is the work shop of devil" is the saying that prove the devastating effect of unemployment. The already frustrated youth would fuel the service delivery protest to indicate their grievance in the labour system of the country.

(b) Criminal Intent

Maroga (2012) writes that criminal intent is also grown up in the minds of unemployed residences to use service delivery protest as a means to get economic gain e.g by looting shops. As the protest sustains for consecutive days, it gives the criminals more discretion , time and idea to continue their anti social behaviour. These criminals may systematically turn the protest into violence. When public protest turn into violent criminal activities, the police had to react to stop both innocent rioters and the looters.

(c) Breaking of Political Promises

More to the point, the breaking of political promises during election campaign to fight poverty, improve infrastructures and build house remain one of the causes for service delivery protests at municipal level. In fact, the state has paid its wage as it experienced service delivery protest, immediately after the 2004 and 2008 elections. In addition, the election month April or May tribute to service delivery protest , because April/May periods means immediately before winter,as indicated above,its harsh realities exacerbate the absence of life's immediate necessities (Porter, 2015).

(d) Corruption

Other hidden reasons for service delivery protest is the perception of the public about rampant corruption and nepotism within local government structures. Certain protestors blame poor service delivery on the existence of the ruling party loyal members to positions for which they are incompetent.

Netswera and Kgalane (2014) indicate that the extent and nature of corruption is rooted in the country's bureaucratic traditions, political development and social history. Coming out of the former apartheid regime encircled by inequalities, the 1996 Constitution provided for the protection of human rights and equality for all. In contrast to upholding these rights, corruption has been rife in the face of violation of human rights, which should be protected in terms of the democracy.

Pointer (2015) maintains that there is little doubt that corruption undermines the value of the Constitution, and municipalities are considered as 'havens for those who are milking' the state's resources. It is even more disturbing to recognise that it is not only the local government elites but high-profile politicians in national government who have been accused of corruption in illegal tendering, accepting bribes and unauthorised expenditure.

(e) Political Instability

Service delivery protest against South African municipalities is due to socio political instability if the situation continued over long period of time, there is a probability to develop public revolt. Hence, proper solutions for the socio economic conditions that exists in many municipalities will be the solutions to save the from the consequences of fully fledged revolt.

(f) Poor Public Participation

The absence of public involvement in decision making can cite as another cause for the service delivery protest. In a democratic system every state structures expected to be transparent and accountable to the public. Municipal authorities ought to meet the public to hear their grievances and concerns in the service delivery system. This relation has got an importance to maintain trust between the municipality and the public. This relationship will scale down the public protest and the police will not deploy to solve the problem (Mottiar & Bond, 2012).

(g) Job creation

This was ranked as their first concern by 66% of the respondents in the survey. Crime prevention was indicated as the second main concern. Job creation was more often mentioned by Blacks and Coloureds than by Indians and Whites. Crime was the Whites' main concern, followed by Coloureds, Indians and Blacks. There is a link between unemployment and poverty (Leibbrandt, Poswell, Naidoo, Welch & Woolard, 2004). Most people experience poverty due to unemployment at household level (Bhorat, Leibbrandt, Maziya, Van der Berg & Woolard, 2001). Economic growth since 1994 has created jobs and income gains for the poor. However, the pace of job creation, especially for semi-skilled and unskilled workers, has been insufficient to translate into the level of income creation needed. The rate of growth of jobs is too slow relative to the growth of job seekers. The unemployment rate has therefore risen over time and fuelled service delivery protests.

(h) Provision of housing

Housing was ranked as among the causes of service delivery in South Africa. However, it is important to note that people living in informal settlements ranked it as their first priority. The need for RDP housing emanates from government's policy to eradicate informal settlements. According to the Netswera (2012) there are approximately 1.2 million households in informal settlements in South Africa, and about 23% of all households in the country's nine largest metro's live in informal settlements. The eight largest Metro's are Tshwane, Johannesburg, Ekurhuleni, Durban, Mangaung, Cape Town, Nelson Mandela Bay and Buffalo City. The above statistics and findings explain why the bulk of service delivery protests across South Africa emanate from informal settlements and focus on the lack of or slow pace of quality housing delivery. Below chart highlights common grievances and common causes of service delivery protests in the South African municipalities:
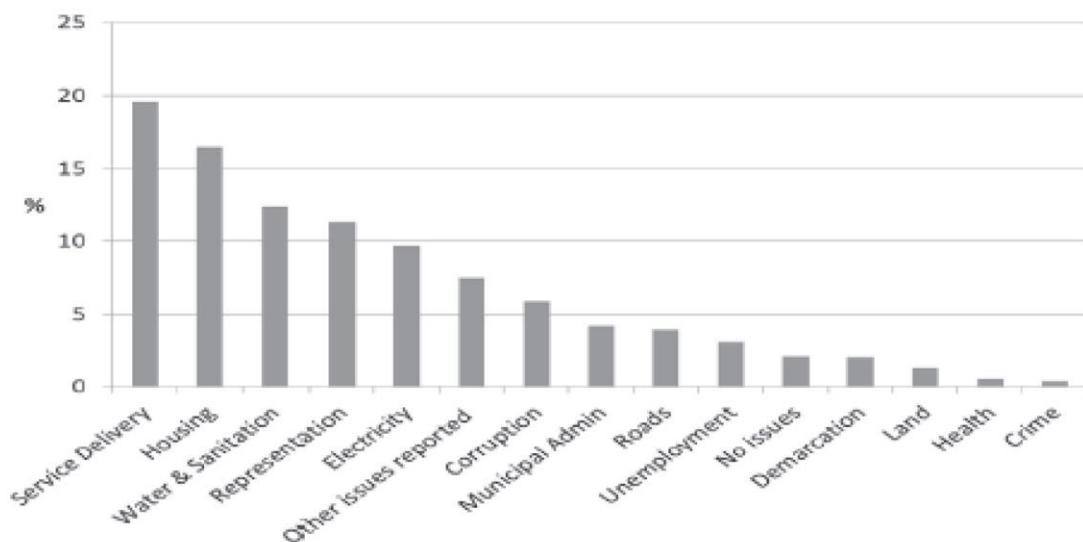
(Netswera & Kgalane, 2014)

Lack of basic services (such as sanitation, drainage, sewage, water, electricity and street lighting) has fuelled most demands, many other issues have been raised. The latter include grievances around housing, quality of roads, electricity pricing and disconnections, schooling, uncaring or corrupt politicians (mostly local councillors),

demarcation (mainly people wanting to be moved into another province), and also jobs (with some demands placed at the door of particular mines). Protests frequently mix claims about services with other issues. Slow response to long-standing complaints and failure of officials to attend meetings have often acted as triggers. Heavy-handed policing has led to, or worsened, violent confrontations. Secondly, the protests reveal strong similarities in forms of contention (burning barricades being common), geographical space (most emerge from townships and informal settlements), organisation (community meetings are typical) and demographics (generally speaking 'the poor', particularly those regarded as 'youth'), indicating that we are dealing with a broad process, rather than merely a set of discreet events.

As a normal practice, most service delivery protests culminate in either the handing over of a memorandum or some form of verbal or written petition to the relevant municipality. Whilst the three spheres of government have distinctive, interdependent and interrelated roles in terms of Section 40 of the Constitution of the Republic of South Africa, 1996, this may not be how citizens perceive the situation. Communities are generally unaware of the functions and duties of their municipality in terms of its constitutional mandate. That is why when the community 'toyi toyi'; they target the sphere of government closest to them – their municipality – and not provincial or national offices. Consequently, municipalities often bear the brunt of protest action for services for which they have no mandate.

According to Netswera and Kgalane (2014) housing backlog in South Africa has grown from 1.5 million units to over 2.1 million units from 1994 to 2010. This means that more than 12 million South Africans still need housing. This seems to suggest that government is losing the service delivery war, especially in housing provision. The current slow pace in housing provision will exacerbate community anger against government delivery. As housing is one of the basic constitutional rights of South African citizens, it is proposed that the three spheres of government synchronise their delivery programmes in an integrated and coordinated fashion in order to overcome the rising housing backlogs. National government should also make deliberate decisions to increase the funding envelope for human settlements in the country.

In line with population group differences, housing is a greater concern for the poor. According to the UNHABITAT (2013), there are approximately 1.2 million households in informal settlements in South Africa, while approximately 23% of all households in the nine largest Metro's are located in informal settlements. This means that the number of informal settlements in South Africa has doubled over the last ten years. In 2001, there were approximately 1 066 informal settlements nationally. That number has since risen to 2 628 in the 2009/10 year.

The current housing delivery rate equates to providing one house for every 20 homeless families each year, but the housing backlog never declines, because new household formation and in-migration occur at the same rate as formal government housing subsidy delivery (RDP houses). In view hereof, it appears as if government will not be able to eradicate housing backlogs, as it can currently only keep the backlogs at the same level. This also implies that, given the population growth, the government runs the risk of losing the battle, and the backlogs may increase, given the rate of the population growth in South Africa.

As such, it could be inferred that service delivery protests in South Africa are mainly concerned with housing: the lack of or slow and poor quality delivery of housing. All other concerns, such as the provision of water, electricity, refuse removal and sanitation, are raised in the context of habitable human settlements, in which housing is the central factor. It may also be inferred that in the formal areas, the protests have been more about jobs. It is also clear that, in both cases, poverty is a main factor.

(i) Summary of common grievances of protesters

In terms of the narrative tale of the unrest in South African municipalities, Botes, Lenka, Marais, Matebesi, and Sigenu (2007) summarise the grievances of the protesters as being eightfold, including the following:

- Corruption among political office-bearers and public officials.

- Slow pace and poor quality of public services rendered by municipalities, especially those associated with housing provision.

- Lack of economic development and employment creation, especially in the youth sector of the population.

- Poor governance related to public participation, democratisation of development through ward committees.

- Unfulfilled promises and expectations created by politicians during election time.

The protests in municipalities reflects the challenges and complexities South African local government must contend with in ensuring adequate service delivery and managing associated conflicts. Although fundamental socio-economic factors, such as poverty, played a role, a number of systemic municipal management problems supplied the community with several reasons for discontent. It is important that these be addressed in such a way that new forms of exclusion are not promoted.

(j) Corruption, especially within low income housing delivery (RDP).

- Political infighting, under the pretext (camouflaged as) of service delivery protests.

- Maladministration and allegations of corruption.

- Onerous bureaucracy and a legislative environment that is slowing down service delivery.

- Funding constraints, which limit the scope and pace of public services to communities.

- Capacity constraints in terms of a shortage of skilled staff, especially in technical departments.

- Poor public participation;

- Poverty, economic deprivation and unemployment, especially amongst the youth, of whom 70% remain jobless.

- Inadequate, ineffective and inefficient intergovernmental relations and support.

(k) Financial mismanagement

Because of the lack of quality service provision, many municipalities are unable to supplement the budgetary allocation with rate payments to assist in rendering the services required. Communities often refuse to pay any services that they receive, citing low efficiency levels and a lack of affordability. The Auditor-General's 2010/2011 financial report revealed that only 7 out of the 283 municipalities audited around the country had received clean audits for the year.

In spite of this, unauthorised expenditure of R5 billion was incurred by 112 municipalities and their business entities compared with R2,7 billion by 101 municipalities in the previous year. The report further paints a bleak picture of financial mismanagement in almost all municipalities.

It concurs with arguments which state that under-spending and over-spending of budget allocations are due to poor project planning, poor management and a lack of capacity to carry out the tasks at hand. Many municipalities do not have staff with the financial and managerial expertise to ensure that the funds allocated for service delivery and infrastructure development are spent wisely according to need or demand. The 2010/2011 National Audit Report states that clean audits are hindered by a lack of adequate internal controls and financial management skills, which exacerbates unauthorised, irregular and wasteful spending.

Further worsening the plight of communities hardest hit by non-service delivery is the issue of political elites who continue to enrich themselves with state resources. An example is that of municipal managers who receive bonuses and are deployed to government positions regardless of their incompetence. There are reports of a municipal manager who earned a salary of R2 015 024 per annum, which included a bonus of R335 837, the highest in the country. This is despite the municipal audit disclaimer which this municipality received. In addition, under-qualified but politically connected managers keep on filling important positions, earning top salaries with large bonuses.

Reports reveal similar situations in the other 56 municipalities, where municipal managers were paid performance bonuses in the last financial year despite presiding over poor municipal performance. Despite government promises of capping the salary package for municipal managers, salaries are still not regulated and managers of poorly performing municipalities are still earning significant salaries and bonuses.

(I) Lack of institutional capacity

Lack of expertise has left many municipalities inadequately staffed, resulting in deteriorating service delivery over the years, and leaving many communities with inadequate access to basic services. It is unfortunate that skills scarcity has resulted in overwhelming service-delivery backlogs that have prevented the government from addressing the problems effectively and efficiently. This is particularly evident in managerial and technical positions, which remain vacant in most rural municipalities. Lack of expertise has led to severe service backlogs that impact on many poor communities that yearn for the provision of basic services for their survival.

Although some municipalities lack adequate funds to carry out their constitutional mandate to improve service delivery, some just resort to underspending the allocated funds due to a lack of leadership skills. This is mainly attributable to a lack of skills in project management and financial management, and has prevented certain projects from being started or completed. Government's mandate to deploy African National Congress (ANC) comrades to positions for which they are not qualified also exacerbates the issue of poor service delivery, as some of these candidates lack the expertise to execute their tasks successfully. This continues to happen despite government's acknowledgment that most municipalities are hampered by nepotism and maladministration, run by incompetent staff who are often disorganised.

2.5 THE NATURE OF SOUTH AFRICA PROTESTS

Protests within South African municipalities takes various forms and below is a summary of how they are influenced and organised:

2.5.1 Political trajectory

In this activity, in terms of the South African scenario, some protests are instigated by an opposition party or some other small party with political intent; some emerge from the ANC and its alliance partners. This type of activity often occurs as a result of not being placed in a favourable position on a party list, being replaced by another candidate or having been kicked out of the party for ill-discipline, corruption or non-performance. Recent examples of this category is the United Democratic Movement (UDM) which came into being as a result of its current leader's expulsion from the ANC and then the formation of the Congress of the People arguably, as a result of the ANC's recall of former President Thabo Mbeki.

2.5.2 Spontaneous eruptions grounded on specific needs

This activity is triggered by perceptions of a slow pace of delivery, which may be due to the government's lack of capacity. Public protests fit into this category, as they are usually described as being sporadic. These protests are furthermore described as low to medium key and are triggered by annoying/disgusting occurrences in a neighbourhood with significant social ties. During the protest action, participants can raise grievances such as corruption, lack of delivery of basic services and lack of proper public participation.

According to Alexander (2010), methods used during such protest actions involves acts of mass action, streets blockades, burning of tyres and torching of vehicles, private and public buildings, construction of barricades, delivering memorandums and petitions to local authorities, toyi-toying, processions, confrontations with police and demand for removal and resignation of elected public officials.

In this category of protests, democracy is viewed as deficient and manifests itself in the crisis of a perceived lack of representation. Participants feel that government is out of touch with the public needs. Government is seen as not responsive to the needs of the people and is deemed unaccountable. A protest about service delivery only is a misnomer; protests are also about public service. Community organisations such as Abahlali Basemjondolo (shack dwellers), Backyarders Associations of the Cape Flats and the Western Cape Anti-Eviction Campaign, fall in this category of social movements.

2.5.3 Spontaneous, unorganised activity

This activity takes place through social movements. In this type of activity there are no organised structures, branches, meetings, fixed identity, policy and political project. It is concerned with seeking alternatives to current neo-liberal state trajectory (the poor becoming poorer and the rich richer) in a peaceful manner. Even if there is improvement in service delivery, the participants in this activity will not be satisfied, unless the gap between the poor and the rich is narrowed.

The so-called 'Occupy Movements' are a case in point here. The Occupy Wall Street (OWS) is a diffuse group of activists who say they stand against corporate greed, social inequity and the corrosive power of major banks and multinational corporations over the democratic process (Barron & Moynihan 2011). The OWS were instigated by the emergence of the so-called Arab Springs as Barron and Moynihan (2011) point out that the idea, according to some organisers, was to camp-out for weeks or even months to replicate the kind, if not the scale, of protests that had erupted earlier in 2011 in places such as Egypt, Spain and Israel.

According to Barron and Moynihan (2011) the protesters demands are straightforward and criticise a financial system that favours the rich and large corporations at the expense of the poor. In this way the occupiers want the rich to pay higher taxes, the banks to be held accountable for reckless practices and the provision of jobs for the unemployed.

The criticism levelled against the OWS is the lack of specific policy demands despite Schneider's (2011) assertion that OWS protesters employ a diversity of tactics as its official *modus operandi* and that the use of violence is discouraged at all cost. This, according to Schneider (2011), is seen in the protest march guidelines promulgated by the occupation's Direct Action Committee, i.e.: (1) Stay together and KEEP MOVING! (2) Don't instigate fights with cops or threaten pedestrians with physical violence. (3) Use basic hand signals. These folks are empowered to make directional decisions and guide the march. (4) We respect diversity of tactics, but consider how our actions may affect the entire group.

As noted above, central to OWS movement's "Diversity of Tactics" is non-violent protest action. Participants are to decide on their own on what they want to do and how to do it and are not obliged to take orders from any person from the top. In other words, they challenge top-down decision-making and organising and empower participants to take direct actions in the world around them. This type of action setting encourages a sense of consensus and direct democracy.

According to Graeber (2011) and Schneider (2011), non-hierarchical, lack of practical demands and decentralised structures are synonymous with anarchist principles. Graeber (2011:1) explains "anarchism as a political movement that aims to bring about a genuinely free society-that is, one where humans only enter those kinds of relations with one another that would not have to be enforced by the constant threat of violence". In other words anarchism envisions a society based on equality and solidarity, which could exist solely on the free consent of participants.

Other anarchist principles used by OWS are the refusal to recognise the legitimacy of existing political institutions. The occupiers have never handed a memorandum to the authorities because to do this will be seen as recognising the legitimacy or the power of the authorities. In this vein anarchists differentiate between protest action and direct action (Graeber 2011). Protest is seen as an appeal to authorities to behave differently, while direct action is the defiant insistence on acting as if one is already free.

The second principle that is related to the first one, relates to the refusal to accept the legitimacy of the existing order, instead conforming to the moral order. The illegal occupation of the park is an act of disobedience in the belief that those laws should in the first place not exist. Thirdly, the refusal to create an internal hierarchy, but instead create a form of a consensus – based on direct democracy – ensures the avoidance of co-option or being coerced (Graeber 2011). This also means that the majority cannot bend the minority to its will, as decisions are made through general consent.

Moreover, Schneider (2011) points out that this seemingly chaotic situation is in fact a pragmatic tactic. He points out that law-enforcement agencies receive high-level intelligence information on the activities of the OWS. In the event the occupiers veer from their plans which police had prepared for, the police resort to violence, which reinforces the non-violence of the occupiers and subsequently leads to further growth in support.

2.5.4 Poor Public Participation

In line with the contention of Van Donk (2012) and Gwala and Theron (2012) that the current state of affairs in municipalities (dysfunctional participation mechanisms) can be attributed to the fact that, in practice, public participation has more often than not been approached as an activity, an event or perhaps even a regrettable legislative requirement, with little bearing on local priority-setting and development. To this end Mogale (2003) points out that "invariably, participation has degenerated into a kind of a feel-good slogan, coined to convince local audiences that local government has recognised the necessity for involvement of people in development activities".

The above-mentioned "sorry tales" of participation gives credence to Cooke and Kothari's (2001) case for "participation as tyranny of participatory processes undertaken ritualistically, which had turned out to be manipulative, or which had in fact harmed those who were supposed to be empowered". These "sorry tales" are manifesting through the emergence of a relatively new trend of social movements, such as the so called Arab Spring, the Occupy Movements and persistent, world-wide public protests.

Managa (2012) writes that protesters have expressed dissatisfaction and frustration because of their exclusion from local decision making and accountability by the municipal officials and councillors who represent them in wards. This contravenes the Local Government: Municipal Systems, Act 32 of 2000, which states that communities have the mandate to participate in any public consultation and decision-making processes in the local sphere; for example, ward committees, budget consultations, ward meetings and Integrated Development Planning (IDP) forums. Moreover, municipalities are obliged to report to and receive feedback from their communities annually regarding the objectives set out in the IDP. Public participation is an essential factor for effecting and enhancing accountable governance driven by ward committees, as mandated, to facilitate communication channels between municipalities and communities according to the Local Government: Structures, Act 117 of 1998, section 73(2). This process instils a sense of ownership in local people for the implementation and evaluation of projects for their communities.

2.5.5 Understanding of whether protests within south african municipalities are about service delivery or public service

The protests afflicting municipalities in South Africa are generally poorly understood so much so that there are conflicting views on what public protests are about. This has fuelled speculation on why protests occur. Maytham (2012) and Heese (2012) argue that the phrase "service delivery protests" is used by the media as a "catch all phrase" that covers a wide variety of issues facing the public. For example, and as observed by the researcher, the protest that turned violent in Kagiso (Gauteng) was triggered by the lack of speed bumps on the road which led to the road accident which incensed the public at a local government level. On the other hand the violent protests in Sweet Home Farm in Cape Town appear to have been triggered by the lack of communication between the public and authorities (Maytham, 2012). In other words the public seem not to have been aware about progress on the question of the land in dispute. The above examples illustrates that protests in the two areas were triggered by service delivery and governance issue respectively.

One school of thought argues that public protests are about service delivery or lack thereof (Booysen 2007; Mathekga & Buccus, 2006). Another school of thought attributes public protests to public service (Seokoma 2010; Nemeroff 2005).

This confusion has the potential of deflecting government's attention from the real problem and the subsequent taking of corrective measures. It is therefore important that this be clarified before the discussion on the reasons and causes of public protests.

According to Booysen (2007), protests do not follow the same pattern in all communities, but change from one to the next and, furthermore, there will always be a myriad of reasons for protests by the public. On the one hand, Booysen (2007) and Mathekga and Buccus (2006) argue that protests are about service delivery and Allan and Heese (2008) agree and warns that to link protests to only service delivery is not accurate, but only serves to describe what is occurring at a local level and which is fuelled by lack of service delivery.

On the other hand, Seokoma (2010) and Nemeroff (2005) opine that protests are about public service, particularly the huge gap that exists between the public and authorities. Pithouse (2007) in Alexander (2010), sharply differs with the view regarding service delivery and argues as follows, "Protests are about 'citizenship', understood as the material benefits of full inclusion... as well as the right to be taken seriously when thinking and speaking through public organisations". These sentiments are also echoed by Ludwig and Nagel (2012) when they state that, "there is a lack of political will in terms of engaging with the public directly. The public is not viewed as subjects, but instead as objects and passive recipients of service delivery by municipalities in South Africa.

Friedman (2009) agrees that it is incorrect to label protest, service delivery protests. He does this by differentiating between service delivery and public service concepts. According to Friedman (2009), service delivery entails officials taking decisions for people and imposing these on them. In other words the public is not given an opportunity to provide input or choose regarding the nature of the service delivery. Public service, on the other hand, begins with the recognition that in a democracy, government is not expected merely to deliver, but to listen to the people and respond to their needs and, if it is impossible to respond effectively, government must work with the people to do what is at least closer to what they ask (Friedman, 2009).

Friedman (2009) further argues that protest about public service is public participation in governance. While to protest is a democratic right, enshrined in the Constitution (RSA 1996), democracy is about allowing the public to take part in decision-making and action, taken collectively, particularly on issues affecting the lives of the beneficiaries. In other words authentic and empowering public participation provide the public with the scope to influence, direct, control and even own decision-making and development intervention.

Based on the different points of views expressed above, the researcher surmises that public protests are about both public service and service delivery. In this instance public service relates to issues of governance, i.e. public participation (in the sense of direct contact with the public by the authorities) and reaching consensus on issues affecting themselves, mutual accountability and responsiveness of the authorities to public needs. Service delivery relates to timeous provision of municipal public basic goods, such as water, sanitation, houses, etc..

2.6 METHODS OF SOCIAL PROTESTS

Alexander (2010) lays out the various methods of protest common to South Africa which include mass meetings, drafting of memoranda, petitions, toyi-toying, processions, stay-aways, election boycotts, blockading of roads, construction of barricades, burning of tyres, looting, destruction of buildings, chasing unpopular individuals out of townships, confrontations with police and forced resignation of elected officials. This variety of protest parallels studies of social protest in India which are seen as complementary forms of action to normal channels of political participation (Mitra, 1991) and which include, for example, 'hartal' –cessation of all public activity, 'dharna' – refusal to clear an area, 'gherao' – encirclement of managerial staff, 'jail bharo' – violation of laws / courting arrest and 'rasta roko'- blocking of traffic (Mitra, 1992).

The methods most frequently utilized were marching, demonstrating, picketing and rallying with or without placards. Striking, boycotting and downing tools also feature prominently. Other methods used frequently are barricading roads and burning tyres. The significance of burning tyres is difficult to ignore in the light of traditions of burning in South Africa, especially during the apartheid era where those believed to

be involved in corruption or informants of the apartheid state i.e. traitors or betrayers were sometimes subject to 'necklace' burning (a tyre set alight around the neck; in 1990 it was estimated there had been 428 necklacings since 1985) (Ball, 1994). Latin American social protest studies have also shown how traditions of protest tactics endure and evolve. An example is the way the banging of pots and pans has been added to the symbolic repertoire of protest in Chile. Opponents of Pinochet's military government banged them at designated times - this method was first used by middle class housewives opposing the socialist government of Allende (Eckstein, 1989).

According to Mottiar and Bond (2011) the following are the common methods of social protests in South Africa:

- Barricading Roads

- Burning Tyres

- Singing, Dancing, Chanting, Toyitoying

- Stone Throwing

- Looting

- Destruction of Property, Vandalising

- Physical Assault, Chasing

- Striking

- Littering

- Marching, Demonstrating, Picketing

- Petition, Memorandum, Ultimatum

- Peaceful Protest

- Sit-In, Occupation, Hostage Holding

- Intimidation, Threats, Threatening Behaviour, Disruption, Use of Weapons

Certain protest tactics are favoured for specific protest reasons. In the case of protest related to service delivery and political accountability, burning tyres and barricading roads seemed to be the most favoured methods of protest. Protest by workers favoured the method of strike action, marching, demonstrating and picketing. Likewise student protest utilised tactics of strike and boycott, as well as marching, demonstrating and picketing but also included destroying property and vandalism, as well as intimidation and disruptions. The most common methods used in protest relating to highlighting a cause were marching, demonstrating and picketing, including the use of petitions and memoranda. With respect to demanding justice, the preference of protest method was sometimes physical assault against perceived perpetrators and the chasing of perceived perpetrators from their homes. Protest in the form of xenophobic attacks included higher levels of looting, property destruction and vandalism.

A repertoire of protest methods has developed which is varied according to militancy, and which is linked to the kinds of protests and their demands. Social protest repertoires in India have a similar gradation, whereby 'hartal' is used to put pressure on a public or private entity to concede to demands, 'dharna' is more coercive and used to draw attention to a cause, 'gherao' is used to achieve 'quick justice' and 'jail bharo' and 'rasta roko' are used to clog the wheels of law and order (Mitra, 1992). In India this repertoire of social protest is widely accepted as part of normal politics and viewed as a way of contacting politicians and bureaucrats. The pie chart below reflects the province with the highest protests in a study conducted in 2011:

Protests by Province: 2011

- North West; 7%
- Limpopo; 7%
- KwaZulu-Natal; 9%
- Mpumalanga; 4%
- Free State; 14%
- Gauteng; 14%
- Eastern Cape; 18%
- Western Cape; 23%
- Northern Cape; 4%

Legend:
- North West
- Limpopo
- Gauteng
- Eastern Cape
- Western Cape
- Northern Cape
- Mpumalanga
- Free State
- KwaZulu-Natal
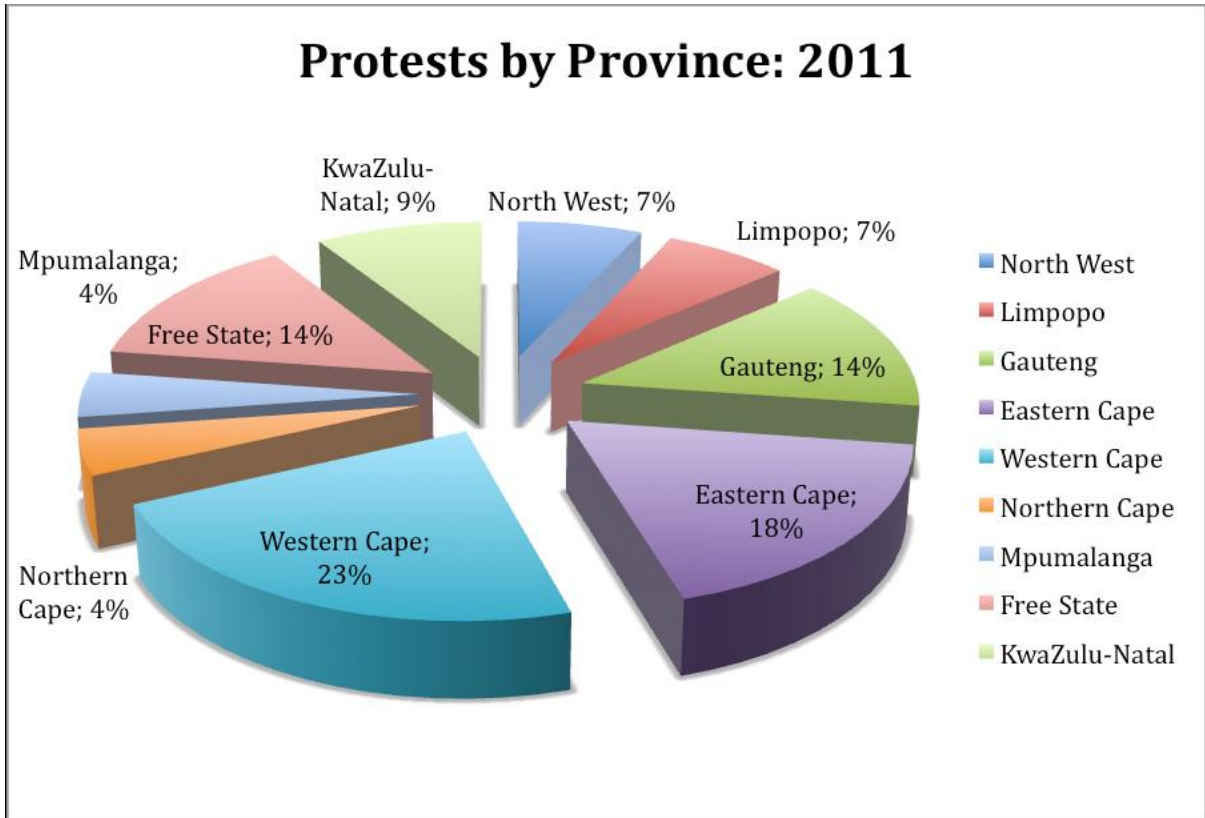
In 2011 it was also revealed in the chart below that Sekhukhune District Municipality experienced the highest rate of service delivery protests as compared with other municipalities (Seokoma, 2011):

Limpopo Protests by District: Feb. 2007 - May 2011

Mopanni; 9%

Vhembe; 13%

Sekhukhune; 44%

Capricorn; 19%

Waterberg; 16%

- Mopanni
- Vhembe
- Capricorn
- Waterberg
- Sekhukhune
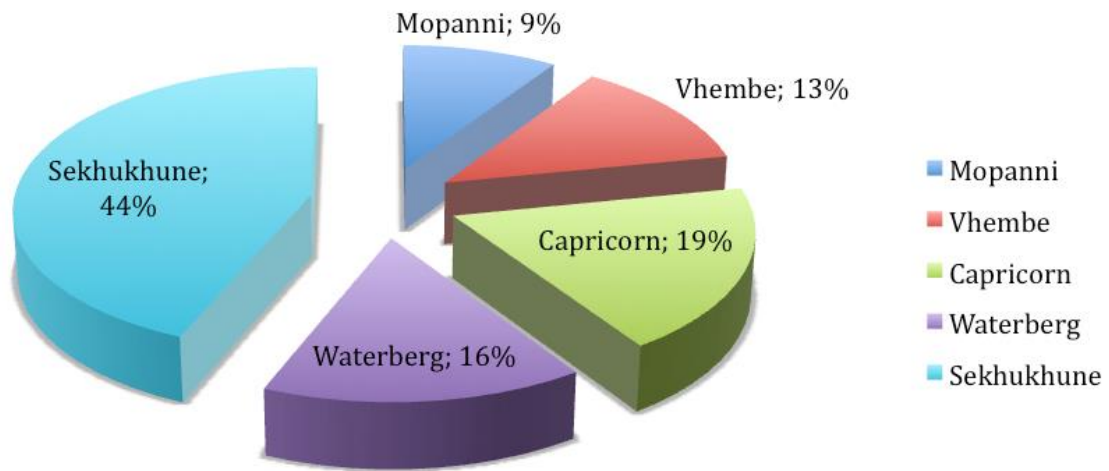
2.7. CONCLUSION

The literature pertaining to the major causes of service delivery protests in South Africa was reviewed. The legislative framework in service delivery were also highlighted. It was discovered that poor service delivery, corruption, poor public participation, political trajectory and poor housing highly contributes to high rate of service delivery protests in South Africa. The common method of public protests were also identified. The relationship between service delivery protests and crime will be determined in the next chapter.

CHAPTER 3

THE RELATIONSHIP BETWEEN SERVICE DELIVERY PROTESTS AND CRIME

3.1 INTRODUCTION

In 1994, with the dawn of democracy, South Africa finally brought freedom and many accompanying expectations to the masses. Every citizen looked forward to 'a better life for all' as espoused in the 1994 Election Manifesto of the African National Congress. Notwithstanding the progress, government's failure to adequately meet communities' needs has led to many service delivery protests (Mpehle, 2012). Draai (2010) argues that the failure of government to deliver on its promises is largely the failure of its public service to anticipate the expressed dissatisfaction from communities and to timeously respond to service delivery issues. However, Booysen (2007) observed that it is sometimes disputed whether there is a direct causal link between services deficits and protests'. Yet, available statistics indicate a rising trend in public violence often referred to as service delivery protests (Gould, Burger & Newham, 2009).

According to Von Holdt, Langa, Molapo, Mogapi, Ngubeni, Dlamini, and Kirsten (2011) violent public protests emanate from community frustrations. In South Africa, young unemployed persons often confronted by bleak employment opportunities appear to be the main instigators of the so-called service delivery protests. The broad causes of public violence are largely marginalisation, lack of community representation and lack of economic and social citizenship. These factors propel communities to resort to acts of violence as an expression of their frustration. Carrim (2010) concurred, arguing that the violent behaviour constitutes acts of self-affirmation. It is seen as legitimate radical protest against a state that refuses to respond to the basic needs of communities and as an important means of achieving these. After all, in the struggle against apartheid, such means were also used. Although, the country is now a democracy, these protestors still continue to draw on the legacy of the liberation struggle. Protests are a legitimate part of a democracy and can serve to enhance its quality, but violence is not.

Nleya (2011) sought to describe relationships emanating from service delivery as the starting point and culminating in protest. In the study, it was concluded that service delivery affects protests directly and indirectly through its impact on perceptions of service delivery, conditions of life and the attendance of meetings. Perceptions of service delivery were found to be more important in generation of protest than the objective service delivery situation typified by the type of dwelling occupied by the respondent. Nleya's (2011) study further found that informal settlement dwellers are more likely to be unhappy with service delivery and report unsatisfactory conditions of life. The study therefore was able to show that service delivery is an important component of social protest in South Africa and lends credence to the application of the relative deprivation theory. If there is a connection between service delivery or lack thereof and protests, it goes without saying that a relation thus exist between the protest and crimes associated with it. According to Carrim (2010) criminal elements exploit the situation and also incite people to protest. Nevertheless, obviously, political entrepreneurs and criminals are able to do this because people have legitimate grievances in the first place. Of course, as Carrim (2010) acknowledges, there are other reasons for the protests in that essentially protests are about service delivery, but these are more than simply about this, and may be better defined as 'community protests'. Since the previous chapter reviewed literature pertaining to the nature and causes of service delivery protests in South Africa, this chapter aims to determine the relationship between service delivery and crime.

3.2 THE VIOLENT NATURE OF PROTESTS

The apartheid dispensation's intransigent system of local government gave birth to an insurrectionary-minded civil society which continues to haunt the democratically elected government. Insurgency has infused itself in the minds of the public as an "integral element of civil society mobilisation and of struggles for citizenship" (Von Holdt et at, 2011). Public protests provide the public with an opportunity for expanded citizenship as enshrined in the Constitution. However the staging of such protests is often accompanied by violent acts, which result in the destruction of public and private property, severe injuries and loss of lives, disruptions in schooling

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and economic activities, as well as confrontations between armed police and stone throwing crowds.

According to Carrim (2010), the violent nature of some protests reflects a far more fundamentally alienated version of the public form of democracy. It further "suggests anacute sense of marginalisation and social exclusion". This is not an ideal situation in the light of the fact that violence does not lead to a "win-win" situation and, as Good Governance Learning Network (GGLN) (2008) declares, "the most extreme form of public participation is violent public protests". On the one hand, public protest and violent protest can be viewed as acts of expressing one's democratic rights, complementing the democratic practices of elections, while also making up for the deficits inherent to the latter (GGLN, 2008). On the other hand, direct violence demeans a society and devalues democratic practices. In other words, it reverses the gains that have already been achieved.

Violent protests are more prevalent during winter months. This correlation, however, does not imply that those that occur during the remainder of the year cannot be violent (Karamoko, 2011). It indicates that the upsurge in the number of protests in winter months has an increased probability of violence. It can thus be argued that the former apartheid government (service delivery backlogs) alone cannot be blamed for this state of affairs. If the democratic dispensation is in harmony with the needs of the public, violent protests will be minimal if not non-existent.

According to Tseola (2012), the violent public protests, particularly by the impoverished public can be attributed to the lack of an advocacy planning approach. Tseola (2012) argues that the current "regulatory planning approach" emphasise the attainment of "the optimal allocation of resources between all of the competing needs or users within a society", leading to the delivery of impure goods to the impoverished. The advocacy planning approach according to Tseola (2012) will ensure equal access for the impoverished in terms of quality and quantity, as the approach itself seeks to mobilise and channel resources to new social objectives or a major re-alignment of existing objectives.

Tseola's (2012) advocacy planning approach is closely related to the "third sector" approach as propounded by Sibanda (2011). The third sector organisations (voluntary and non-profit organisations) are mainly preoccupied in seeking new ways of delivering public services through civil society participation in governance, so that the active citizenry can emerge and drive the delivery of public services. According to Sibanda (2011), a stalemate that exists between the public and authorities in Khayelistha can be remedied. Sibanda (2011) argues that "third sector organisations are not only seen as offering choice and responsiveness in service delivery, but also as providing opportunities for general trusts, civic virtue and social capital through participation in community and public life".

The researcher argues that Tseola's (2012) advocacy planning and Sibanda's (2011) third sector approaches can go a long way in addressing the "scramble" for minimal services will ensure the equitable distribution of resources to the public. These two approaches are synonymous with a "bottom-up" approach to development in the sense that they are people-centred. Furthermore, these approaches guarantee the public authentic participation that will provide scope for the public to influence, direct, control and even to own the development processes.

Further analysis of the violent nature of protests relates to psychological interpretations. To explain the violent nature of the protests, Burger (2009) utilises the theory popularly known as the Davies J Curve to explain the discrepancy between reality and expectations of humans concerning levels of progress. Burger (2009) argues that under normal circumstances, the situation the individual finds himself or herself in does not result in "conflict" or "frustration"; it is only when there is a sudden change that a huge gap is created between expectations and reality.

The huge gap leads to "frustration" and "discontent" and, ultimately, to protests. Prolonged frustration, in turn, will lead to violence. Hough (2008) concurs with Burger (2009) and states that "the more severe and widespread the deprivation, the greater the possibility of violence".

Allan and Heese (2008), Seokoma (2010) and Booysen (2007) are unanimous in indicating that the prolonged frustrations that lead to public protests are caused by lack of authentic and empowering public participation. In other words the public finds it difficult to influence, direct, control and even own the development and decision-making meant for its betterment.

3.2.1 The politics of violence

Apart from the political limitations discussed in the previous section, there are other problematic ways that protesters draw on the past. For example, in Mpumalanga young men 'draw on the repertoires of militarised masculinities of the past' (Langa & Kiguwa, 2013), through which violence is 'a nurtured male activity' and militarism allows individuals to define themselves in terms of a collective, reducing feelings of social exclusion (Lau, Seedat, & Suffla, 2010). While insurgent politics can help disempowered communities recover agency, gain confidence, hone leadership skills, master local developmental issues, and develop a political identity (Ngwane, 2011), insurgent politics demonstrates 'the paradoxical combination of liberatory and oppressive symbolic and physical practices' (Von Holdt & Kirsten, 2011).

While the media are unlikely to support violent tactics (Baylor, 1996), the meanings of violence may be dramatically different for media and communities. Whether or not the media sees violent protest as legitimate, protesters undertaking violent actions usually 'have some kind of broad mandate to undertake these actions on behalf of the larger and more heterogeneous crowd that represents the community at public gatherings' (Von Holdt & Kirsten, 2011).

Several studies insist that 'violent protests are instigated by the police's use of force' (Mchunu & Theron, 2013), violence 'comes as a direct result of police provocation' (Kunene, 2014), and 'heavy-handed policing has led to, or worsened, violent confrontations' (Alexander & Pfaffe, 2014). It may be that due to the delegitimisation of communities' own created spaces of political participation, 'reactions of authorities to the protests focus on the restoration of order and safeguarding of public property' (Nyar & Wray, 2012), with police 'engaging in collective violence against protesting communities' (Von Holdt & Kirsten, 2011).

However, violent protest particularly often takes place in urban and peri-urban formal housing areas and informal settlements with unmet service delivery needs (Tapela & Pointer, 2013). In these areas, the 'dynamics around poverty, unemployment, population growth, inequality, relative deprivation, marginalization, injustice, indignity, identity and histories of struggle activism by predominantly black residents coalesce'.

Some authors argue that protesters were simply 'protesting violently to reflect their frustration and anger' (Jili, 2012) the powerless 'are fed up with being dominated and exploited' (Paller, 2013), and violent outcomes result from 'situations where the individual feels thwarted' (Lau et al., 2010) or that 'persisting racial inequalities result in a high level of social violence' (Peet, 2002). Others suggest that 'everyday forms of community expression are mostly ignored by the media' (Thompson & Nleya, 2010), and 'the current political climate is characterised by generic violent forms of engagement' (Langa & Kiguwa, 2013). While collective violence may give the poor the power to challenge authority, impact on the world, and force a response from authority (van Holdt in von Holdt & Alexander, 2012), violent actions 'also represent strivings for societal inclusion and claims for substantive citizenship' (Lau et al., 2010). Nevertheless, violence can corrode organisations and paradoxically combines oppressive and liberatory practice (Von Holdt & Kirsten, 2011).

In particular, violence is 'a nurtured male activity … [and] therefore appears to be a "natural" response against the perceived threat to individual's personal or group identity' (Lau et al., 2010). While women do take part in violent collective action, violent protest re-inscribes 'social meanings of masculinity' (Langa & Kiguwa, 2013). So while violence may disrupt 'the dominant symbolic order' (Von Holdt & Kirsten, 2011), it also expresses 'the local hierarchies and prejudices of local moral orders' (Von Holdt & Kirsten, 2011).

3.3 COMMUNITY'S PARTCIPATION IN VIOLENT PROTESTS

Bandeira and Higson-Smith (2011), provide a model within which collective violence needs to be understood. The model for collective violence traces the root causes of violence. Bandeira and Higson-Smith (2011) argue that collective violence does not occur within a vacuum; there has to be ambination of a set of events and or conditions for it to occur.

3.3.1 Model for understanding collective violence

Root causes, such as poverty, unemployment, inequality and a history of violent interaction between the state and the public, act as prerequisites for collective violence to occur (Bandeira & Higson-Smith, 2011). The above mentioned factors are structural and affect the public on a daily basis. Due to their intrinsic nature, they elicit social tensions, that, when combined with other conflict behaviour, result in collective violence. It has to be noted that these factors cannot be eradicated within a short space of time; hence they require long term prevention measures.

Unlike the root causes, proximate causes, such as poor service delivery, political conflict and political entrepreneurship and poor local governance, require medium-term prevention, as they can be solved by an accountable and responsive local government structure. These factors increase the probability of collective action, as the public perceives them to stem from ineffective municipalities.

Bandeira and Higson-Smith (2011) caution that accelerators, like the role of the police in a public protest, political entrepreneurship, criminal and political opportunism and the role of the youth, may not be causally related to the conflict, but, can instead accelerate the process. In other words, these factors serve as determinants of whether or not the situation is conducive for collective violence.

Decelerators include such factors as the role of the police and that of the leaders. Police, who are there to maintain law and order and who are not provocative, may reduce the risk of violent action. Similarly, public leaders, who are able to control their followers and are respected by the public, can deter violent action before it occurs. Furthermore, a Report of the Ad Hoc Committee on Coordinated Oversight on Service Delivery (2010) confirmed the above arguments and attributed the violent nature of protests to the following factors:

- Aggression fuelled by intense frustrations.
- A sudden downturn in the economy, triggering frustration and discontent, often leading to social unrest.

- The reinforcement of violence as being acceptable in families and communities, often leads to a vicious cycle of violence in those families and communities.

- Vindictiveness, anger, arguments and provocation can lead to violence.

- Lack of confidence, due to the legacy of apartheid, perceived racism and/or discrimination; as well as threatened masculinity in gender relations.

- Substance or alcohol abuse can lead to increased aggression.

- The existence of gangs and criminal activities within a community can result in the exploitation of protests by criminal elements for their own objectives.

The above conditions closely relate to social, economic and psychological factors that are prevalent in South African municipalities. It can thus be argued that the violent nature of protests in South African municipalities can *inter alia* be attributed to these factors.

3.3.2 Service Delivery Protests as a Form of Crime of Dissent

The state criminalises certain act of dissent such as public violence. Lovell (2009) attempts to explain why people still engage in crimes of dissent. In this attempt, she reveals that the contention is that what is at stake here is the constant tension between personal conscience as the source of individual agency, and State power as the source of law, order, and conformity. Therefore, civil disobedience becomes possible when this conflict is resolved in favour of a "politics of conscience" that prompts individuals to act against the laws in order to expose and redress what they consider a major injustice. Lovell (2009) further argued in concurrence with the radical-democratic perspective, that the gap between the State's injunction to conform and an individuals' urge to obey their conscience even if this means disobeying the laws of the State, has broadened as a consequence of the crisis of representative democracy in contemporary societies. It is the politics of conscience that motivate activists to cross the boundaries of representative democracy in order to engage in political activities that are criminalised by the State. In terms of "cultural-criminological" paradigm the (sub) cultural matrix of these acts of resistance implies that collective dimension is a necessary catalyst of these "deviant" activities. Dissent was also attributed to the "pleasurable" aspect of deviant behaviour, as there is much pleasure to be derived by activists (protesters) from openly fighting the system.

3.3.3 Service Delivery Protests as a Form of Criminal Participation

The doctrine of common purpose is when two or more persons act together to further a common criminal purpose, offences perpetrated by any of them may entail the criminal liability of all the members of the group (Baker, 2012). All members, acting pursuant to a common purpose, possess the same intent to commit a crime or underlying offence, and the crime or underlying offence is committed by one or more of them, or by others acting at their behest. Criminal participation represents a situation where there is an accused and any other member of the joint criminal enterprise such as public violence. Notwithstanding, the fact that the person in order to further the common criminal purpose, uses persons who, in addition to or instead to carrying out the *actus reus* (mental element) of the crimes or underlying offences forming part of the common purpose, commit crimes or underlying offences going beyond that purpose (Baker, 2012)

Criminal participation entails a plurality of persons, the existence of a common plan, design, or purpose that amounts to or involves the commission of a crime or underlying offence provided for in the Statute; and the participation of the accused in the common plan, design or purpose. The two or more persons that make up a joint criminal enterprise need not be organized into any sort of military, political, or administrative structure. It is necessary to identify the plurality of persons belonging to the joint criminal responsibility even if it is not necessary to identify by name each of the persons involved. The members of a joint criminal enterprise can incur liability for crimes committed by principal perpetrators who were non-joint criminal enterprise members, provided that it has been established that the crimes can be imputed to at least one member of the joint criminal enterprise and that this member acted in accordance with the common objective (Wilson, 2010).

3.4 FACTORS CONTRIBUTING TO VIOLENT PROTESTS

There are various factors that can turn service delivery protests into violent protests. Below is a discussion of common determinants of violent protests in South Africa:

3.4.1 The culture of violence

The culture of service delivery protest has been extensively researched (Netswera, 2005, Pfaffe, 2010; Netswera & Phago, 2009; Gwane, 2011; Netswera & Phago, 2013). Some of the major factors influencing the general local government service delivery protests currently form part of the growing literature. Literature suggests that to a large extent the underground African National Congress (ANC) not only introduced but encouraged the service delivery boycotts, rent defaulting and protestations (Hoosen, 1999; McDonald, 2002). The ANC later introduced the Masakhane campaign to counter the culture of boycotts and local government services protest. Expecting that the new Masakhane campaigns would immediately sweep over the country and overcome an entrenched culture of boycotts seemed unreal (Netswera, 2005).

The violence associated with local government service delivery protests has its own history and a track record but not as thoroughly researched as the popular service delivery protests. Protest politics in South Africa has been "utilised" differentially in different era and moments. Protests formed an important vehicle through which black society expressed their frustration and anger against the apartheid government since they had no legitimised representation in such a government.

At times violent protests were pursued because of its immediate ignition of attention and attention it generates from local authorities and because it attracted the attention of local and international media. Service delivery protests are however not a mechanism for pure political attention seeking but rather raise genuine anger emanating from community dissatisfaction with municipal service delivery or its lack thereof. Often it is a manifestation of poor or lack of communication in debriefing communities about progress and challenges faced by local municipalities (Nleya, 2011).

As a result; over the past few years local government protests have drastically increased as depicted. While protests have existed throughout the past three decades; Alexandra (2012) acknowledges that after 2004 South Africa has experienced unprecedented escalation in number of these protests.

3.4.2 Low trust level of politics and politicians

Netswera (2005) found existence of huge distrust of local government institutions by local communities. Such distrust was informed by, among others, by lack of understanding of the role of local government, negative reports and publicity of local government inefficiencies including corruption allegations by its officials. These reports enforced perceptions that local politicians and the local government system as an institution is uncaring. Through its annual South African Social Attitudinal Surveys (SASAS) the Human Sciences Research Council (HSRC) has consistently found a below 40% trust level by the general society of the institution of local government (Pillay, Roberts & Rule, 2006).

Among the factors informing low level of trust include cumulative unrealised expectations and growing impatience that arose from local government election manifestos since 1995. To illustrate this point; the ANC manifesto between 2000 and 2011 promised among others, fighting corruption in tendering, hiring and other government functions, recalling corrupt councillors, eradicate bucket toilet system and taped water for all households. Today however there is a huge body of evidence that suggests that corruption and tender system in the local government sphere is rampant with only exceptions were dismiss and recalling of corrupt officials and councils is enforced (Atkinson, 2007; Mattes, 2002).

At the same time there is equally a growing body of literature that suggests that conditions of the poor have deteriorated evidence through the declining coefficient from 2.7% to 2.3% of total income, among others according to the Presidency (2009 in Alexandra, 2010). Amidst the growing frustrations with poor local government service delivery.

3.4.3 Racial and class divide as an anger trigger

The history of spatial development in South Africa firstly through the Natives Land Act of 1913 and subsequent apartheid legislation entrenched racial disenfranchisement of blacks (Durrheim & Dixon, 2005). The Bantu education system and the apartheid policies equally skewed social class divisions along racial lines. Race as does social class equally influenced spatial developments in South African towns and are important factors in local government service delivery. It can be argued therefore that service delivery protests are phenomena among the black poor than black middle class or even white citizens because discontentment with service delivery is a class phenomenon. Netswera (in Van Donk, Swilling, Pieterse & Parnell, 2008) on service delivery in the City of Johannesburg found that the municipality is not responsive to community needs. The concerns of households in poor townships (worse-off) regard absence of municipal services and pricing of available services, while the middle class (well-off) households are concerned with the quality of services. The well-to-do, majority of which are white citizens in proportional terms do not take part in the affairs of the municipalities including street protests.

Equally because of the historic spatial and separate development trends, it can be argued that poverty is a perceptual condition informed through a comparative racial assessment. While the social class divide between black and whites was clearly pronounced during the apartheid days; class formations were not clearly and easily visible among blacks who lived in the same localities (Gurr, 1970). Today historically white suburban are the new middle class suburban and are perceived to continue receiving better municipal services visible through municipal infrastructure like roads, parks and schools among other things. In these middle class suburban local government services delivery protests are currently absent confirming therefore that service delivery protests are a class phenomenon.

In his analysis of why man rebel Gurr (1970) observed interesting contradictions between social classes. He observed that frustration with basic delivery leads to aggression and argued that in the actualization of political victory violence is preceded by politicization of discontent stemming from emergence of discontent.

The resource model believes that protests are a resource in itself that is employed by groups in the competition for power. This model implies that protests would be higher in better educated areas where organizers know very well what is to be done and how. Interestingly Gurr's observation of the resource model runs counter the observation of service delivery protests in South Africa which are prevalent among poorly educated communities measured by class divisions unless his "educated" society has tacit implications to political education.

Veenhoven, (2002) provided another interesting analysis about contentment. He believes that a key economic variable that has a significant impact on societal happiness is the level of income at both country and at individual level. He asks, "…do people in richer countries report higher levels of happiness than those in poorer countries?" As one's income increases over time, is there a corresponding increase in happiness? "…do richer individuals report higher levels of happiness than poorer individuals?" These questions from Veenhoven seem to have resonance with the South African experiences than Gurr's model because service delivery protests are experienced in the section of society that is perceived poorer with low income levels.

3.4.4 Display of greed, opulence and corruption

The challenge of service delivery protest is not only a government concern. In the 1980s a commission of inquiry was instituted by the people of Soweto into the reasons and effect of service payment boycott. The findings of this commission carried out in 1989 revealed Soweto to be faced with a debt of R701 million, which included arrears totalling R200 million cumulated during the services boycotts. The report revealed between 1979 and 1989 approximately R400 million was spent on roads, electricity, storm water drainage and sewerage systems. Although no comparative figures for the same period were availed by the Johannesburg City Council; it was assumed that more funds were spent for the same duration in the white suburb. The report noted that in Soweto service quality was perceived extremely poorer and most residents were also too poor to afford service payments (PLANACT, 1989).

The current service delivery protests continue to raise the same challenges as did those in the 1980s. Absence and poor delivery of the basic services which forms part of the competence of the local municipalities continue to be the biggest reasons for the service delivery protests according to Alexandra, Runciman and Ngwane (2013). In the midst of absent and poor basic service delivery there looms equally troubling perceptions that there is within the realm of local government huge scale corruption (Atkinson, 2007). Poor basic service delivery to a large degree is in the perceptions of community members correlated with prevalence of large scale corruption. Such corruption manifests itself, among others, in awarding of service tenders and visible in opulent life styles of local politicians. The writing of Lodge (1998) suggests that there is rampant corruption in issuing of tenders, nepotism in terms of offering jobs to family members and friends and shoddy work done by incompetent contractors who are connected to politicians result in people revolting against government. Patronage is also perceived rampant when political parties and leadership subsume powers in municipal administrative processes (Abdalla et al., 1998).

To augment with example community concerns regarding local government corruption; on 24 January 2014 residents of Madibeng local municipality in Brits brought the town to a standstill as they marched to the local municipal offices. Water supply had been interrupted for a while and among others protesting community members cited; "…the municipality is full of corruption. Enough is enough with Madibeng and the ANC (ioL News, 2014)." The municipality has been hit by service delivery protests over water shortages and four people were killed in the local township of Mothutlung, allegedly at the hands of police. What emerged thereafter is that local municipal officials had decided to outsource water delivery on trucks than fix the main water supply lines with intentions of making money from the water delivery system.

3.4.5 Police

Police play an ugly role in service delivery protests. Alexander (2010) and SWOP (2011) find that police are often slow to respond to the initial wave of violence, failing to stem it in most cases. On the other hand, when they do get involved, they often use disproportionate force, resulting in a much more violent response from protesters.

This combined with the general lack of trust in the police force. Problematic relationships between state and citizens can take place at many levels at the level of local government (democracy) and at the level of the police (security and protection). The absence of the police and the negative presence of the police partly legitimise violent protest behaviour and positions citizens as combative against state institutions (SWOP, 2011).

In the South African context, any operational policing strategy must take into account the operational environment and should be based upon sound democratic principles, which do not infringe on the human rights of citizens, whilst simultaneously protecting innocent citizens against any threat which might be posed by the public protest. Such strategy must be supported by enabling factors and capacity in order to ensure its success. It is acknowledged that the recent past has exposed serious gaps in the existing operational policies, strategies and approaches applied by the SAPS during the policing of public protests. These gaps widens when SAPS responses to unplanned protests is contextualized.

3.4.6 Local Political Leaders

Leaders have diverse motivations for mobilising the protests, often opportunistic reasons of their own. Protests are constructed through the agency of both the political entrepreneurs who use community members to fight their political battles, and the community members, who strategically use political entrepreneurs to present their grievances to relevant offices because of their understanding of local politics. The relationship between the crowds and the leaders is complex and often changing (as is the composition of the crowds and the leaders themselves). Protests are often characterised as driven by political opportunism-infighting in local party politics, perhaps, or an attempt to get into power in local government.

Communities use political activists to create protests, and political activists use community protests to advance their own goals. Leaders often change during a period of unrest, and often protest leaders will not be elected after the violence in over. The composition of the crowds and their relations with political entrepreneurs can and do radically change as a protest develops. Rather than being a site where relations are contained, service delivery protests seem to become sites of power struggle.

3.4.7 Angry Young Men

Interestingly, the composition of crowds tend to change with the trajectory of the protests. Working adults, older people and community leaders are prominently involved in the initials stage of the protests, but the overwhelming majority of violence is committed by young, unemployed black men. These young men find themselves at an intersection of race, gender and class. Those who are most active in the violent parts of service delivery protests are also most vulnerability; they have little to no opportunities for advancement, are impoverished, and are characterised as violent and dangerous by society (SWOP, 2011).

According to Langa (2011) unemployed young males are a vulnerable group. Given their vulnerability, some may easily be incited by the political entrepreneurs to serve as 'foot soldiers' in return for good and alcohol. Belonging to a group of the protestors provides them a sense of belonging and worth about their self. Furthermore, as Von Holdt et al (2011) points out, impoverished young men who are unable to start a family, feel emasculated. Protests can allow them to reassert their masculinity through violence and by costing themselves in the role of community defender.

3.4.8 Collective Trauma

According to Mogapi (2011) points out the traumatic violence of the apartheid system as well as its long lasting effects, and shows how the country cannot simply resolve this trauma and move on. Failure of communication between citizens and state and continued feelings of injustice and victimisation recall trauma; political leaders continually position themselves as liberators and struggle heroes; protests frequently

use elements particular to the struggle against apartheid (such as toyi-toying, singing of struggle songs etc).

Therefore, collective violence is identified as an expression of collective trauma and indicator that widespread collective violence can only be solved by addressing and dealing with the wounds of the past. Violence in service delivery, then, is not solely a material action- a demand for more services made urgent by the use of violence. It is also an emotional expression of trauma, a symptom of historical brutality and violence.

There is a pervasive sense that the state disrespects people by lying to people at election times and by failing to listen to them at other times. These citizens encounter the state is limited in negative ways. They do not protest or turn to violence because of the presence of the state, but because of its perceived absence. The emphasis on calling out corruption, on words such as transparency, accountability and rights, shows that citizens have a specific conceptualisation of how liberal democratic state act. Violence that occurs is part of a negotiation about democratic values and responsibilities.

3.5 THEORETICAL FRAMEWORK

The theoretical framework on which the study was based is the Sutherland's "differential association theory". The theory will be applied in the context of Hesselink-Louw (2008). Hesselink-Louw (2008) used the theory to explain how violent and aggressive behaviour is a learned behaviour.

Sutherland (1939) created a general theory that resulted in differential association theory of criminal behaviour by insisting all types of behaviour, good or bad, are learnt in the social environment in much the same way. He believed that the major difference between conforming and criminal behaviour lay in what is learnt rather than in how it is learnt. To Sutherland, the term differential association meant that the contents of the patterns presented in association with others differed from individual to individual. He writes systematic criminal behaviour is due immediately to differential association in a situation in which cultural conflict exists, and ultimately to the social disorganization in that situation. The theory further maintains that behaviour is entirely a product of the individual's social environment. Behaviour patterns depend on the values that the individual gains from important others around them in society.

The research was based on the following propositions developed by Sutherland:

- Criminal behaviour, just like any other form of behaviour, is learnt.

- Criminal behaviour is learnt through interaction and involvement with other persons using non-verbal and verbal communication.

- The basic part of the learning of criminal behaviour occurs within intimate personal groups, such as the family and among peers.

- When criminal behaviour is learnt, it includes techniques of committing crime, which are sometimes simple and sometimes very complicated, and the specific direction of motives, drives, rationalisations and attitudes.

- The specific direction of motives and drives is learnt from others' definitions of legal codes as either favourable or unfavourable.

- A person becomes delinquent because there are more definitions favourable to the violation of law than definitions unfavourable to the violation of law, or because they have more contact and interaction with peers who are delinquent than with peers who are law abiding.

- Differential association may vary in frequency, duration, priority and intensity.

- The process of learning criminal behaviour by association with criminal and anti-criminal patterns incorporates all the same mechanisms that are involved in any other forms of learning.

- Although criminal behaviour is an expression of general needs and values, it is not explained by those general needs and values, since non-criminal behaviour is an expression of the same needs and values.

3.6 CONCLUSION

The chapter aimed to determine the relationship between service delivery protests and crime in South Africa. The violent nature of protests were discussed. The factors that turns service delivery protests into violent protests were also discussed. The literature reveals that the culture of violence, low trust level of politics and politicians, collective trauma, display of greed and corruption highly turns service delivery protests into violent protests. Data will be presented and interpreted in the next chapter.

CHAPTER 4

RESEARCH FINDINGS AND INTERPRETATIONS

4.1 INTRODUCTION

The previous chapter determined the relationship between service delivery protests and crime. The factors that turn service delivery protests into violent protests were discussed. This chapter presents the research findings and interpretations. Data was collected through focus group discussion with 50 participants in the Sekhukhune District (10 in Elias Motsoaledi, 10 in Ephraim Mogale, 10 in Greater Tubatse, 10 in Fetakgomo, and 10 in Makhuduthamaga Municipality). The study aimed to determine the relationship between service delivery protests and crime wherein the causes of service delivery protests. The research also aimed at establishing why people participate in violent service delivery protests. Furthermore, the natures of criminality associated with service delivery protests were described.

In-depth focus group discussions were tape-recorded, field notes were taken and were transcribed and analysed. Core themes were identified and analysed for the purpose of interpreting data. The first theme focuses on the causes of service delivery protests in the Sekhukhune District Municipality. The second theme deals with the factors that turn service delivery protests into violent protests. The reasons why people participate in violent service delivery protests are discussed in the third theme. The fourth theme deals with the nature of criminality associated with service delivery protests.

4.2 RESEARCH FINDINGS

To understand the protests, the researcher had to determine the perceptions of community members, as key participants, and why these protests were taking place. The respondents in Sekhukhune District Municipality were asked what they thought were the reasons for the protests.

4.2.1 Causes of service delivery protests

It was noted that there were complex and varying reason in all the municipalities and though issues of service delivery were highlighted, they were not the only ones. The findings indicated that the protests were also about a range of other municipal issues.

The respondents highlighted that in terms of the narrative tale of the unrest in Sekhukhune District Municipality the respondents summarise the grievances of the protesters as being eightfold, including the following: Corruption among political office-bearers and public officials; slow pace and poor quality of public services rendered by municipalities, especially those associated with housing provision; lack of economic development and employment creation, especially in the youth sector of the population; poor governance related to public participation, democratisation of development through ward committees; and unfulfilled promises and expectations created by politicians during election time.

According to Nleya (2011) the protests in Sekhukhune District reflected the challenges and complexities South African local government must contend with in ensuring adequate service delivery and managing associated conflicts. Although fundamental socio-economic factors, such as poverty, played a role, a number of systemic municipal management problems supplied the respondent with several reasons for discontent. It is important that these be addressed in such a way that new forms of exclusion are not promoted.

There can be no doubt that service delivery dissatisfaction was pivotal in the Sekhukhune District unrest and that dysfunctions were exacerbated by the void in communication between the community and the relevant Ward Councillors. A communication breakdown between Ward Councillors and communities was allowed, and this impedes public participation in matters of local government. The respondents indicated that they don't participate in any municipality activities.

The events in Sekhukhune District demonstrate how local service delivery can go awry when Ward Councillors are not held accountable to their constituencies. The respondents argued that effective and timeous communication can help communities gain insight into those elements of development projects that are proving to be

intractable. They further maintained that only accountability creates confidence in local political processes and facilitates effective interventions in cases of service delivery breakdown.

Amongst common issues raised by these five municipalities (Fetakgomo Municipality, Ephraim Mogale, Elias Motsoaledi Municipality, Makhuduthamaga Municipality and Greater Tubatse Municipality) the respondents communities are poor access roads, water shortage, RDP houses, attitude levels of municipal councilors and officials, lack of meetings where communities can raise issues and difficulties to influence municipal decisions. However, some conceded that meetings are called and some community members do not attend.

Nepotism has led to slow delivery of basic services to poor communities. In both municipalities, 100% of respondents said nepotism hindered service delivery. Some other respondents in Fetakgomo Municipality said those who were in power were selfish. In Greater Tubatse, respondents agreed that those in power put their needs first and did not think of the people. Only 2% of the respondents said that a low budget was hindering service delivery.

From the above analysis it is evident that the culture of so-called 'cadre deployment' and nepotism is contributing a great deal to municipalities' inability to serve communities. Cadre deployment and nepotism are common in that skills and experience are not a requirement for one to be appointed. The reality is that beneficiaries of both are appointed to key strategic positions, but that the majority of these people fail to perform. Corruption and nepotism impede community access to housing and services in Sekhukhune Municipality, and lead to widespread protests among the communities.

The researcher argues that the prevalence of public protests in Sekhukhune District is caused by lack of authentic and empowering public participation, that will enable the public to influence, direct, control and own the development and decision-making processes meant to take them out of poverty. Because public participation in decision-making increases buy-in into government policies and ensure that the public understands the constraints within which service deliveries occur.

This means that if the public in Sekhukhune District was made part of decision-making processes, public protests will not be as widespread as they are currently. If the public in Sekhukhune District is allowed an opportunity to decide on what is best for themselves and make decisions that affect their lives, the decisions stand a better chance of being accepted and embraced by the broader citizenry.

Respondents felt that public protests are caused by lack of public participation in developmental planning processes, as the manner in which such projects are conceptualised deter the public from natural participation. The officials fail to understand complex community dynamics but are sold on the notion of "wanting to do more for less". The lack of, or failure to commit adequate time and resources to an understanding of community dynamics, leads to officials imposing "development" on the public. According to the respondents in Greater Tubatse Municipality, this practice is contrary to the aims of a participatory development approach, which requires that the public must be able to influence, direct, control and even own development meant for their advancement. For development to be sustainable, it must take into account the views and aspirations of the people involved. In this way the public will come to "own" development, resulting in the reduction of a need for public protests.

The factors that contribute to public protests, according to the respondents in Elias Motsoaledi, are: lack of housing, mushrooming of foreigners' shops in and unemployment. The people of Sekhukhune District are, however, divided on the foreign ownership of shops, as a part of the community feels that their presence is a welcome relief, as they provide goods at an affordable rate and are able to provide loans to the locals during difficult times.

According to Jili (2012) the housing backlog in South Africa has grown from 1.5 million units to over 2.1 million units from 1994 to 2010. This means that more than 12 million South Africans still need housing. This seems to suggest that government is losing the service delivery war, especially in housing provision. The current slow pace in housing provision has exacerbated Sekhukhune District community anger against government delivery. As housing is one of the basic constitutional rights of South African citizens, Netswera (2012) proposes that the three spheres of

government synchronise their delivery programmes in an integrated and coordinated fashion in order to overcome the rising housing backlogs.

The respondents in Ephraim Mogale unanimously agree that public protests in Sekhukhune District are caused by a myriad of factors that are beyond Ward Councillors' control, i.e. lack of housing and sanitation facilities, a high unemployment rate, Councillors' alleged nepotism and involvement in the allocation of building sites and houses, ever-increasing in-migration or influx of people from other provinces, feelings of being neglected by the powers-that-be and high rates of crime in the area.

4.2.2 Factors that turn service delivery protests into violent protests

Respondents in Sekhukhune District feels public's frustrations are as a result of the top-down approach, as it alienates them from the centres of power. This finding is echoed by those by Booysen (2007) who explains a top-down approach as a process through which policies, their implementations and budgets are determined by the authorities. In other words it denies the public an opportunity to influence, direct, control and own development processes.

The respondents attributed the violent nature of protests to the following factors:

1. Aggression fuelled by intense frustrations.

2. A sudden downturn in the economy, triggering frustration and discontent, often leading to social unrest.

3. The reinforcement of violence as being acceptable in families and communities, often leads to a vicious cycle of violence in those families and communities.

4. Vindictiveness, anger, arguments and provocation can lead to violence. Lack of confidence, due to the legacy of apartheid, perceived racism and/or discrimination; as well as threatened masculinity in gender relations.

6. Substance or alcohol abuse can lead to increased aggression.

7. The existence of gangs and criminal activities within a community can result in the exploitation of protests by criminal elements for their own objectives.

Respondents felt that the Sekhukhune District officials' "silo approach" to planning and their Councillors' apathetic unresponsiveness fuel public protests, particularly when Councillors ignore that they were elected by the public. The respondents are of the view that, if a Councillor is not physically present in the community or when the members of the public in Sekhukhune District feel he/she shows little interest in those issues that are of communal concern, the public may disengage the formal system, resulting in public protests.

The respondents further contended that violence is caused by the police/law enforcement agencies, who feel they have power over the public, as they have bullet proof vests and firearms. Criminal elements and delinquent youths who participate in public protests are also behind some of the violence that often accompanies protestations in Sekhukhune District. The respondents felt that the public need to use creative ways of engaging municipalities.

According to Netswera (2005), service delivery protests in which the Police clash with violent protestors have become commonplace in South African towns and cities. The respondents were of the opinion that the law-enforcement agencies lack the capacity to handle public protests, for example, the indispensable element of community policing. The law-enforcement agencies have to attend to other policing matters as well, such as shooting rubber bullets in order for protesters to disperse, which leads to them provoking members of the self-same community. It was the view of the respondents that it is during this confrontational period that the protesters' hard-line stance is emboldened and protests turn violent.

Respondents in Greater Tubatse Municipality indicated that violence is caused by prolonged protests that drag on for days as a result of the initial non-responsiveness of the authorities. The protesters get frustrated because of the feeling of neglect and uselessness. According to the respondents, violence is used as a strategy to draw the attention of the authorities to their cause, i.e. by the closure of the main streets. They know well enough that closure of such a major road disrupts normal public life and crucial business activity in the metropolitan area. The disruption of business activities will always compel the authorities to attend to, or even to accede to, the demands of the protesters.

4.2.3 Reasons why people participate in violent service delivery protests

According to the respondents, violent protests are caused by disillusionment on the part of the public. The public is tired of promises that are not kept. The accessibility of public protestations attracts different people with different motives, including criminals, who participate in order to pursue their own (criminal) agendas. Ill-discipline, particularly among the youth is a major problem. The public is very strong at mobilising others; protests action is therefore one of its strong points in drawing the attention of the authorities. In most cases protests are peaceful; they only turn violent when provoked by the police who undermine the protesters by shooting rubber bullets at them.

Most respondentts in the focus group's discussion lamented the lack of contact, information and minimal political education from Ward Councillors. The participants felt a sense of betrayal, as Ward Councillors, who once used to be part of their day-to-day struggle during the fight for delivery of services, now that they were in a position of power, ignored their grievances and disregarded the needs of the public.

The majority of respondents felt that municipality officials contribute to protests in that they are very slow at delivery, but good at corrupt practices, such as selling the so-called RDP houses and plots for building. The municipality officials also seem to be representing political parties in the execution of their duties, rather than being neutral.

Focus groups' participants felt that frustrations and anger caused by poverty are compelling reasons for resorting to violent protests. In this respect, a participant at Elias Motsoaledi Municipality remarked that, *"we have been voting for years; the term of office of the councillor comes to an end and the new councillor is elected, but there is no change to our lives"*. According to the respondents, protests turn violent as a result of anger over being betrayed by the councillors who used to be part of their community before being elected. Politicians are reluctant to address the public during protests.

Protesters have claimed that the cause of service delivery failure is maladministration of government resources, such as the misuse or under-use of funds allocated for providing services, as well as a lack of capacity to complete projects that assist the communities. Government's mandate to deploy African National Congress (ANC) comrades to positions for which they are not qualified also exacerbates the issue of poor service delivery, as some of these candidates lack the expertise to execute their tasks successfully. This continues to happen despite government's acknowledgment that most municipalities are hampered by nepotism and maladministration, run by incompetent staff who are often disorganised.

4.2.4 The nature of criminality that is associated with service delivery protests

Participants were of the view that they first need to destroy property in order for the authorities to listen. The participants acknowledged that, in most cases, public protests attract criminal elements that get an opportunity to further their own aims. When asked whether violence yields the desired results, the response was that "in some instances violence works because it draws the attention of the authorities to our problems, in fact they even come to address our concerns. *We have seen it happening in other areas where people end up getting what they were fighting for. The problem with violence is that when the police catch you, you will end up in jail and with criminal record.*

Respondents also believe that the only language that the government understands is violence. It is also believed that violent protests get more media coverage than peaceful protests. Results show that respondents mostly used violent protest to quickly get attention from politicians, and this has been succeeding in most communities where protests turned violent. Respondents are aware that violent protests are criminal conducts and punishable by the law. Roads were barricaded, tyre burnt, councillor's houses destroyed, municipal offices vandalised, matching to the municipal offices and foreigners victimised. Barricading of roads by protesting communities has been a common practice in post-apartheid protests in South Africa (Ballard, Habib, Valodia & Zuern 2005; Gibson 2006; Booysen 2007; Alexander 2010; Naidoo 2010; Marais 2011; Von Holdt 2011).

(a) Protests as last resorts

The focus group participants noted that protestations and the subsequent violence come as a last resort – they first explore different avenues, like demanding answers from the ward councillor or demand that the Executive Mayor come and address their concerns. The findings highlight that protestors are aware of whose responsibility is it to provide service needed in the community. However, the respondents are not aware of where and to whom to report shortage or failure to provide service needed by the community. Again the respondents are familiar with the channels of communicating with the government such as imbizos but maintains they are not effective and therefore don't attend. Respondents are of the view that they are not aware of the manner in which protests are organised since protests take place through social movements, meetings, and fixed projects.

(b) Peaceful protests

The respondents don't believe peaceful protests brings change. They also argue that it is also the responsibility of the protest organisers to ensure that protests remain peaceful, in line with the Gatherings Act (SA 1993) and municipal regulations, to avoid deaths and destruction of property. On the other hand, they believe ward councillors must advise the public to engage by peaceful means. It is important for the ward councillors to be visible and available to the public and report constantly to the public.

(c) Knowledge of protests planning

The research also found out that it is very difficult to plan proactively against strikes as it cannot be predetermined as to when strikes will take place. The respondents agree that municipal councillors are generally clueless about service delivery challenges. This if further supported by Raga and Taylor (2005) who asserted that accountability, is the fundamental prerequisite for preventing abuse of power and for ensuring that power is directed towards the achievement of efficiency, effectiveness, responsiveness and transparency, and also that governments must accept responsibility for what they do and therefore accountable to society.

The research was also able to establish that if politicians and municipal officials were to be honest, they were likely going to be motivated to participate in municipal activities. The respondents are however, not happy with how government is doing to curb violence in service protests. With all the concerns raised, and their high levels of dissatisfaction with municipal performance, the majority of the respondents promised to go and vote in the next local government elections.

4.3 CONCLUSION

Altogether this study has revealed the nature of the protests and the causes of service delivery protests, determining factors that turn service delivery protests into violent protests, reasons why people participate in violent service delivery protests and the nature of criminality associated with service delivery protests. The study reveals corruption, nepotism and lack of service delivery as the causes of service delivery protests. Frustration highly turns service delivery protests into violent protests. People participate in violent service delivery protests due to hopelessness and road barricade and vandalism are the nature of criminality associated with service delivery protests. Conclusions and recommendations will be presented in the next chapter

CHAPTER 5

CONCLUSION AND RECOMMENDATIONS

5.1 INTRODUCTION

Findings and analysis of data obtained through focus group discussions with the residents of Sekhukhune District Municipality was discussed in the previous chapter. This chapter aims to provide concluding remarks on the research problem raised. Recommendations based on data analysed through thematic analysis in the previous chapter will be presented in order to highlight respondent perceptions on participation in violent service delivery protests and determining the relationship between service deliver protests and crime. Furthermore, a summary of the preceding chapter is given.

5.2 CHAPTER SUMMARY

Chapter one offered a general orientation to the study wherein the research problem determined the relationship between service delivery protests and crime. The research objectives were highlighted. Again, the study was contextualised wherein the relevance and significance of the study were explained.

Chapter two aimed to critically analyse literature pertaining to service delivery protests and violence. The South African context of public protests was also presented. Furthermore the nature of public grievances leading to violent service delivery protests were also presented. Chapter three dealt with the relationship between service delivery protests and crime. The nature of criminality associated with service delivery protests as well as the theoretical framework were highlighted.

Chapter four presented the methodology applied to collect and analyse data. The research findings from data collected through focus group discussions and analysed using thematic analysis were presented and interpreted. Chapter five highlighted summary of chapter preceding's. The main conclusion drawn from the study and recommendation were made in this chapter.

5.3 CONCLUSION

Service delivery protests are highly violent and therefore there is a relationship between service delivery protests and crime. There are various reasons why community members participates in violent service delivery protests and frustration has been highlighted as among main reasons. The evidence was collected with the aim of achieving the following research objectives:

- Identifying the causes of service delivery protests
- Determining factors that turns service delivery protests into violent protests
- Establishing why people participate in violent service delivery protests
- Describing the nature of criminality associated with service delivery protests

After the analysis of data collected through focus group discussions with 50 community members the following conclusions were drawn:

Service delivery protests are caused by corruption, poor housing and unemployment and lack of service delivery. Service delivery protests turn violent due to police presence and intimidation, frustration. People participate in violent service delivery protests due to lack of communication with the municipality official. Poor knowledge in the participation of municipal activities forces community to act violently. The nature of criminality associated with violent service delivery protests includes roads barricades, tyre burning, vandalism and looting.

Results show that the majority of the respondents were protesting violently to reflect their frustration and anger. The majority indicated that they were tired of empty promises and of waiting, therefore they were expressing their anger and frustration and wanted to show the government that they meant business. Some other respondents felt that they were being deprived, as they were saying that the government was ignoring them.

Aggression is caused by frustration, which in turn results from unfulfilled expectations. This frustration then turns into aggression when something triggers it. Protestors have indicated that they have waited for too long for the services to be delivered, whilst promises for service delivery made by government, who protestors view as elitist, have been largely unfulfilled.

The above conclusions were drawn based on the evidence collected in the previous chapter. The study revealed causes of service delivery protest; highlighted factors that turn service delivery protests into violent protests; explained why people participate in violent protests and further highlighted the nature of criminality associated with service delivery protests.

5.4 RECOMMENDATIONS

The following recommendations are meant to assist municipalities deal with practical problems within their jurisdictions:

- Selection of Councillors

A fair process of identifying and electing councillors must be applied by political organisations, particularly the ANC where its policy of taking their candidates to the community for final selection is overruled when their preferred candidate is not popular with the community. Councillors must have a minimum qualification as their primary duty is to deal with issues of governance. This aspect needs a clear basic understanding of government legislation. To overcome the challenges of empty promises and the people waiting too long, the South African government (specifically local government) has to put people's needs first. Councillors must do their job for the benefit of the people, not for their own ends, and government has to respond to people's demands.

- Public Participation

There has to be a relationship between the government and the people. Deepening dialogue and engagement between the communities and the municipality must occur. The municipality need to explore ways for both the invited spaces and invented spaces of participation to co-exist. This will provide for early detection (warning signs) for the levels of frustrations and subsequent protests. In the event of a protest already occurring, the municipality must dispatch top politicians to explain the problems hindering the delivery of services.

- Review of Comprehensive Strategy

The comprehensive strategy which is the RDP should be reviewed. This will enhance its in eradicating informal settlements and unemployment amongst others if it is serious about addressing the scourge of violent service delivery currently taking place in South African municipalities.

5.5 LIMITATIONS

The following limitations have been identified with regard to this study:

The results of this study cannot be generalised to all municipalities in South Africa in terms of a 'one size fits all' approach. Although some of the principles of the recommendations can be applied to other municipalities, it should be appreciated that each local authority has its own unique challenges and constraints.

A number of respondents, especially senior public officials, as well as certain community members became suspicious of the intentions of the research, fearing that its intention was to identify which respondents belonged to which political faction. This delayed and limited the research to a certain degree.

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APPENDICES

Appendix 1: Consent Form

An Exploratory Study of the Relationship between Services Delivery Protests and Crime in the Sekhukhune District of the Limpopo Province

CONSENT FORM

I ……………………………………………………. have read and understood the information reflected on the covering letter about the study: An exploratory study of the relationship between services delivery and crime in the Sekhukhune District of the Limpopo Province. I have received adequate information regarding the nature of the study and I understand what will be requested of me. I am aware of my right to withdraw at any point during the study without penalty.

I hereby consent to participate in this research study.

Participant's Signature: …………………………

Date: ………………………

Researcher's Signature: ………………………..

Date: ……………………….

Appendix 2: Focus Group Discussion - Guidelines

Themes (questions) to be discussed in all the sessions of the of the Focus Group Discussions (FGDs)

Formalities:

1. The researcher will introduce himself or herself as the facilitator of the focus group discussion (FGD) if that is the case and explain his or her role for the day.
2. The researcher will introduce the observers at the FGD and explain their roles for the day.
3. The researcher will ask the participants to introduce themselves according to the number allocated to them by stating what constituency (part of the study population) they represent.
4. The researcher will distribute the consent forms, which contains the rights of the participants and the ethical commitment of the researcher to the participants to complete (fill-in).
5. The researcher will explain the procedure of a FGD and lay down the ground rules.
6. The participants are required to accept the ground rules by a simple majority and suggest others if need be.
7. Thereafter, the researcher will introduce the first theme and the FGD will commence in earnest.

On the relationship between service delivery and violent protests in the Sekhukhune District in Limpopo Province, the following themes will be discussed:

1. Knowledge of what constitutes public violence
2. Differentiating the types of public violence such as:
   a) Demonstrations
   b) Protest actions
   c) Strikes
   d) Vigilantism
   e) Xenophobic attacks

     f) Gang violence

3. Report on the occurrences of public violence

4. Knowledge of the type of services that are needed by the community.

5. Knowledge on the state of service delivery at the site.

6. Knowledge of whose responsibility it is to provide the services needed in the community.

7. Knowledge of where and to whom to report shortages of or failure to provide the services needed by the community.

8. Perceptions about the accessibility and effectiveness of the channel(s) of communications between the government and the community.

9. Perceptions about alternative ways of communication with the government over the state of services in the community.

10. Perceptions of whether or not protest actions are options of expressing dissatisfaction with the state of services in the community.

11. Knowledge of the manner in which protest actions are organized.

12. Knowledge of structure(s) or individuals responsible for the organization of protest actions.

13. Perceptions about whether or not the structure(s) or individuals that organize the protest actions are doing a good/correct or bad/incorrect thing by organizing these protest actions.

14. Perceptions about why protest actions turn violent.

15. Perceptions about whether it is possible to have protest actions that do not turn violent.

16. Perceptions about how to conduct non-violent protest action.

17. Knowledge that violent protest actions are criminal conducts.

18. Knowledge of the type of criminal conduct that are violent protest actions.

19. Knowledge that every criminal conduct is punishable including violent protest actions.

20. Perceptions about whether or not violent protest actions criminal conduct should be punished.

21. Perceptions about whether or not to participate or encourage other person(s) participate in protest actions.

Fomo ya matshwenyego

Nyakišišo ya go itlhalosa magareng ga kgwerano ya megwanto ya boipalaetšo le bosenyi mo District ya Sekhukhune mo profenseng ya Limpopo.

FOMO YA MATSHWENYEGO

Nna ……………………………………………………….ke badile ka ba ka kwišiša, molaetša wo o tšweletšwago mo lengwalong ka ga dithuto/dinyakišišo: nyakišišo/thuto ya go tšweletša kgwerano magareng ga megwanto ya boipelaetšo le bosenyi mo District ya Sekhukhune mo profenseng ya Limpopo. Ke hweditše tsebo ka botlalo mabapi le thlago ya thuto e, ebile ke kwišiša seo se tlogo thlokwa gotswa go nna. Ke na le tsebo ya ditokelo tšaka tša gore nka tlogela go tšea karolo mo dithutong tše nako efe kapa efe ntle le kotlo.

Nna kea dumela go tšea karolo mo Dinyakišišong tše.

Mosaeno wa motšeyakarolo: …………………………

Letšatšikgwedi: ………………………

Mosaeno wa monyakišiši: ……………………….

Letšatšikgwedi: ………………………

Focus Group Discussion - Guidelines

Metheo eo e ka sekasekwago dikopanong tša Focus Group Discussions (FGDs)

Tša semmušo:

1. Monyakišiši o tla itsebiša bjale ka moetapele wa focus group discussion (FGD) ge e le gore go bjalo a ba a hlaloša mošomo wa gagwe wa letšatši.

2. Monyakišiši otla tsebisa ba bogedi ba Mosomo mo FGD le go hlaloša mošomo wa bona wa letšatši.

3. Monyakišiši o tla kgopela gore batšeya karolo ba itsebiše goya ka mokgwa o ba beakantšhitšwego ka gona go ya ka mokgwa wa molao wa dinyakišišo tšeo ba di emetšego.

4. Monyakišiši o tla fana ka diconsent form, tseo di nago le ditokelo tsa batšea karolo le boitswaro ba maikemišetšo a monyakišiši go batšea karolo ka botlalo.

5. Monyakišiši otla hlalosa peakanyo ya FGD le go beya melao.

6. Batšea karolo ba labelelwa go amogela melao yeo e beilwego ka go dumela ka bontšhi le go akanya ye mengwe ge o hlokega.

7. Ka Morago ga moo monyakišiši o tla tsebiša motheo wa Mathomo gomme FGD e tla thoma ka pejana.

Mo kgweranong magareng ga dinyakwa tša motseng le megwanto ya dintwa mo Limpopo, metheo yeo e latelago e tla sekasekwa:

1. Tsebo ka molao wo o laolago dintwa tša mo motseng

2. Phapantšho ya dintwa tseo di diregago mo metseng bjalo ka:
    a) Demonstrations
    b) Protest actions
    c) Strikes
    d) Vigilantism
    e) Xenophobic attacks
    f) Gang violence

3. Go tsebiša ka hlolo ya dintwa tsa mo motseng.

4. Tsebo ya mehuta ya Ditirelo mo mošomong.

5. Tsebo ya maemo a Ditirelo mo mošomong.

6. Tsebo ya batho bao elego bona ba nago le maatla a go fa ditirelo tšeo dinyakegago mo motseng.

7. Tsebo ya gore ke kae mo o ka tsebišago ka dihlokego goba go palelwa go tliša ditirelo tšeo dinyakegago mo motseng le gore re botša mang.

8. "Perceptions" ka go fihlelela le go bereka ga mekgwa ya go bolela magareng ga mmušo le batho mo metseng.

9. "Perceptions" ka mekgwa emengwe ya boledišana le mmuo godimo ga maemo a dinyakwa mo motseng.

10. "Perceptions" ya gore ditiragalo tša megwanto ke tsela ya go bontsha go se kgotsofale ka maemo ka dinyakwa ke batho mo motseng.

11. Tsebo ya maitswaro ka mokgwa o megwanto e beakantšhitšwego ka gona.

12. Tsebo ya peakanyo goba maitshwaro a motho wa go rulaganya tiragalo ya megwanto.

13. "Perceptions" tša gore motho o a beakanyago ditirigalo tša megwanto e o dira botse goba bobe ka go dira ditiraggalo tše.

14. "Perceptions" tša gore naa nkane megwanto e e fetoga e ba dintwa.

15. "Perceptions" tša gore go ka kgonega gore gobe le megwanto yeo e ka se feleletšego e hlolago dintwa.

16. "Perceptions" ka mokgwa o go ka beakantšhwago megwanto ya go hloka dintwa.

17. Tsebo ya gore megwanto ya dintwa ke bosenyi.

18. Tsebo ka mehuta ya bosenyi bo bo dirilwego ke megwanto ya dintwa.

19. Tsebo ya gore bosenyi bo bongwe le bo bongwe bona le kotlo e akaretšago le megwanto ya bosenyi.

20. "Perceptions" ka gore e kaba megwanto ya dintwa ke bosenyi bo bo ka fiwago kotlo.

21. "Perceptions" ka go tšeya karolo goba go hlohloletša batho ba bangwe go tsenela megwanto.

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| TURFLOOP RESEARCH ETHICS |
| COMMITTEECLEARANCE CERTIFICATE |

MEETING: 28 January 2015

PROJECT NUMBER: TREC/11/2015: PG

PROJECT:

Title: The relationship between service delivery protests and crime
                 in the Sekhukhune District of the Limpopo Province
Researcher: Ms MJ Aphiri
Supervisor: Dr KA Mothibi
Co-Supervisor: N/A
Department: Criminology
School: Social Science
Degree: Masters in Criminology

PROF TAB MASHEGO
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)   Should any departure be contemplated from the research procedure as approved, the researcher(s) must
        re-submit the protocol to the committee.
ii)   The budget for the research will be considered separately from the protocol.
        PLEASE QUOTE THE PROTOCOL NUMBER IN ALL ENQUIRIES.

Finding solutions for Africa