

THE ROLE OF MUNICIPAL COUNCILLORS TOWARDS ENHANCING SERVICE DELIVERY: AN EMPIRICAL STUDY OF THE MPUMALANGA PROVINCE IN SOUTH AFRICA

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Abstract: This article explores the role of municipal councillors in the Mpumalanga Province of South Africa. The municipal councillors are by law the representatives of municipal residents and owe primary loyalty to those who voted for them. This may be in personal capacity and/or because of political affiliation, that is, as an independent ward councillor or a member of a particular party; if elected from party list. In either case, it behoves upon the elected municipal councillors to act at all times in the best interest of the residents and the municipality as a whole (Local Government Transition Act, 1993 and The Electoral Act, 1998). Literature shows that municipal councillors are political elected representatives who live in and service their respective wards. This article acknowledges that councillors share the working space with Ward Committees (of which the municipal councillors are chairpersons), business organisations, non-government organisations and community development workers who have a direct say in the planning, decision-making and projects implementation that have impact on their respective wards. The question that this article attempts to answer is whether the municipal councillors in the country is achieving the desired result while local communities complain about poor service delivery. The research design used in this paper was a qualitative method. Data was collected through extensive review of public documents, accredited journal articles, observations and interviews. The results showed that the municipal councillors should cooperate with local communities and coordinate the rendering of government services at the local government sphere in an efficient, effective and developmental way.

Keywords: Municipal Councillors; Ward Committees; Local Government; and Local Municipalities

1. INTRODUCTION

The advent of democracy in 1994, and the first democratic non-racial local government elections in 1995 in South Africa, brought about a new era of involvement and participation of citizens in the operation of all spheres of government. Communities have been encouraged to participate in the affairs of their municipality so as to have their needs addressed by their municipality (Amtaika, 2013). In order to ensure the participation of community in municipal affairs a plethora of legislation was put in place, which makes it compulsory

for municipalities to consult their respective communities about development issues and service delivery. Thus, this article explores the role of municipal councillors towards enhancing service delivery supported by the empirical evidence conducted at the selected local municipalities in the above-mentioned province. The research problem that this article attempts to address is as follows: with the recent community protests experienced in the Mpumalanga Province, it is expected that municipal councillors had role to play in identifying casual factors of the protests whilst enhancing citizen participation. The

article initiates discussion by presenting the legislative framework of the roles of municipal councillors. Secondly, the research methodology used in this article is explained briefly. Thirdly, an analysis and interpretation of the empirical findings are presented. Finally, the article provides a discussion and concluding remarks.

2. THEORETICAL FRAMEWORK OF ROLE OF COUNCILLORS

The Electoral Act, 1998 (Act No. 73 of 1998) and the Local Government Transition Act, 1993 (Act No. 209 of 1993) define municipal councillors as the representatives of municipal residents and owe primary loyalty to those who voted for them. This may be in personal capacity and/or because of political affiliation, that is, as an independent ward councillor or a member of a particular party; if elected from party list. In either case, it behoves upon the elected municipal councillors to act at all times in the best interest of the residents and the municipality as a whole. For the purpose of this article, it is necessary that the following legislation, which provide for the roles of the councillors be briefly discussed in order to clarify that the environment has been made conducive by law-makers.

2.1. The Constitution of the Republic of South Africa, 1996

In terms of Sections 151-164 of the Constitution of the Republic of South Africa, 1996, local government is established as a separate, local sphere of government closest to the citizens and communities as beneficiaries of public services and is charged with the responsibility for the delivery of services. Furthermore, the Constitution of the Republic of South Africa, 1996 in Sections 7-39 enshrines the rights of all the people in the country to dignity; equality; and freedom of religion, culture, movement, expression and association. The constitution also commits the government to ensure that all South Africans have access to adequate housing, health care, education, food, water and social security. Moreover, the constitution encourages community involvement and democratic and accountable government. Section 195 outlines the constitutional values and principles public servants should adhere to when performing their duties.

The municipal council as a whole is of focal point to local democracy and is meant to represent the communal and/or mutual interests of and to provide leadership to the whole community. Thus, the researchers argue that being adequately informed of the roles municipalities ought to mandatory execute, it will suffice the democratically acceptable status of municipal service delivery and positively enhance the living styles of the community residents as a whole. Service delivery is not a simple or an isolated activity but a combination of several actions in order to achieve effective and efficient service delivery standards. These local municipality objectives provide a basis within which the local government itself and the manner in which municipal councils, as governed by their mandatory roles, can fully function effectively and efficiently towards the deliverance of municipal services to the local community at large. Moreover, these objectives can also serve as an assessment framework that examines the extent and impact to which municipal councils' roles plays towards municipal service delivery; their knowledge of the mandatory roles in delivering municipal services; as well as an assessment on community residents' perception on their local councils' performance on the issue of service delivery.

2.2. White Paper on Local Government, 1998

The White Paper on Local Government, 1998 covered the first national policy framework for local government in the post-Apartheid era. It provides the policy guidelines for the development of bills that subsequently became the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), and the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000). The White Paper on Local Government, 1998 established the basis for a new developmental local government system that is committed to working with citizens, groups and communities to create long-term and sustainable human settlements that provide for a decent quality of life and meet the social, economic and material needs of communities. This developmental role of municipalities requires councillors to structure and manage their activities to prioritise the basic needs of their constituents. Furthermore, the White Paper on Local Government, 1998 also finds its implementation and application in the

establishment of ward committees, as a feature of developmental local government committed to public consultation and public participation.

2.3. Local Government: Municipal Demarcation Act, 1998 (Act No. 27 of 1998)

The Local Government: Municipal Demarcation Act, 1998 provides the criteria and procedures for the determination of municipal boundaries. The Demarcation Board, which is an independent authority, determines ward boundaries within municipalities. The Mpumalanga Province, the area under investigation, comprises three districts, namely: Nkangala, Gert Sibande and Ehlanzeni. The area of focus of the study comes from selected local municipalities of the above-mentioned districts with each district represented by one local municipality, namely; Emalahleni (Nkangala District), Msukaligwa (Gert Sibande District) and Thaba Chweu (Ehlanzeni District). Each ward councillor is required to perform his/her duties within the area of jurisdiction as prescribed by the Demarcation Board.

2.4. Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

Section 2(1) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) prescribes that every citizen who is qualified to vote for a particular municipal council has the right to stand as a candidate, except a person who is disqualified in terms of Section 158 (1)© of the Constitution of the Republic of South Africa, 1996. The Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) emphasizes that councillors are the representatives of the community in a municipal council; therefore, there should be structured mechanisms of accountability to the communities and councillors should meet the priority needs of the people. Municipal councillors are required to report back, at least quarterly, to constituencies on council matters. Schedule 5 of the Act stipulates the code of conduct that councillors have to adhere to in executing their overwhelming task. The Act also stipulates the establishment of Ward Committees to enhance public consultation and participation. The role of ward councillors as the chairpersons of ward committees is defined in terms of prescriptions contained in the Act.

2.5. Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)

The Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) sets out systems that enable councillors as public representatives to operate in such a way that they move towards the social and economic upliftment of local communities and ensure access to essential services, affordable to all citizens. Councillors should provide public services “without favour or prejudice”, be democratic and represent accountable government for communities, residents and ratepayers. Ward councillors must ensure adherence to the constitutional requirements for public participation in the development of municipal integrated development plans and other processes, as outlined in Sections 16 to 22 of this Act.

2.6. Municipal Finance Management Act, 2003 (Act No. 56 of 2003)

The Municipal Finance Management Act, 2003 (Act No. 56 of 2003) regulates financial management and provides uniform Treasury norms and standards for the local sphere of government. Ward councillors, therefore, have to ensure that municipalities exercise the sound and sustainable management of their financial affairs in the implementation of all the projects in their wards. The ‘value for money’ *Batbo Pele* (People First) principle should find its application specifically in this regard. Councillors should be aware of the financial implications of the decisions they take.

The above legislation and policy framework illustrate that policies have been formulated to facilitate the functioning of municipal councils through the process of citizen participation and engagement championed by councillors. The value of such participation is critical for sustaining democracy in the country. This legislation demonstrate that local government must take full responsibility for managing their own affairs and exercising the powers.

3. ROLES OF MUNICIPAL COUNCILLORS

As alluded to above, councillors are politically elected representatives who live in and service their communities.

Thus, the Handbook for Community Development Workers (2005) in Mokoena and Moeti (2017) describes the roles of municipal councillors as follows:

The ward councillor

- Chairs the ward committee;
- Convenes the constituency meeting to elect ward committee members;
- Calls committee meetings;
- Ensures a schedule of meetings is prepared, including ward committees and constituency meetings;
- Works with the ward committee to draw up an annual plan of activities;
- Handles queries and complaints;
- Resolves disputes and refers unresolved disputes to the municipality;
- Should be fully involved in all community activities;

The proportional representative councillor

- Should attend ward committee meetings, constituency meetings and special meetings;
- Can assist with resolving disputes and making referrals;
- Can help with the implementation of project; and
- Supports the ward councillor, but does not replace the ward councillor.

The above serve to emphasize the significance of councillors working together with local communities. An observation can be made, based on media reports, which communities are mostly feeling that municipalities are not providing quality basic services to them as stipulated in legislation, despite all wards having councillors.

4. RESEARCH METHODOLOGY

The qualitative research methodology was utilised in this study in order to be in a position to evaluate the role of municipal councillors in relation to governance issues regarding services delivery. Qualitative research was deemed suitable for gaining a rich understanding of councillor's roles in enhancing citizen participation

towards municipal service delivery and their performance in municipal service provision, in the research areas. In attempting to study the above noted dynamics, a case study of three local municipalities in the province was identified, namely; Thaba Chweu (Ehlanzeni Region), Msukaligwa (Gert Sibande Region) and Emalahleni (Nkangala Region). The researchers used the qualitative research approach as it offers greater depth of understanding. As such, the qualitative method usefully allowed the researchers to explore and highlight the challenges confronting councillors towards enhancing service delivery.

The research utilised multiple data collection strategies to collect the necessary data. This includes the literature review, observations, analysis of statistics already produced by others, official publications and correspondence discussion documents, official papers presented at workshops and conferences, newspaper surveys as well as material from the internet. Primary data was collected through semi-structured interviews. The sample of the study comprised a total of sixty five (65) participants consisting of nine (9) ward councillors, a thirty one (31) ward committee members and twenty five (25) officials of all the three local municipalities. The sample breakdown from the three municipalities is as follows:

- Thaba Chweu Local Municipality – three (3) ward councillors (sample) from the fourteen (14) wards (population) as per the municipality's demarcation, ten (10) ward committee members (sample) (five (5) wards represented by two (2) members) from one hundred and forty (140) members (population) and eight (8) officials.
- Msukaligwa Local Municipality – three (3) ward councillors (sample) from the sixteen (16) wards (population) as per the municipality's demarcation, ten (10) ward committee members (sample) (five (5) wards represented by two (2) members) from one hundred and sixty (160) members (population) and eight (8) officials.
- Emalahleni Local Municipality - three (3) ward councillors (sample) from the thirty four (34) wards (population) as per the municipality's demarcation, eleven ward committee members

(sample) (six (6) wards represented by two (2) members, of which one (1) ward member withdrew on the last minute) from three hundred and forty (340) members (population) and nine (9) officials.

The sample of the wards was randomly selected with a consideration of a geographical distance from one ward to another. This was done for convenience purposes about the distance that the researchers had to cover within the limited resources and time.

The data analysis collected through semi-structured interviews used a thematic content analysis. Braun and Clarke (2006) argue that a thematic analysis is a qualitative analytic method for identifying, analysing and reporting patterns (themes) within data. It minimally organises and describes data set in (rich) detail. However, frequently it goes further than this, and interprets various aspects of the research topic. Creswell (2003) asserts that an analysis in qualitative research consists of exploring the data, writing down ideas, and thinking about the organisation of the data in text segments or themes. Braun and Clarke (2006) further state that a theme captures something important about the data in relation to the research question and represents some level of patterned response or meaning within the data set. The following steps suggested by Leedy and Ormrod (2001) were followed when carrying out the thematic analysis in this study:

- Organisation of details about the case;
- Categorisation of single instance;
- Identification of patterns; and
- Synthesis and generalisation.

5. ANALYSIS OF RESULTS

The following responses by the respondents have focus on one theme, namely: the leadership of councillors towards enhancing service delivery as is the focus of this article.

Leadership involves interpersonal relationships engaged in finding solutions to collective problems relative to objective, but also normative, parameters. In order to succeed, leaders must be able to relate to the social and political climate, norms, established values, and

realms of understanding within an organisation (Eriksen 2001:23). The interview responses to the question: “*What is your general view of the leadership role of your ward councillor?*” indicated that ward councillors are leaders in their respective wards, but not all provided effective leadership. Indeed, it is true that most ward councillors were members of the community before they were elected ward councillors. They have not been formally trained for the leadership roles that they must perform. Some, if not all of them, were political activists before and were elected because of their active political role in their communities. They are unfamiliar with what it is expected of them, and what local governance is about. They assumed their leadership duties without knowing the values that they should have. It is likely that this could be one of the reasons why ward councillors do not perform as they are expected to by the members of the community and the municipal authorities. A majority of respondents regarded some of their ward councillors as being authoritative.

On a positive note, other respondents indicated that their ward councillors perform their duties responsibly and with compassion. An example was given by a member of the ward committee of a ward which is far removed from the city centre. Their ward councillor decided to rent an office in town to be accessible to the members of the community who would need proof of residence and any official authorisation required by institutions such as banks and insurance policy institutions. This ward councillor pays the rent for this office and claims from the municipal treasury later. This is a classic example of how leaders should display their leadership through their emotional intelligence. In addition, the respondents were also asked *how ward councillors should respond to the needs of the community* with the view to obtaining information about the service delivery role. Various responses were given as follows:

- Ward councillors should ensure that they fulfil their promises. Failure to do this will lead to protests.
- They should address all the needs of the community and not only those of their fellow members of their political parties.
- They should be given more powers by the municipal authorities because some community

needs are not addressed since they have to seek approval from the municipality on certain issues.

- Municipal policies limit the actions of ward councillors.
- They should make use of the services of and work closely with the ward committees because they cannot know everything.

Since ward councillors are political leaders, they are elected rather than appointed, and act as representatives: they require consent from those whom they govern and serve. They have a duty to serve all their constituents and protect the interests of future generations, rather than simply those who supported them (Morrell & Hartley 2006:485). Ward councillors who do not respond to the needs of the community are therefore not doing what they are elected for. The members of the community conclude that “ward councillors are just enriching themselves” as one of the participants indicated.

The participants were asked a question on *how ward councillors report back on council matters and how they declare their interests*. The majority of the ward committee members replied that the relations between them and their ward councillors are tense in that they do not receive reports and the ward councillors have not declared their interests. While the officials indicated that, the process of declaring interest is followed in accordance with the council’s by-laws. All the ward councillors responded by saying that they do report back to communities and do declare their interest to councils. However, the response by ward committee members instigated a discussion on the relations that ward councillors have with their ward committees. Some ward committee members indicated that the relationship between themselves and the ward councillors is not good and this has a negative effect, especially when the community asks questions about service delivery. Subsequently, there was consensus that the municipality should organise workshops for both ward councillors and ward committees to strengthen relations. The kind of relations that need to exist between these two is that they should share the same values and should have a common understanding of community interests. This commonality would eliminate any areas of conflict that may otherwise surface. The issue was raised that certain ward councillors do not reside in their

wards but still their relations with the ward committee as well as with the community is good.

It cannot be ruled out that there should be cordial and healthy relationships between ward councillors and the members of the ward committee. Any misunderstanding between these two parties may have a detrimental effect on the service delivery as well as the relations between the ward councillor and the members of the community. Qwabe and Mdaka (2011:70) postulate that a weak relationship between ward councillors and ward committees as well as a lack of appreciation for the potential role that the different stakeholders represented on the ward committee can affect the development of the municipality, hamper good cooperation and slow down the development process.

It was apparent that wards where relations between the ward councillor and the ward committees are strained do not perform well. The message, which was clearly articulated by participants, is that this state of affairs also affects the municipal administration in that ward committees do not submit reports on their activities as required by the Public Participation Unit.

Ward councillors should create favourable conditions for ward committees to be fully and actively involved in the affairs of the local municipality. They should also be conscious of the language they use when relating to the members of the community as well as the members of the ward councillors. Using the Habermas theory of communicative action, Bolton (2005:11) refers to language as a medium of communication, but communication is a broader concept, and “communicative action designates a type of interaction that is coordinated through speech acts and does not coincide with them”.

An analysis of the views of ward committee members reveals that the relationship between ward councillors and the members of the ward committee and the community are not always healthy. There are ward councillors who do their best to maintain these well. Unhealthy relations between ward committees and ward councillors are likely to have detrimental effects on the delivery of services, as well as on the trust and respect for the ward councillor that the members of the ward committee and the community should have. Some utterances by ward councillors are divisive and do not promote good

relations. Fryer (2011:29) points out that Habermas proposed that social beings are reliant on communication. Without communication, the bases of shared understanding and cooperation upon which social relations depend will not be established. Therefore, not only is sociality a key characteristic of humanity; so is communication as well.

In order to establish *whether ward councillors account for their actions and the mechanisms that employed to enhance accountability*, two different responses were drawn from the participants. Some pointed out that ward councillors are accountable and some said they are not. On the one hand, some participants felt that councillors are not accountable. It goes without saying that, in cases where the ward councillor does not hold meeting with the ward committee and with the members of the community, such a councillor does not give account. This has implications for transparency. Ward committee members expressed their satisfaction with the manner in which their ward councillors display a sense of responsibility which in turn translates into accountability. Ward committee meetings and public meetings do take place in these wards. In ward committee meetings, the councillor updates the ward committees on council decisions and new developments in the municipality so that these can be relayed to the members of the community. Ward committee members report on their activities in different wards and in different portfolios. Problems arising from these reports are discussed. In cases where the meeting is unable to reach a solution, the ward councillor communicates these to the relevant departments in the municipality.

In analysing the divergent occurrences in both cases where there is accountability and where there is not, all ward councillors should lead and be accountable. Ward councillors coordinate the performance of ward committee members. In as far as to find out about *the accountability and the measures that are in place to ensure that ward councillors account to their constituencies*, it was revealed that some ward councillor convene meetings and some do not. Participants in one ward exposed the fact that their ward councillor does not have time to attend to community issues and does not even call constituency meetings because s/he has another job. Some indicated that they do not have ward committee meetings whilst

some said they do. In wards where there are many villages, the ward councillors rely on the information brought by the ward committees who in turn get that information from the chairpersons of these villages. In these areas the ward councillors arrange ward committee meetings and area meetings. Problems of the community are discussed in these area meetings. This is where the councillors give account to the community and communicates information from the municipality.

The overarching goal of accountability mechanisms is to control action and to improve individual and organisational performance. In the context of political leadership and thus ward councillors in this research, accountability mechanisms motivate leaders with the threat of being required to explain their actions to others within the organisation (Ammeter *et al.* 2002:757).

Regarding to transparency, the question was asked to participants on whether *ward councillors should be encouraged to be more transparent about their interests and their activities in and outside the council*. The participants provided different responses. Some indicated that they are not transparent whilst some said they were transparent. It was observed that those who said their ward councillors were not transparent are the ones who indicated that the municipal information is not communicated to them. Also, the secretaries of ward committees are unable to compile their monthly report required by the Public Participation Unit to monitor their performance.

In response to the question: *“What do you think should be done to encourage improved public participation for better service delivery?”* Participants suggested that the ward councillors should avoid conflict situations and should always create a positive atmosphere for participation. They should display trust in the members of the ward committees because these members provide ward councillors with information from the public. Furthermore, the term of office for ward councillors should be the same as those of ward committee members to ensure continuity and to strengthen collegiality.

The respondents were asked about what can be done to improve overall service delivery in your local municipality. Although all the respondents came up with different viewpoints, a clear message from them was that

councillors should be a major vehicle in service delivery processes in local municipalities.

An analysis of the respondents' replies on transparency and public participation revealed that during the process of being transparent, where the ward councillor is declaring what she or he has and has not done, accountability takes place. Moreover, the members of the public are encouraged to participate when they see that the ward councillor is honest and does not have any clandestine motives. This is in agreement with Blind's (2011:2) conclusions that accountability is value-ridden because it is associated with the notions of responsibility, integrity, democracy, fairness and justice.

6. DISCUSSION AND CONCLUSION

The researchers observed that the role played by ward councillors of local municipalities create the platform for public participation process in relation to the delivery of services to communities within local government. Based on the above, it can be concluded that the existence of councillors is enshrined in the constitution. The South African community protests, suggest that to a large extent the protests reflect disappointment with the fruits of democracy. On the shallow, the protests have been about the poor quality of public service delivery and against indifferent, self-serving, and leaders of municipalities practising unethical principles. Many areas within the Mpumalanga Province do not have access to basic municipal services such as clean and running water from the comfort of their own homes. Magubane (2014) argues that according to the South African Institute of Race Relations, more than five hundred protests have occurred in Gauteng since the beginning of 2014.

In this connection, it is clear to the researchers that public service delivery should be characterised by efficiency, accountability and equity. This is a paradigm shift from the past, where the public service was characterised by discrimination, inefficiency and racism. Cooperative governance also affects service delivery because not all services are the mandate of local municipalities. It is a matter of a fact that service delivery is the responsibility of government as a whole. Hughes (2003: 72) emphasizes that government has a variety of roles to perform within the country, the scope of which

cannot be easily measured. The government's most critical role is ensuring the livelihood of communities through the provision of services such as quality schools, hospitals, community care, public transport, law and order, town planning and welfare services.

Furthermore, government is responsible for making laws, creating institutions that implement those laws and for providing services or products that these laws prescribe. In this context, service delivery implies services that are delivered by government. These can be either collective or specific services. Collective services benefit the whole community, whereas particular services intend to meet a specific need for individuals and households. Banjo and Jili (2013) argue that the primary reason behind service delivery protest in South Africa is dissatisfaction with the delivery of basic services such as water, electricity, toilets and damaged roads/streets. Thus, ward councillors need to up their game in order for real development to be realised in the country. The protests are more common in the informal settlements and other poor communities, who feel that violent protest is the only way to voice their concerns. The high level of poverty, poor infrastructure and lack of houses add to the growing dissatisfaction. This has increased the pressure for local government to deliver basic services. Municipalities had to strive to meet the challenges but failed to meet community expectations (Memela, Mautjane, and Nzo, 2008). The former and late Minister of Cooperation Governance and Tradition Affairs (COGTA), Mr Sicelo Shiceka, has introduced the implementation of a Local Government Turn-Around Strategy, which provided long-term and sustainable citizen-centred intervention. Such a strategy is aimed at turning the tide on service delivery protest by addressing backlogs and complaints from the public.

A challenge with service delivery conflicts is that they draw attention of the government when they have manifested in public violence and are captured by the mass media. Local government fails to investigate, manage and intervene in latent conflicts, because it lacks the skills and programmes to intervene (Roux, 2005; Memela, Mautjane and Nzo, 2008). This can result in uninformed interventions, which will curb the violence temporarily, but rarely resolve underlying factors that led to the conflict. In conclusion, it essential to indicate that service

delivery at local level has an impact on the evaluation of the performance of Local Municipalities, as services needed by community play an essential role on how people preserve Local Municipalities.

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