

UNIVERSITY OF ZULULAND



**POLITICAL AND ADMINISTRATIVE DICHOTOMY IN SOUTH AFRICA'S CITY OF
TSHWANE METROPOLITAN MUNICIPALITY: PRINCIPLE OF SEPARATION OF
POWERS AS SOLUTION**

BY

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Submitted in fulfilment of the requirements for Master of Public Administration
degree in the Faculty of Commerce, Administration and Law at the University of
Zululand

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January 2020

Declaration

I, Ashia Sihle Vilakazi, declare that this is my own work and has not been done by anybody else other than myself. This work has never been submitted for scrutiny in any educational institution, thus it has never been submitted for any degree in any university. Acknowledgement of other scholars' work has been done through referencing. Permission for the conduction of this study was granted by the University's Higher Degrees Committee.

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Ashia Sihle Vilakazi

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Date

Dedication

This dissertation is dedicated to my late mother Thembisile Cindy Vilakazi, my late grandmother Deliwe Martha Vilakazi and to my late aunt Elisa Adelia Vilakazi. Through your hard work, love and support, I have learnt to rise above the obstacles I face in life and to succeed against all odds. Although the pain that no one among you has experienced the man I have become today lingers, I know that the heavens are rejoicing with you all, for you are watching over me. Through this piece of work, I hope to find comfort and move on while not intending to relinquish your memory in my life. For you my all, I will continue to raise the Vilakazi name higher than it has ever been, for as long as I live and that is my vow.

“You raised me up so I can stand on mountains. You raised me up to walk on stormy seas. I am strong when I am on your shoulders. You raised me up, to more than I can be” ~ Josh Groban

Acknowledgements

Firstly I give all praise to God almighty, my Lord and savior Jesus Christ of Nazareth for giving me the strength and courage to complete this piece of work. Verily, I feel favored to have reached such a milestone in life.

To my research supervisor Dr. Toyin Cotties Adetiba, words cannot explain how thankful I am for your support and belief in me. You have not only furnished my skills but you have brightened my horizon. Working with you was challenging, yet fascinating. I am grateful for being supervised by an intellectual of such high caliber. Continue being an epitome of political transformation in our lifetime. God bless you.

To my grandmother Paulina Tozana Vilakazi: woman how can I say thank you? You have shown your belief in me more than I could ever imagine. Your love, support and the relationship that we share is just amazing. You have invested so much financial support into my education, just to see me prosper in life, for that I appreciate and thank you. You are a strong woman that I have ever known and a woman among women! I love you!

To my parents and spiritual leaders Mr. Sipho and Mrs. Thokozile Josephine Magwaza, you both leave me speechless. If life did not make our roads to intersect, I do not know where this life could have led me to, and for that I thank you both for being a part of my life. Thank you for the finances you also invested into my education and well-being. Again, thank you for making me to realize that I am more than my adversaries but a strong person. I dare you both to take pride in my success for it is also yours. May the good Lord supply all your very needs and bless the work of your hands and that of your descendants. I love you mom and dad. Wena uyi'Njinji, Yengwayo, Manqondo, Gidizela kaMantando, wena waka jika bakhothame!

To Sazi Lancelot Mthalane, words cannot explain how grateful I am to have you in my life. Your unending support, love and encouragements supersede my very expectations. Through my highs and lows, you were always there and made sure that I only look at the positive side of life. Without you this piece of work would not have been possible. Thank you for everything and I love you. May God keep you and also bless you beyond measure.

To my dad Mr. Sifiso Wiseman Joseph Mkhwanazi “Gugu” and grandmother Thokozile Mkhwanazi, thank you for your love and support. May the good lord bless you both and satisfy you with long life.

To Mandisa Nxumalo, Sibusiso Msibi, Kamogelo Motsumi, Mbali Mkhathshwa and Nkululeko Hlophe: although I am not perfect, please do follow my footsteps and achieve more than what I have done in my lifetime. It is all possible, just set your mind on it.

To Uncle Thembinkosi Vincent Vilakazi, thank you for also coming to my aid when needed. Not forgetting Nomoya “NaGule” Mkhonza, Sdudla Margret “NaGule” Mashego, Mbali “Nzo” Nkosi (NaVilakazi), Madoda Elias Vilakazi. Thank you for also believing in me. I love you all.

To the entire Vilakazi family, Magwaza family, Covenant Fellowship Church International (Ermelo) and friends. Thank you and God richly bless you!

Vilakazi! Mphephethe! Bindza! Ngwedze neNgovuma!

Owadi'dzadzewabo watsi akanamhlelo!

Abstract

The study of political and administrative dichotomy in the discipline of public administration has always been about the differences that occur within the framework of government institutions. The differences between political and administrative structures in civil institutions then trigger the aspect of the principle of separation of powers which guide the functionality of these institutions. Consequently, this study focused on analyzing the principle of separation of powers in the City of Tshwane Metropolitan Municipality, while navigating through the political and administrative dichotomy in South Africa.

Using administrative, bureaucratic and scientific management theories, this study aimed to help get an understanding of how political and administrative dichotomy affects the principle of separation of powers in the City of Tshwane Metropolitan Municipality. This is because much literature on local government studies pointed that most of the challenges faced in municipalities revolve around the tension between political and administrative structures. To ascertain whether challenges occurring in municipalities are because of the effects of the political and administrative structures, this study focused on the analysis of the principle of separation of powers. To discover the answers needed, through the use of the qualitative approach, the researcher conducted interviews with both political and administrative officials in the City of Tshwane Metropolitan Municipality.

The study, therefore, revealed the effects that surround the principle of separation of powers while taking into consideration the political and administrative dichotomy in South Africa. The findings of the study revealed that in most cases there is non-adherence to the principle of separation of powers between political and administrative spheres in the municipality. The findings further indicated that there is often tension between the two structures, and thus, respect over the functions of one's structure become sidelined and not respected. In conclusion, the findings revealed that the principle of separation of powers when not fully adhered to, hampers the acceleration of a developmentally oriented local government which is meant to advance the lives of local communities.

Keywords: Administrative, Dichotomy, Political and Power

List of abbreviations

ANC	African National Congress
DA	Democratic Alliance
COGTA	Cooperative Governance and Traditional Affairs
IDP	Integrated Development Plan
MPAC	Municipal Public Accounts Committee
NP	National Party
PFMA	Public Finance Management Act
SALGA	South African Local Government Association

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CHAPTER ONE

1.1 Introduction

The constitutional democracy of South Africa has tried to lay an effective and efficient local government system, which in many ways was constructed to particularly help municipalities address the past stigma of racial segregation which occurred in the country pre-1994. According to Pretorius (2017), in an institution like a metropolitan municipality, the executive authority has to navigate through the municipal council, administrative section and the community, keeping these stakeholders aware of everything that affects the municipality and in decision making. Hence through the institutionalisation of the principles of separation of powers in the metropolitan municipality, there has to be on the other hand a mechanism which is diverse in nature and tends to encompass many relevant stakeholders for its functionality.

Pasquini and Shearing (2014) sum up that metropolitan municipalities like any other municipality in South Africa suffer from consistent political change and power. The change in power encapsulates many issues which harm the pace and level of service delivery in municipalities. Furthermore, policy formulation and implementation are harmed when the doctrine of separation of powers in municipalities is ignored. Mehlape (2018) states that one of the greatest challenges at the metropolitan municipality level is that of politics-administration interface as compared to politics-administration dichotomy. This poses a threat of having different stakeholders working together (mixing roles and powers) regardless of the different functions in governance. The dichotomy in its totality requires that politics and administrative functions should be separated from each other, in order to have a better functioning institution.

Differentiating and separating powers in municipalities has been a persistent challenge because the political domain encroaches upon other stakeholders (Beyers, 2016). By implication, political power (politicians/council) tends to portray itself as hegemonic in nature, thus dictating other municipal domains in the municipality. The greatest question is, does the practice and respect of the principle of separation of powers in metropolitan municipalities apply? Mantzaris and Pillay (2014) try to put emphasis on the fact that policies and regulations made in post 1994 were such that they introduced change in

South Africa's local government system, hence the introduction of municipalities which are to cater for the general population at ground/grass roots level. However, what was not conceptualized is the consideration of whether municipalities were prepared to handle such policies and regulations put forward, in relation to their functionality? Was there a well-structured and well-trained personnel for the implementation of such? Or will there be fair practice of political power?

Therefore, the above argument leads to the introduction of the diversity of local government in the new democratic South Africa which has two domains, namely: the administrative and the political domains which are present in every municipality. These municipalities, whether Metropolitan, local or district were and are still expected to function through the agency of both politics and administration; not forgetting that the development of the state, which, inter alia, encompasses the general population, rests in the effective operation of municipalities as government closer to the people.

1.2 Background of the study

Akindele (1994) suggests that the idea or basis of politics-administration dichotomy dates back to 1887 when Woodrow Wilson, in the field of public administration, introduced the concept as one of the fundamental issues within the discipline. Through the exchange of knowledge and ideas, the politics-administration dichotomy has been in most debates, especially rising to matters that pertain to government institutions. To breakdown the rationale of public institutions, is to place emphasis and focus upon municipalities. With regard to this study, such a politics-administration dichotomy is based on the operations of local government along with its daily operations.

Consisting of quite a number of aspects, municipalities are faced with having much administration that has to ensure the smooth functioning and meeting of organisational objectives. Politics cannot be sidelined from local government operations as it also forms part of the everyday work in the municipality because of the constitutional rights given to it within the political domain. The basis of politics in governance can be viewed as the trusted ally of the community governed since politicians exist because of the people who have voted for them to be in power.

The democratic Republic of South Africa emerges from the formations of the Apartheid regime totally cleansed from the nature of the Apartheid systemic settings. This would have obviously been difficult. Mogashoa (2006) explains that the National Party (NP) which was the driving force of the Apartheid regime had developed a system which dispersed its trusted white personnel within the governance of public service. This is to say that in the previous state, South Africa was controlled by the white minority, and also, power and appointment of personnel was through politics. Consequently, even among the white minority race, it was only those people who were viewed as loyal to the system and were solely the members of the then ruling party, that were entrusted with administrative responsibilities. Of course all this occurred pre-1994.

Coming into a revolutionised democratic state that came into being when the African National Congress (ANC) came into power in 1994; it seems as if the modus operandi of the NP had continued to linger on. This was because the ANC also adopted the strategy of deploying its trusted personnel in municipalities (Mathebula, 2018). This explains the basis that politics had captured the public service for many years, hence, one would question where exactly proper administration personnel exist. Or these political parties already had qualified administrative personnel in place?

Cameron (2010) also argued that the Apartheid regime was considered illegitimate among a majority of the population but was never really removed from governance since even within the public service, particularly in municipalities, the apartheid strategy, system and its functionality continued. One of the cumbersome stigmas that the new South Africa had to deal with but never really successfully, was the removal from office of those who strongly supported apartheid. One can therefore query how free and democratic South Africa would be, if there were still supporters of the previous regime? Thus, such supporters filled the new government sphere, with reference to local government.

Could there be any merit in saying that the system of governance in municipalities, is not controlled by the past politics but through the remaining bureaucrats who never really left office? Or is it possible that the past operations of the apartheid government through the white minority bureaucrats who were still in office, continued to assist the black majority of bureaucrats who assumed some of the offices and powers in municipalities? The

dichotomy laid by Woodrow Wilson of viewing the government as a business was probably not given attention in South Africa, particularly in municipalities. To find a more concrete basis, it then necessitates the discussion of the separation of powers in the City of Tshwane Metropolitan Municipality which involves quite a number of stakeholders and powers.

1.3 Problem statement

Navigating the political and administrative dichotomy in South Africa to ensure the practice of the principle of separation of powers in South Africa with special focus on the City of Tshwane Metropolitan Municipality is imperative. Ndudula (2013) states that municipalities in South Africa are still caught-up in the predicament of understanding how political and administrative domains should interact or be divided from each other hence affecting service delivery. Not understanding what really creates the political and administrative domain in municipalities contributes to the violation of the principle of separation of powers. Power belonging to politics can never be the same as that of the administration and the community at large. Therefore, municipalities should understand the rationale behind the principle of separation of powers.

Madumo (2016) asserts that politics should be limited in the day-to-day functionality of municipalities in order not to encourage a one-sided government instead of a government which is for all people. The question that comes to mind is whether giving limited power to the political domain is undemocratic, regarding the present state of the local government system in South Africa. If this is the case, who will then properly ensure that the community's well-being is well attended to since political power plays a major role regarding such? Jacobsen (2001) tends support the notion that the administrators are the sole politicians in municipalities, but they operate in disguise. Having to conceptually refer to administrators as politicians gives the view that they are probably deemed as the drivers and spearheads of municipalities since they are exposed to but a number of local government traits as professionals. Hence, the assumption that not categorizing administrators as politicians will disrupt their political roles and the functions they (political administrators) ought to perform.

Yawa (2016) regards the existence of political and administration functions or powers as connected and making it difficult for these functions to be separable. Shazi (2016), however, looks at the mixing of roles between administrators and politicians as one that keeps municipalities paralyzed in the context of having a developed or developing state. In this case, another conceptual development comes to play: that even politicians tend to control the administrators since they believe that as initiators of policies, they know what is best for the municipality concerned and how to get the vehicle moving. Such a notion results in a municipality that is biased and which misuses power. Through the misuse of power, another problem in regard to government finances and spending emerges, hence, the occurrences of fruitless expenditure in local government.

For many years there has been a challenge of having to understand exactly what the differences in powers are for those in metropolitan municipalities. This is because of much politics and different structures of authority involved. Hence, these factors result in matters which are also related to lack of accountability and non-adherence to policies. The problem has been great, and therefore, needs to be addressed while fixing the challenge of non-adherence to the principle of separation of powers by policy makers. Most of these challenges are somehow caused by politics.

The relevance of understanding differing powers in the City of Tshwane Metropolitan Municipality will motivate all public servants, be it politicians or administrators to value the necessity of the necessity of separation of powers in South African local government system. Therefore, this study seeks to explain that, should the principle of separation of power be jettisoned, then there is a possibility of political manipulations or administrative defaults that will *inter alia* affect the service delivery of the City of Tshwane Metropolitan Municipality. Furthermore, this study seeks to suggest initiatives that will help the organization, in case the principle of separation of powers has been disregarded. These initiatives may help to make the municipality a functional, accountable and well managed administrative entity that honors the principle of separation of powers.

1.4 The aim of the study

The aim of this study is to help get an understanding of how political and administrative dichotomy affects the principle of separation of powers at the Tshwane Metropolitan Municipality.

1.5 Objectives

- To examine the conflicting powers between the political and administrative structures in the City of Tshwane Metropolitan Municipality.
- To assess whether the principle of separation of powers is practical in the municipality' operational and system.
- To analyze whether the functions of the political and administrative structures in the City of Tshwane Metropolitan Municipality are intertwined or separable.
- To determine ways that will encourage an improved service delivery in the City of Tshwane Metropolitan Municipality through a structured political and administrative system that focuses on each domain's functions/powers.

1.6 Research questions

1. What are the differing powers between the political and administrative structures in the City of Tshwane Metropolitan Municipality?
2. How practical is the principle of separation of powers in the municipality's operational and system?
3. Are functions of the political and administrative structures in the City of Tshwane Metropolitan Municipality intertwined or separable?
4. Should it be that the principle of separation of powers is jettisoned, then what measures can be taken in order to have improved service delivery in the City of Tshwane Metropolitan Municipality?

1.7 Significance of the study

According to Ntliziywana (2017), South African municipalities are often faced with enormous failures and these revolve around the political and administrative functions. For quite many years, the development of the above notion has bothered several scholars and experts when it comes to their working together or distinction. Much of the work has

tried to explain how to come about having congruence in the functionality of both politics and administration. Therefore, this was meant to conceptualise what Woodrow Wilson tried to address when he decided to champion this issue in governmental affairs. This issue still proves to be prevalent when it comes to municipalities, particularly those which operate at a metropolitan level. Some scholars like Smith (2016) argue that both politics and administration can be deemed totally unique and different to the other, yet also be interrelated.

Rahman (2015) submits that the resuscitation of the idea of the dichotomy was given attention by the rationale that all civil institutions/municipalities to be precise, should be independent from manipulation of any party involved in governance. As previously mentioned, there is a perception that political parties try to manifest themselves in the affairs related to municipal governance, thereby conflating politics and administration. This, therefore, shows that much attention has been directed to the relationship and nature of the politics and administration. Mathebula (2018) added that, the issue with municipalities is that there are structures formed in a hierarchy which makes all those who form part of administration to be receivers of decisions taken by the political domain.

The originality of this study is founded on basis of researching about the broadness of powers that exist within metropolitan municipalities, particularly the City of Tshwane Metropolitan Municipality. The City of Tshwane Metropolitan Municipality has quite a number of stakeholders involved in its governance. Therefore, this will enable this study to understand how the practice of the principle of separation of power is handled in this metropolitan municipality, and thus help in understanding the concept of politics and administration in South Africa. There is dearth of studies on separation of powers in metropolitan municipalities, vis-à-vis the understanding of political and administrative dichotomy in South Africa, hence the reason for this study.

1.8 Research methodology and design

While conducting research, there are fundamental steps which are followed by the researcher in how the study will be undertaken and thereafter, recorded, while also possessing the notion of truth and preciseness (Kawulich, 2012). As a result, the context of research design rests upon the above-mentioned factor that there are steps to be

followed in conducting such a study. The point of departure starts from the understanding of which approach will the study conducted adopt. With regard to this study, the research approach to be used is mainly the qualitative approach later adopting the use of quantitative methods in the form expressing numerical terms related to sample scale.

1.8.1 Qualitative approach

Starman (2013) explains that emphases are placed upon the rationale of having to explain the qualitative approach as one that tends to lean upon the knowledge and past encounters of an individual in relation to a particular occurrence. Within the framework of the qualitative research, the perceptions of people/respondents and those of the researchers have a contribution in the development of the entire research conducted. Making reference to what has been encountered by the respondents and the researcher's encounters begins to have a leeway that points out the direction of the research. Thus, what the researcher perceives has a way of framing the results of the study concerned. It is, therefore, important that the researcher does not become biased but retains the position of making sound and rational decisions. The approach which this study has adopted is summarized into thematic content analysis.

1.8.2. Target population

The study has targeted the City of Tshwane Metropolitan Municipality in the Province of Gauteng. The municipal council have 214 members and the administrative staff, namely; the senior management which consists of 22 managers (they will form part of the group to be interviewed). The municipality is under a coalition government led by the Democratic Alliance (DA). Apart from the witty political and administrative culture within the municipality, the researcher has lived most of his life in the area, thus placing the researcher in an advantageous position to understand the political situation in the municipality. The researcher understands that the municipality is relatively big, hence the reason why the researcher has identified fusion of power through the media/news reports where politicians find it difficult to diffuse their function from that of the administrators. That is why it is appropriate to answer questions on the notion of separation of powers.

1.8.3 Sampling design

This study adopted the purposive non-probability sampling method. For Kumar (2011), the idea of purposive sampling is that the perception of the researcher assumes control

in relation to who can participate and form part of the study. The researcher has the power to choose who or what will be part of the study and act as respondents for this study. Representing the municipal council will be 21 councilors and representing the administrative staff will be 10 managers. The sample number is informed by the idea that it will be difficult to interview the entire municipal council and senior administrative management because they are usually busy people and unreachable. Therefore, the adopted sample number will enable the researcher to conduct interviews and also be able to interact with everyone that forms part of the interview.

1.8.4 Data collection instruments

This study will adopt the use of secondary data which involves acquiring information from scholarly articles, journals, books, published and unpublished research dissertations and thesis. This will further compliment the use of primary data which will solely be data gathered from the respondents of this study through the use of semi-structured questions.

1.8.5 Interviews

Interviews will be undertaken by the researcher to obtain as much information as possible. Semi-structured interviews will be adopted since there is a huge possibility of questions arising during the interview process. An interview schedule will be prepared to contain a list of questions that will be approved by the supervisor and the faculty. The interview schedule will contain open-ended questions. This will undoubtedly help the researcher to gain much information as possible. To avoid misinterpretation during the data analysis stage, the researcher will make use of a recording device to ensure credibility and authenticity.

1.8.6.0 Data control measurements

1.8.6.1 Validity and reliability of data

Every data that is collected and recorded for the purpose of future reference and scholarly work has to be deemed valid and reliable. In other words, it has to carry the notion of trustworthiness and credibility which may be consulted by other researchers without any sense of being incorrect. According to Pandey & Pandey (2015), data that can be precise when applied in real life contexts has to be correct and accurate without involving any sense of invalidity. The relevant data has been exhausted and well-chosen over content

contained. The findings of the research can ascertain that data recorded in relation to the study is related to the issues faced by those within the South African context of governance in the local government system in its entirety.

1.8.6.2 Trustworthiness and conformability

To validate the quality of this study, the researcher will ensure that data collected is accurate and all omissions and contrivances are avoided. To also ensure accuracy in this study, the researcher will report the results as accurately as possible. The researcher will also be responsible for examining data, findings and interpretations to demonstrate that they are supported by other existing data. The findings will be solely constructed on participant's responses and not have any potential of biasness or personal prejudice from the researcher. To confirm this, the researcher will provide an audit trail to highlight every step of data analysis that was made to provide a validation of the decisions taken.

1.9 Scope of the study

This study covers the practicality of the application of the principle of separation of powers at the work place, this being at the City of Tshwane Metropolitan Municipality. The study further seeks to examine with in-depth exploration in how the two sphere in the organisation, namely political and administrative spheres are impacted by the distinction of their powers and scope of duty. Implications are such that most organizations do not understand the functionality of the principle of separation of powers, hence the performance of most South African municipalities remains poor.

1.10 Limitation of the study

This study is limited because it only focuses in the City of Tshwane Metropolitan Municipality. It therefore, means that this study will not be focusing on other South African municipalities in attending to the objectives of the study.

1.11 Chapter division

The division of this research paper is organized in the following nature:

Chapter one: provides an introduction of the study and further gives the background of the study for conceptual purposes. It further provides a preliminary literature review,

problem statement, aims and objectives, research questions, significance of the study and a brief description of the research methodology.

Chapter two: contains an in-depth literature review around the politics-administration dichotomy. It further gives the governmental issues arising within the principle of separation of powers in local government.

Chapter three: involves a theoretical framework underpinning the study.

Chapter four: data presentation and analysis of the findings in relation to the concept at play.

Chapter five: chapter summary, summary of the findings, recommendations and suggestions for future research, along with a summary of the entire study.

1.12 Summary

So far, there is uncertainty in the extent of the consequences of the political and administrative dichotomy in government institutions, locally and internationally. Therefore, it there is a vast information gap to be filled on the principle of separation of powers and the extent to which it, in fact, is being practiced by either all relevant key stakeholders or is merely non-existing. Kuusi (2009) states that well-established civil institutions have to remain independent from any external influences which cause a stirred relationship or *inter alia* head to the route of privatization. To therefore, ascertain whether control over each domain, namely, political and administrative structures does occur or not, is the purpose of this research, as well as testing whether or not such a view is a myth/propaganda in the local government sphere. The above is one of the aspects that this study seeks to address. Thus, the question is: can the public service survive under the notion of privatization or it will just be an end of a developmentally orientated governance in South Africa? All this needs to be properly articulated.

The following chapter consists of literature review.

CHAPTER TWO

LITERATURE REVIEW: LOCAL GOVERNMENT SYSTEM

2.1 Introduction

South African municipalities are faced with enormous expectations which are raised by the local communities. Understanding that multiple things such as adequate service delivery needs time to be realized is but an understatement because the South African community believes that the state possesses enough human and material resources to deliver the needs of communities. Therefore, regardless of the challenges that are faced by municipalities, the governed local populace remains in great expectation of having a well-operated and delivering municipality that will in return benefit their lives.

To determine whether the South African municipalities are properly configured as per the notion of separation of powers or not, is another expectation which the public desires. The people hope that municipal system is running smoothly, even though communities know less about the principle of separation of powers. The how part, however, keeps resurfacing because much understanding is needed. Bohler-Muller, Davids and Roberts (2016) affirm that South Africa suffers from a serious agony of being deemed as failing to deliver to its people, thereby leaving it (South Africa) in need of a transformed system of governance. The transformation in the system cuts directly through all systems of governance, namely; national, provincial and local spheres. However, the focus of this study is particularly given to the local government, which involves municipalities in particular.

This chapter reviews relevant literatures to create a sound and concrete basis of navigating the political and administrative dichotomy in South Africa, policy formulation and implementation as well as the doctrine of separation of powers in the local government. Literature reviewed is not only limited to the above-mentioned, but also, includes literatures in understanding the practicality of local government administration,

legislative framework, evolution and the challenges related to the problem statement of this study. The above-mentioned themes will forge the connection between the problem statement, research aim and objectives as well as research questions.

2.2 Conceptualization of local government (Municipal operative)

The notion of local government according to Nelson (2016), is one that involves institutions which are responsible for governing local communities and whereby governance should automatically produce and realize those developmental-oriented objectives. The sole purpose of having municipalities which are much closer to the general populace in the post-1994 South Africa, was and still is, to try and close the gap created by the past apartheid system (Pieterse, 2007). Having a developmental-orientated institution collects every thought into a new government which will and must ensure a developed South Africa in its entirety. However, such a system necessitates that development and all other important services should firstly be provided to the people at the grass root level through introducing local government. Thus, such a development and the provision of services are deemed possible because of their operational activities. Local government has made it possible to champion the very needs of the communities through everyday interactions that happen between a municipality's stakeholders.

If there was no important need for a government to ensure that the people of the country are properly well taken care of, then local government would not have been established. This emphasizes the importance of municipalities, particularly in South Africa. Mathebula (2016) states that a government sphere like that of local government is alive and active because of having to bring development and encapsulating all other sectors which will ensure service delivery is at its peak. Therefore, local government can be categorized as a government sphere which is faced with much service delivery challenges. All local government objectives should be founded on the basis of providing good and precise service delivery to the people. Manzini (2016) further says that many people, especially black communities, are faced with poor service delivery from municipalities while communities depend on municipalities to provide them with better services that will improve their lives. Among other things, these needs involve the provision of housing, electricity, health care, water and sanitation.

Alexander (2010) mentions that municipalities have a life span of five years to deliver their promises to the people. Unfortunately, all the goals and promises begin to change when politicians have received enough power to govern. The priorities which are contained in a political party's manifesto involve reasonable and well thought plans in having to provide for and lead the people. Local government, like the other spheres of government, is faced with the stigma of propaganda which is created by politicians to scam the public at large (Reddy, 2016). This notion comes to play because what the politicians have promised before gaining power and what they give after the elections are totally different, whereas service delivery should be realized as promised. The resources which ought to be directed to the people tend to vanish in the hands of those in power, thus leaving the well-being of the local communities to further deteriorate rather than get better. This creates a concern of having to understand what actually goes wrong in local government in the presence political and administrative domains, which ought to ensure good governance in municipalities.

Local government (Municipalities) involves politicians, administrators and the public; hence, all what happens in this sphere of government should revolve around the above-mentioned. Maseng (2014) writes that local government can be viewed as democratic in writing, but many ANC led municipalities create and promote policies that are driven by the party's ideology rather than from having had interactions with the people, for whom such policies should be created. As regards South African municipalities, they operate under the helm of the ANC and in most cases tend to forget the people which these municipalities were created for. Sometimes if policies do promote development of the local community, those in power tend to do as they please and enrich themselves with the resources meant for the community. Ngamlana and Englin (2015) reiterate that the practical nature of local government remains questionable as compared to what has been enshrined in writing. Many municipalities' promise a developmental-orientated government but practically seem to fail in delivering just that. In conceptualizing local government, one is in need of having to understand the everyday municipality dynamics in a democratic state like South Africa.

According to Ndletyana and Muzondidya (2009), on understanding the dynamics of local government in a democratic South Africa, there is a need of having to balance the present with the past because some occurrences are repetitions of the apartheid system. In as much as the apartheid system did not have a local government sphere, its system and habits have lingered on and affect local government. Booysen (2012) believes that acts such as patriotism, nepotism and financial misconduct have been part of the apartheid system, hence such tend to occur in the post-apartheid system and particularly, in local government. These occurrences begin to create a picture of a hamstrung local government system which may need to be rethought and properly practiced for the interest of the people. Given every day dynamics, there needs to be a system which will ensure a developed livelihood for South Africa. But such is only achievable in a local government which works tirelessly for the betterment of the people.

Local government is faced with a cumbersome function of having to facilitate “integrated democracy” as such a function is entrusted upon this sphere in particular (van der Waldt, 2014). Democratic integration is one that encapsulates both the well-off places for those considered as affording, and those who are in the low-income communities. This notion comes into effect to suggest that the provision of services and whatever service delivery the municipalities render, should be rendered equally regardless of location, so long as they are in the same local jurisdiction of the municipalities. However, this is a serious challenge for the local government because much of the financially able population does not expect much from the municipality beyond the continuous provision of water and electricity and other basic needs they pay for. On the contrary, the low income communities almost expect that many of the daily basic needs such as housing be provided by local government. Therefore, the notion of democratic integration becomes a challenge because equilibrium is almost not achievable.

The South African Constitution Act 108 Of 1996 section 152 (1) (a) and (e) gives the objectives of local government that should enable an atmosphere which encapsulates a “democratic and accountable government” for the general populace. This facilitates cooperation between local government and the local communities it governs, as well as all other non-governmental organizations in the business of municipalities. Local

government cannot solely function as per the wishes of the politicians but needs to be protected in order to ensure that it meets the needs of the people it governs. Ndudula (2013) infers that the democratic and accountable ideal makes local government to have a sense of not operating fully as per the political ideologies, but tends to capture its functionality through the inclusion of the communities it governs. Political parties involve quite different values and ideologies thereby having some ideologies which sideline other communities. These objects of local government then safeguard the local communities and their well-being. Representation, along with provision of services, are then realized for all, regardless of race or gender, so long as people fall under the same municipal jurisdiction.

The essence of strong political authority within local government is imperative because of being responsible for community engagements and influencing administration to work towards meaningful social and economic advances of the people (van der Walt, 2014). Local government requires much of its existence to be solely for the advancement and development of the local communities' lives. The political structure in local government then makes it possible to make it (local government) to be responsive to the welfare of the society. Such is possible through everyday interactions which happen between politicians and the communities at large. Pasquini and Shearing (2014) state that in as much as administrators have to carry out the duty of delivering and realizing the objectives of local government, the administration does not have time to make interactions with the public because such is outside the scope of their duties. Politicians then have to ensure that the public is attended to and the administration works towards the development of peoples' lives. However, this should be done without interfering with the roles and duties of the administrators.

According to Nealer (2014), having to ensure service delivery through the function of local government, leads to an imbalance when it comes to the development of local communities at large. Local government is faced with the issue of having to render services which ought to be distributed fairly to the general populace. The main concern is that there is quite an enormous number of people who expect the provision of services

such as housing provisions. Therefore, it merely becomes impossible for local government to provide such services due to high demand.

Although there can be a proper functioning of both the political and the administrative domains, if there is so much that needs to be achieved with scarce resources, it then becomes difficult to realize anything (Miso, 2011). Sometimes politicians may wish to deliver much to the people but are faced with the predicament of being advised by administrators that the goals set are not realistic in nature. Then politicians go back to the drawing board to try and come up with solutions which may not satisfy the local community through the functioning of a municipality. It sometimes sounds as if local government has been given too much work to undertake and which can only be deemed unfair. Much analysis has to be shifted to the local government set-up and the system of governance in order to gain a concrete basis.

2.3 Local government legislative framework

The South African Constitution Act 108 Of 1996 section 195 (1) encapsulates the “democratic values and principles” of public administration which are also aligned with the functionality of local government. This legislation highlights the level of ethical conduct which needs to form the basis of government. Politicians and administrators have to abide by the laws which have been created to protect government in its vastness and local government, in particular. This is because if politicians and administrators do not exercise professionalism as they perform their daily functions, then local government might even end up collapsing. Furthermore, this section emphasizes the inclusion of the people in all matters of government and that the public should not be sidelined in the formulation and consideration of policies. The public knows best in terms of the necessities it requires. Therefore, such needs can only be made known to local government and other government institutions, if the public is included in the whole process of decision-making. Government cannot be functioning according to the accord of politicians but should become accountable for its actions to the people it governs.

The White Paper on Local Government (1998) stipulates that, the kind of local government which carries the notion of developmental features should include the general populace as well as other community organizations so as to ensure improved

well-being. This exists in order to try and address those who were previously marginalized. The pre-1994 system did not include every citizen in decision-making because of the laws motivated by skin color which were practiced back then. Thus, most of the decisions were taken by those in power without consultation with the people at the grass roots level, particularly black citizens. Legislations adopted in the post-apartheid system advocate for the inclusion of every citizen in the services rendered by government. The communities which did not have power, began to have a voice in government affairs, hence the existence of this white paper. The inclusion of the communities, along with other community organizations, is there to solely create measures which will further develop the livelihood of the people. The people seem to be in need of quite a number of basic needs which the government has to deliver to them without any sense of prejudice. The social and economic aspects are factors which also need to be considered.

From the Municipal Demarcation Act 27 of 1998, the local government of South Africa comes with much influence which necessitates a special kind of government. This act came into being to give the different types of municipalities and the emerging ones the sole purpose of developing the South African communities and the country at large, through local government. The act gives three types of municipalities which are; Metropolitan Municipality (category A), Local Municipality (category B) and District Municipality (category C). These municipalities differ in their capacities and powers. For instance, the local and district municipalities promote the notion of working together and having to assist in realizing local objectives as set out to be in line with the development of the peoples' lives. The metropolitan municipalities are responsible for the development and well-being of the larger cities in the country. Thus, metropolitan municipalities have exclusive municipal executive and legislative authority in their areas. Nonetheless, all these municipalities ought to ensure that development does take place in their local communities as expected by the directives enshrined in different local government legislations.

Municipal Structures Act 32 of 2000 gives a well-planned division of every function and powers in local government for different municipalities included in the system. It further gives the operational scopes of all internal structures and office-bearers. This act exists

to only make the local government system to be understandable and responsive in its area of functionality by giving strict regulations, in connection with the three municipality categories. There are powers assigned to particular municipalities like the metropolitan ones which can self-govern and perform all other responsibilities on their own. Whereas at the local and district municipalities, there is a link between the two. The local municipalities have to align their objectives like their Integrated Development Plan (IDP) in line or to complement those of the district municipalities which they fall under. The district municipalities carry the duty of having to exercise the function of oversight to the local municipalities, and ensure that they do perform and operate in a manner that promotes local government objectives. District municipalities have to give assistance to the plans of the six local municipalities that fall under each district municipality.

The Municipal Finance Management Act 56 of 2003 creates an understanding of the handling of finances in local government with regard to the budget created and the management of finances, thereafter. Over the years, local government has been a victim of wasteful expenditure incurred by those in power. Therefore, this act was promulgated in order to try and curb the poor management of finances in local government which was in many ways threatening the development of the peoples' livelihood. The act came in place to try and ensure that management of finances is in a manner which will make local government to be able to provide the necessary services which it ought to deliver to the communities. Even though the mismanagement of finances cannot be rightfully declared maladroitness, the act outlines the municipal figures who should be involved in finances and how they should carry out such duties in a much more favorable manner to the system and the communities. Local government financial management should be sustainable in nature.

The Municipal Systems Act 32 of 2000 provides for the powers of the municipalities as per their municipal area and the community which they govern. It also provides for the collaboration of political and administrative structures and the exercise of powers and functions of the two domains. The presence of the political and administrative domains should be based on the understanding of powers assigned to office-bearers. This act has been promulgated in order to address the exercise of powers and functions by those

forming part of the political and administrative domains. The act further brings the conceptualization of the differences which exist within the two structures in any municipality. Thus, for a smooth operation in terms of meeting the local government objectives, there needs to be a distinction in the powers assigned to each structure as well as the functions thereof. The proper division of powers is then given to the political office-bearers of the municipality and the municipal manager as the heads of the administrative section or domain.

The Traditional Leadership and Governance Framework Act 41 Of 2003 holds that the existence of traditional authorities and leadership should be part and parcel of a municipality's governance in a democratic South Africa. It is worth noting that in some parts of the country, especially in the rural areas, there is still recognition of the traditional powers and councils for the handling of societal affairs. Therefore, to not include the traditional authorities in municipal governance would leave out the notion of democratic governance and sharing of power. This act exists to give voice and dignity to traditional authorities through recognizing traditional communities, traditional councils and giving functions and the roles of traditional leaders in the essence of local government. By so doing, power is distributed equally to all the stakeholders of the local government sphere.

The South African Constitution Act 108 of 1996 section 160 (1) states that in local government the municipal council is the highest law-making body which is responsible for the overarching performance of the municipality. The municipal council is responsible for the whole municipality; it is the one that makes decisions with regard to the entire governance of the institution. Most of the powers are vested in the municipal council. It is also the municipal council that appoints the head of administration within its area of jurisdiction. The powers are not only limited to the appointment of the municipal manager, but also, the municipal council can appoint the relevant personnel, which will assist the council in having to carry out its functions in a manner which is more responsive to the people. Matters like the approval of the budget are also vested within the municipal council. The municipal council should ensure that communication with all institutional stakeholders does take place in a proper manner. Such include the administration, community, organizations within the community and the traditional authorities. All these

figures are important in the practice of a developmental local government founded on the basis of democracy.

The Public Administration Management Act 11 of 2014-part B section 15 (4) and (5) states that the application of the act is one that has been created to counter the misconduct and unethical behavior of public functionaries as well as organs of state. As emphasized before, the local government is not immune to the unethical behavior caused by those in power. Therefore, this act was established so as to ensure that in local government there is respect of procedures as they are a part of public administration. Those in power or in any kind of authority, for that matter, should perform their very functions with integrity so as not to place the public in adverse circumstances. Equally, factors like the continuation of corruption tend to affect local government. However, it is believed that through the formulation of acts and laws such as this one, any malicious act can be combated. All these acts were created not only to have good regulations enshrined on paper alone, but also, so as to ensure that the public does receive the necessary service delivery it needs.

Power, according to Maloba (2015), can sometimes be misused but the Constitution of South Africa emphasizes the necessity of collaborating with other government institutions or departments for the purpose of planning local government objectives according to their order of importance. It is generally understood that local government does not and cannot function on its own, but promotes the essence of interrelation, with both the national and provincial government. Through the working together of these three spheres, there are departments like Cooperative Governance and Traditional Affairs (COGTA) which also exist to give assistance to local government in its entirety. Such a national department exists to protect the general populace from any vulnerability which might be out there in the municipalities. Those in power should then make it a point that the basic needs of the people are given or delivered to them timeously. This can be achievable if there is retreat over the least important services which the people need in exchange for the most crucial services or factors of the municipality.

2.4 Local government' political and administrative differences, powers and functions

Yawa (2016) states that the local government system seems to be rather unclear in regard to the system of separation of powers especially between political and administrative domains. The conventions of power, roles and responsibilities is rather objectionable. To understand who has control over what and who takes the orders of implementation is impractical, when compared to government stipulations on paper. Writings of rules and regulations by the government are not followed and respected, hence the intermingling of powers and functions between political and administrative sections. The mixture of powers and functions either has positive or negative effects on local government in its vastness. Pretorius and Schurink (2007) also state that much negativity emanates from the disrespect of the guidelines enshrined in local government policies, practiced by both political and administrative bodies, hence the adverse results in service delivery. Political and administrative operations of local government cannot be fully blamed on negativity alone because there are other critical constraints in the system, apart from politics and administration. These require proper scrutiny over the entire local government system to understand the ups and downs which are always there.

The review and adjustment of local government policies is also needed in order to have people who are in power, regardless of whatever domain. These need to be driven by the communities' needs in order of importance (Boshoff, 2008). To review and adjust policies can be a two-way street. Reviewing can capture the attention of those who ought to follow the policies or it can be done, but still not followed. Again to review and adjust can be deemed as unnecessary because the policies in place are precise and accurate with regard to the public service and the only change has to be the attitude of the stakeholders. Either way, any decision taken should be in favor of the communities governed. Govender and Reddy (2015) say that the greatest stigma that presents itself in local government is not having a developmentally orientated government, poor municipal governance and political and administrative differences. Local government is not directed towards community growth as per socio-economic factors, hence the poor living conditions of the local communities. Local government resources are directed to but a few community

elites. Lastly, local government revolves around the political and administrative turmoil of powers and functions.

The values and entire governance of local government is the responsibility of those who form the political section and those in the administrative section within the municipality (Dlalisa, 2009). When conceptualizing the local government system, it can be deduced that there is a need for collaboration between politics and administration. Without the political section, administrators will never know the most important needs and factors that affect the community. Likewise, without administrators, politicians in the municipality may not be able to attend to the communities' needs in an effective and efficient manner that will save the municipal resources. A reciprocal environment is always at play between politics and administration. However, do powers and functions of the political and administrative domains also necessitate the working together of both domains, that either one of these structures can assume the other's functions? Or does the reciprocal relationship also have its boundaries?

According to Scheepers (2016), local government comes with much differentiation between those elected into power and those appointed, according to acquisition of skills needed in the local government system. Politicians are elected into power according to the peoples' will. They might possess some sort of charismatic standards which in turn make communities to believe in them. However, they are in office because of charisma not qualifications or competences. Administrators assume power through the possession of relevant skills that are needed by the municipality. This leads to the understanding that there is interface between politics and administration. The differentiation can also be deemed or categorized as specific fields of specialization. Siddle and Koelble (2016) note the cumbersome nature of relations between politicians and functionaries of municipalities. The relationship between the two parties cannot in any given day become easy due to the different motives and influences which guide them. One is driven by the strict following of the rules, regulations and policies at play, while politicians are driven by the communities' needs and the provision of services for the betterment of life through political leadership.

The functionality and existence of the political section in municipalities may in one but many ways be another aspect which results into having a non-performing administrative section for the state (Cameron, 2010). The view of a non-performing administration in a municipality is because personnel sometimes feels cornered by the political power. From the theory of politics-administration dichotomy as postulated by Wilson, it tends to stress that an organisation or any government institution should be viewed as a business for it to be a success. Therefore, through the conceptualisation of the theory, it then gives birth to the basis of credentials which one possesses in order to be part of the municipality's administration. The basis is yet again simple in the manner that the administration considers the procedure of specialisation and skills in order to have a proper personnel, Hence, resulting in the nullification of party deployment through being appointed on the basis of loyalty and party dedication. Madumo (2016) regards the notions of politics as interference to the administration because of party governance and objectives and through seeking to be part of government.

Yawa (2016) believes that in as much as a municipality possesses uniform goals directed to benefit the community governed the function of the political and administrative power should be different in nature. This is where the analysis of the principle of separation of powers is stressed. To have different powers, means to have different functions without usurping the roles of a particular domain. Thus recognizing the existence of a particular domain, be it political or administration. Naidoo (2017) explain that separating power through the adoption of political and administrative dichotomy will help municipalities minimize corruption because every domain pays focus to its functionality. This further place premium on the importance of the respect of the principle of separation of powers in governance. It is because, should a municipality promote the intermingling of powers and functions, then that municipality will be in dilemma of corruption. By far and large, Yawa (2016) and Naidoo (2017) suggest the notion of upholding different functions through the existence of separation of powers in municipalities.

Local government wrestles against the differentiation of politics and administration. The stigma creates challenges which oppose the well-being of the system, hence resulting in failure.. A better understanding of the systems adopted by different municipalities in

relation to the principle of separation of powers is required. Local Government Action (2015) explains that powers vested in the municipal council as part of the functions it is required to carry are, the creation of by-laws, planning the budget, ensuring oversight in the municipality and making sure that the administration does its work. The powers listed above do not belong or need to be exercised by any other domain in a municipality other than the political section. However, with regard to the function of ensuring that the administration performs its duty, the question is whether a loophole of having the political power impinging itself to the administration has been created?

According to Ntliziywana (2017), the functionality of the administration in a municipality mostly depends on the political domain to release information or give a go ahead that will assist the administration in performing its function and powers. Again, for the administration to solely depend on the political power for the release of information that will assist it (administration) in doing its work places the domain in a serious predicament. What if the political domain releases that particular information at an inconvenient time for the administrative section to do that work? Will that not affect the performance of the municipality in its totality?

To resolve the separation of powers, there has to be “conflict resolution process” in order to critically analyze and determine the basis of who has what power and how such power can be exercised as per the local government principles (Reddy, 2016). Conflict resolution is another long process which is particularly not liked in the public service. This is because the process involves quite a number of steps such as bargaining and soothing, etc. To negotiate about power does not necessary involve an easy and peaceful process, but it is one that comes with a lot of strife and animosity, which again is the sole purpose of the resolution process. Local government involves powers and functions which have been enshrined in statutory documents. So to negotiate about what is written down is more or less disrespect of the system of governance supported by the legal writings of the exercise of power and functions in local government.

According to Masuku and Jili (2019), in as much as politics stands for the representation of social interests, it should not in any way impinge on the administrative role afforded to municipal officials. The social needs of communities should be thoroughly discussed by

both politicians and municipal administrative officials in order to determine whether they can be attended to in a much more reasonable and efficient way. There has to be a consideration of the municipal capacity, along with the available resources that municipalities can utilize. However, such is possible through consultations with the administration. Politicians sometimes become unrealistic and want to achieve everything they suggest, whereas there are municipal strongholds at play. Masuku and Jili (2019) further state that politicians as elected officials carry the responsibility of control of the municipality and giving it direction, hence the distinction between politics and administration is not possible. The control and marching orders of the politicians in the municipality create manipulation of administrators. Sometimes administrators can try to stand their ground, but in this way risk losing their jobs in the municipality.

Calvert (2011) maintains that so long as there is no available back-up arrangement to defend the exercise of powers and functions of the administration, the tendency to influence and control the administrative function by politicians will continue to exacerbate. In as much as local government statutes are laid out, however, municipal administrative officials end up doing exactly what the politicians wish to see happening. The concern is that such conditions result in the bypassing of rules and regulations because administrators also seek to protect their jobs. To stand in favor of the established rules, is like being against the whole political domain, hence a fiery furnace will break loose. The South African Constitution Act 108 Of 1996 section 152 (1) (a) and (b) state that there should be a local government which is democratic in nature and one which will exercise accountability and the inclusion of the communities governed on government matters. Such laws may seem to be in defense of the local government system but the greatest question is: are these laws even applied or taken into consideration? What other measures are there to give assurance that local government or municipalities are protected from any kind of malicious manipulation?

The Municipal Research and Services Center of Washington (1999) tried to outline the differences of politics and administration in local government systems as follows:

Factors that administrators should consider while working with the political structure:

- Politicians in the municipality always want to make sure that most of the needs of the communities they govern are realized by all means possible. It can go beyond the scope of respecting important principles.
- To have precise and satisfactory policies, politicians need to understand the encompassing nature of their communities in order to have an advantageous stand in policy-making.
- There has to be various choices that politicians can choose from in order to not make them feel forced to comply with the choice given by the administrative officials.
- Administrators have to also learn how to compromise in some of the application of powers for the benefit of the political structure and its beliefs.

Factors which politicians have to consider in working with the administration:

- Politicians should never try to involve administrators in matters which only involve the political structure and its party motives.
- Administrative officials will not always agree to the proposals of politicians regardless of the fact that they are directed to the communities' welfare. Such can only be determined by the municipality's capacity and resources.
- Politicians have to learn how to respect administrative officials because if there is no respect between the two parties, such can adversely affect the entire municipality due to having angry staff.
- The municipal council has to understand that it does not have direct confrontations with the administrative officials. Therefore, issues should be raised to the mayor and then necessary steps be followed for proper discussions on whatever matter with the senior administrative management.

Pretorius and Schurink (2007) write that for a developmental-orientated local government, municipalities have to change from the notion of being just institutions and that can be achieved internally in the working environment which is harmonious. A municipality's working environment mostly revolves around politics because politicians conceptualize municipalities as political institutions. Through viewing the institution as a political one, most of what is supposed to promote development ends up being personally available to

politicians. The harmonious environment is then triggered by respect amongst each structure, in particular the political and administrative sections. Thus, politicians should not totally assume that all power and control of the municipality rests in them, for such is just being subjective in terms of one's operations and powers.

Carlan (2013) argues that for a well-planned municipality to meet up with the objectives which have been stationed in writing, there has to be a working together of both the politicians and administrators. This perception comes in place to distinguish both parties involved as being in need of the other party concerned, for public service solely depends on both parties. To look at a glance at whether this perception is true or not, is also unfair. To trigger a thought; can a municipality really become non-functional without the presence of politics or administration, through just having one domain possessing all the powers in a municipality? Or verily, both parties have their order of importance as per their existence. Shazi (2016) is in favour of the idea that politics and administration are inseparable through having to view political work as taking advantage of the administration. This implies that in as much as the municipality can be so diverse in nature, but politics end up capturing the whole operational aspect of the municipality through taking hold of the independence of the administration.

To Munzhedzi (2016), accountability is always necessary in the local government system, hence administrative officials have to answer to the political structure so as to enable the oversight function which ought to be exercised by politicians. Accountability is not only limited to the administration that has to account for all its actions in the municipality to the politicians. However, even the political section has to account to the community. The accountability process is therefore, made possible through the mayor that will then engage with the community as means of accountability. Accountability can be in three ways which include the political, administrative and financial forms (Prinsloo, 2013). As mentioned earlier, administration accounts to the political structure and thereafter, the political structure accounts to those it governs. Again, financial accountability involves the administration accounting for its financial management to the political structure, then the political structure through the mayor is expected to account to the public. Alexander (2010) argues that to not exercise accountability creates a dark room for the public. It is

important that accountability be exercised in all aspects of the municipality and its stakeholders.

Brynard, Cloete and de Coning (2011) explain that the business of the day or the *modus operandi* for municipalities, is not only limited to the political structure. However, it can also form part of the administrative structure. It is true that in local government, it is the municipal council that decides what a municipality needs to do. However, it should also be considered that even the administrative section can also propose policies which ought to be followed, hence becoming the *modus operandi* for the municipality. Policies enacted by the administration can be applied in municipality departments of the administration thus, enabling the management to also make its regulations that are for the benefit of the municipality.

Local government, according to Sekautu (2015) is not free to perform its function because the influence of politics seems to be more powerful even over the administration, hence municipalities end up trapped under a particular party's ideals. Politics in the essence of local government has captured the existence and operations of the system. To operate under a particular political party and serve its beliefs leads to a captured system. To advocate for fairness in the local government system becomes a rather far more non-substantive motion. The public service also gets politicized so much that it serves those who are favoured by the political structures and in who also control a particular organization. Administrative officials may also be deployed by politicians into the municipality thereby making them become more and more political rather than apolitical. Through operating municipalities solely on the basis of politics and without credible and competent public functionaries, the administration section is then totally compromised. Can there be equilibrium between politics and administration in local government that will solely operate under the respect for the separation of powers?

2.5 Effects and issues surrounding policy formulation and policy implementation at local government level

A reformed government like that of South Africa brought about the new idea of having to accept both politicians and administrators working together, but failed to envisage the tension that would arise in their association within municipalities (Rahman, 2015). These

two sections come with different motives where the other comes with qualifications on the one hand, and also with public recognition; hence entrusted to assume the office with much power within a municipality. The notion is such that politicians are usually people who like to exercise power in all aspects where they feel it is necessary. On the other hand, the administrators operate under strict regulations and procedures and cause an apprehensive operational environment.. The idea that politicians like using power is supported by Thornhill (2008), when arguing that political decisions as well as political power always prevail as compared to the administration, in any municipality.

Agboola (2016) argues that since policies form part of politics, yet at a later stage in their execution, they consider administration as separable to politics, whereas they are both involved in policy. The concern comes into place to argue that if these two parties are to be separated, then it means the policies that are given by politics will never come into being since they need administration for realization. This statement is substantiated by Svara (2001) that, if politicians had the capacity to perform the function of the administrators they would have done just that; however, they lack competency in administrative experience and training thus viewing their relationship as interdependent and related with the administration. In connection with the above Uwizeyimana (2013) cautions that if the political domain in government would assume powers and functions of the administration and not be in need of administrative personnel, then such would, by far and large, lead to a catastrophic government that would ruin the existence and functionality of the state as well as the ideal of adequate service delivery.

For better and appropriate operations in municipalities, Roux (2002) writes that understanding is needed with regard to policy formulation and policy implementation, contributing to service delivery. To understand whether there is non-collaboration or nexus between policy formulation and implementation remains the greatest concern in local government. To some, policy formulation and policy implementation are viewed as the same function. Whereas to others, having to understand local government, policy formulation and implementation are two different functions with different role players. Therefore, in understanding these two functions, where exactly is the confusion and what perpetuates it? Boshoff (2008) provides that firstly, there has to be an understanding that

policy formulation is triggered by the basic needs and problems which the communities are faced with, hence there is also a need of getting the relevant people to implement the policies formulated. Those who have formulated the policies cannot be responsible for policy implementation. Policy implementation needs people who are highly skilled to execute such a function. Thus, if those who have formulated the policies also become responsible for implementation, that could result in a much more dangerous public service or local government system. Policy discrepancies would arise and result in poor service delivery.

Having a relevant administrative system that is directed to making local government more developmental requires strict separation of political and administrative functions inter alia, policy formulation and implementation (Masuku and Jili, 2019). Policy formulation is influenced by many factors, of which the administration also form part of it. The notion of having a totally distinct domain which should also operate independently is questionable. How can politicians formulate policies without consulting with the administration on matters of the community that need to be addressed? In as much as politicians are responsible for liaising with the local community, to develop strategies on how to address the matters of the community, competent professionals are then needed. Who will educate politicians on how to develop sound policies other than the bureaucrats? Therefore, strict separation of the policy formulation and implementation remains questionable until proven as an existing factor within municipalities. Franks (2014) asserts that policies prove not to be relevant because of failure to make contextual policies in relation to local government issues and such also applies in the policy implementation phase. How can the administration implement policies that from the point of formulation have been nothing but catastrophic strategies? Therefore, to make politicians aware of local governmental issues, the administration has to be part of the policy formulation. These domains seem to be in need of each other: politicians need administrators and likewise administrators need politicians.

After the policy formulation phase, authorization is needed in order to turn policy into legislation that needs to be implemented by the administrative structure (Roux, 2002). Policy cannot just be adopted as soon as it is formulated. Formulation has to undergo

scrutiny, which involves experts in public policy and all relevant professionals in the business of local government. Therefore, the administrative structure in a municipality has to ascertain whether the policy formulated can either be implementable or not. To do that, the administrative structure has to properly look at all the local government objectives which need to be met by every municipality, then determine if the policy is in line with those objectives or not. If the policy formulated is debatable in the sense that it is not projected in a manner that will benefit the community, it can then be rejected. Keeping in mind that bureaucrats are responsible for educating politicians, their advice cannot just be sidelined anyhow. Authorization comes alive when policies formulated have basic local government objectives as specified in the different legislative frameworks of South Africa.

Meyer (2014) supports the notion that policies formulated do not immediately become legislation, but factors such as municipal capacity, municipal financial resources and inclusion of the community, do impact policy formulation. It is worth arguing that in as much as municipalities may wish to formulate many policies, policies which can be formulated are informed by the municipality's capabilities. Some municipalities suffer from enormous issues which cannot be solved because of lack of resources. While municipalities can project things which are meant to address matters like alleviating poverty, it is the financial constraints and municipal budget deficits that hinder their objectives. The administration section then comes to assist in terms of advising the political section about possible policies and unrealistic policies. Boshoff (2008) states that the administrative structure cannot be sidelined in the policy formulation process and just appear at the end as agents of policy implementation. The administrative structure has to be present from the process of understanding the problem that necessitated policy formulation. To also address the problem from the grounds of expertise, administrators have to give advice to politicians.

The policy implementation process cannot just include any figure. Even if such an individual emerges from the administration structure, policy implementation needs capable and professional personnel according to field of specialization (Anderson, 2006). Other factors that harm the essence of policy formulation is having incapable personnel

that is not reliable in doing the work. Sometimes it is not that politicians fail to create realistic and achievable policies, but the problem lies at the implementation phase. Implementers have to be people who are knowledgeable and who possess the needed skills to place local government on another footing. This is encouraged by the notion of viewing policy formulation as a response to address the issues faced by different local communities (Boshoff, 2008). Therefore, if policy implementation fails, it would mean that government is not responsive to the peoples' needs. Thus a non-responsive government may in many ways result in an aggressive community. Having an unsatisfied society result in the emergence of service delivery protests and having an uncontrollable society that is full of aggression.

Mthethwa (2012) hints that factors contributing to challenges in the implementation processes are not only caused by the administration structure, where the manager gives instructions to functionaries of the municipality. On the contrary, failure in the policy implementation phase rests among the political and administrative section. Likewise, it has to be recognized that the failure and success of policy formulation lies in politicians and administrators. It then necessitates the working together of the two domains within the local government context, especially with regard to matters that deal with service delivery. Klein and Knight (2005) urge that failure to include the relevant stakeholders in the initial stage of policies directed to enhancing the level of municipality service delivery, can automatically result into having a challenging implementation process. It is worth believing that policies designed are for the people. Therefore, the society should also form part of the present stakeholders during the policy formulation and implementation stages. For in order to reach the basis of understanding that policies do attend to the needs of the society, it is worth noting that the local community should be present and voice out its concerns.

In considering the principal-agent theory, it also becomes relevant to understand the issue of the implementation phase in relation to municipality's policies (Knill and Tosum, 2012). The main concern arising between the principal and the agent is that the agent tends to work according to its own will and interests, hence neglecting the important needs of the principal. Putting things in the local government perspective, the principal represents the

people or local community while the agent represents both politicians and administrators. Having to try and conceptualize such a challenging atmosphere, it is often discussed by several scholars that politicians tend to not work in the interest of those they govern. Not forgetting also that administrators do also work in favor of their own interests. Of course in many cases they are guided by the applicable rules and regulations. Therefore, the principal (local community) is left unattended to.

According to Signe (2017), policy implementation under the top-down approach has been a great failure because of the principle that those who form policies also qualify to implement them. The great concern is that, in as much as there has to be a collaboration between the political and administrative structures, the implementation phase relies upon those who possess the necessary skills, namely; the administration. However, is that fair to the political structure to be not included in the implementation phase while suggestions require politicians to include the administrative structure in the policy formulation phase?

Khan and Khandaker (2016) maintain that the success of the implementation of policies in the municipality mostly depends on the administration because it is able to interact with the community and other relevant stakeholders. However, in as much as the above discussion can be true, it has to be taken into consideration that the administration does not always work with the community. Understanding is therefore needed in order to form concise understanding that those who are mostly close to the community are the politicians. Much work and interaction happens between the community and the politicians. Such a view is triggered by the notion that politicians are elected by their people into office not through academic qualifications like administrators. Klein and Knight (2005) submit that it is unfortunate that the implementation process has to survive “inevitable changes in political regimes, government structures, economic conditions and social environments”. Considering that these are ever-changing times even in the daily politics, much concern is that, in as much as policies can be formulated, implementing them will continue to be a serious challenge.

2.6 Challenges in the local government system

The conceptualization of a municipality as an institution that functions through two spheres, namely; political and administration spheres, simply means that there should be

an involvement of the people's needs and that such needs are then met (Nelson, 2004). In governance there is always the involvement of the general populace which in all its entirety needs recognition and to be heard by those in power. Those who are considered as politicians within a democratic system are perceived as the kind of people who can easily give ear and come up with innovations which will help resolve the community governed. Through innovativeness emerges the administration which will then make means of having such innovations a reality and to a great extent reaching the very requests of the ordinary citizens of the state.

Mawela, Ochara and Twinomunanzhi (2017) have argued that the South African local government is caught up in between a number of challenges that portray its existence as a total failure in advancing the local communities well-being. It is undoubtedly fair to find that a sphere that is required to do much like the local government one and through the adoption of the bottom-up approach is faced with enormous challenges. Dealing with communities at the ground level comes with much work while having limited resources. Greater attention has been shifted to many critics over local government rather than showing and coming up with solutions which will improve its efficiency and effectiveness. According to Alexander (2010) local government is really important in delivering services to the people, hence such importance is easily deduced from the "service delivery protests" by the people due to being unsatisfied. Through the ever increasing demand of making local government relevant to the people, it certainly shows that there should be measures which are taken to correct rather than criticize the sphere so close to the peoples' development.

Franks (2014), however, hints that local government survives between two forces, namely; to keep the sphere politically free and to totally politicize the whole sphere. Both of these adversely affect the local government system. To deliver to the public in a fair manner without any sense of prejudice requires a system that is politically free because every person will benefit from the government regardless of party allegiances or political ideologies. However, to politicize local government would inter alia suggest that the government belongs to a few and will therefore, deliver to that particular sector of the population aligned with it. Such occurrences tarnish a local government that was initiated

to try and champion the needs of the communities; unfortunately the sphere remains faced with appalling challenges. Franks (2014) further writes that some contributions that harm local government are scenarios of lacking qualified personnel in the post-apartheid system due to most functionaries that left the public service. The above statement can be arguably distorted because South Africa has many skilled professionals in the administration of the local government business. Therefore, concerns can either be triggered by having personnel which is not dedicated to the values of local government or local communities which are relatively forever complaining about everything. Be that as it may, functionaries and communities should note that an empire takes time to build and also to be well established.

Pretorius (2017) believes that the system which the government has put in place has to be the one which will enable the administration to function without the interference of politics in the daily work of municipalities. It then necessitates the logic of having both parties doing their operations without causing strain to the other, for such will inter alia, adversely affect the essence of the government in its entirety. Grant (2014) conceptualises politics and administration as two domains that are different in nature and also have different mandates within government. Thus, such a view is foreshadowed by the thought of Wilson that “administrative questions are not political questions”.

Scheepers (2015) tries to conceptualize the cause of challenges which are faced by local government. In many ways these causes contribute to “uneven performance”. According to Scheepers, these are the following factors to consider in analyzing local government challenges:

- Tensions in the political/administrative interface
- Instability of the administrative leadership
- Skills deficit
- Erosion of accountability and authority
- Poor organizational design
- Inappropriate staffing, and
- Low staff morale

To rethink the existence and functionality of local government necessitates the consideration of the above factors so as to have a sphere and system that is properly directed to the advance of the peoples' lives. However, there are other issues which form the basis of the local government system and without the address of such, then the system may be inaccurate in tackling a developmental orientated local government.

2.6.1 Public participation

For the assurance of a fair and democratic local government, Bob (2018) believes that local communities should be part and parcel of governance through being included in the decision making body. The local government system involves different functions of key stakeholders and as far as the stakeholders are concerned, the local community is one of the stakeholders in the system. Ordinary citizens should be included in decisions which affect the communities they belong to. Bureaucrats and politicians should not make decisions without keeping the public aware and making it part of any decisions taken. However, the process of keeping citizens part of the decision making body remains a mystery, especially in municipalities. Agere (2000) believes that having the local community as the relevant stakeholder should make it become active in the decisions taken over the resources and within the institution as responses to the communities' everyday issues. Such is deemed as fair governance. The greatest concern in local government is that most of the decisions taken remain blurred to the community; for it was probably sidelined and never informed of the decisions to be taken.

Political decisions should be founded on the basis of proper community discussions and debates that occur in the community (Eagan, 2010). Through understanding and serving the principle of separation of powers, the community also holds power through being made aware of and also being part of the decisions taken. Political power in the decision making processes is rather portrayed as self-directed and excludes the inclusion of other relevant stakeholders. Therefore, is the practice and respect of the principle of separation of powers in the South African local government system taken seriously or not? The power to control government decisions by the public shows how exactly democracy and developmental orientated local government is (van der Walt, 2014). Government, through politicians and administrators should not be the kind that dictates all government actions but rather inclusive of other stakeholders' beliefs. Another concern is that local

government is ordered around by politicians and the communities governed are left with no choice but to capitulate to the decisions taken on their behalf. Is that still democracy in accordance with the will of the people?

The Municipal Demarcation Act 27 of 1998 encapsulates that participation of local communities can be encouraged through the operational of politics and there should be measures taken that will ensure an environment of having community participation in municipal affairs. Those forming the political structure are always referred to as community representatives since they were voted into power. Therefore, the presence of the political section should create a means of having the local community as being part of the municipal business and issues that surround it. Bob (2018) however, states that there should be a structure within the local government system which will ensure that in the governance process there is accurate power given to the different stakeholders. Perhaps, the creation of such a structure in local government can act as a means of ensuring the respect of the principle of separation of powers. However, to what extent can such a structure operate? What exactly can it do in ensuring that different powers in the system are well respected?

Maloba (2015) also infers that there is a serious need especially in municipalities to exercise a “participatory governance system” which will try and curb the non-inclusive nature in the decision making processes. Again, the strife is in the inclusion of the different stakeholders in making decisions, more so the local community that has been mostly sidelined. To Boshoff (2008) the administration structure is liable for assisting the political structure with most of the issues that the community faces and must, therefore, forward such matters to the municipal council for decision making. The above statement remains questionable in the context of the number of administrators who are well informed about matters affecting the local community in the presence of politicians. Are not administrators supposed to advise politicians on matters that deal with adherence to local government legislation and values? Thus, if administrators attend to knowing the issues of the local community, then what will politicians do as people who have been voted into office, particularly for such a function of knowing the issues of the local community and acting as representatives?

The call for having an inclusive government in relation to power sharing in local government according to Nelson (2016), must be encouraged and exercised by those who form the political structure. Government should always be for the people through means of interacting with them. The interaction will in many ways place the notion of having an effective local government at an advantageous standing. For if the local community is part of the decision making process, then it will make the work of both politicians and administrators much more meaningful and attending to the values of local government to be much simpler.

2.6.2 Unethical conduct

The notion of how municipal officials and politicians conduct themselves with regard to the daily functionality of municipalities remains a difficult challenge. The functioning of the municipality is caught-up between how the administrative and political structures assume their responsibilities and power. Thebe (2017) looks at ethical conduct as an ideal which those who are in senior management or power should be responsible for. Consequently, initiatives such as personnel integrity and honesty in municipalities should be promoted. Ethical conduct tends to work in a reciprocal format. Therefore, to give suggestions about having the senior power responsible for the ethical conduct of the staff creates nothing other than a gap in the conduct of the whole municipality. For although personnel are introduced into initiatives of good ethical conduct, who will address the vacuum of good ethical conduct at the senior levels? Manyaka and Nkuna (2012) realized that ethical initiatives are a challenge since even those in power also fail to comply with the legislations in place and to respect the law. The challenge of ethical conduct is one that exists right from the top leadership structures of the municipality, pivoting to every municipal structure and departments. Therefore, to address such an ideal of good ethical conduct, would suggest starting from the senior management of municipalities.

According to Disoloane (2012), both municipal officials and politicians expose themselves to unethical conduct that trigger corruption and maladministration within municipalities. Ever since the introduction of the local government sphere in South Africa, municipalities have been used as a source of draining state resources instead of using them to assist the local communities and providing them with better service delivery. The blame rests upon administrative and political structures, for they tend to work in collaboration with the

looters of state resources for their personal gain. For if one of the structure, whether it be the political or the administrative one had refused to participate in illegal deeds, then municipalities would not be so vulnerable to corruption or maladministration, for that matter. Vyas-Doorgapersad and Ababio (2010) suggest that municipalities are so much exposed to unlawful acts such as corruption because local government legislations require that there be interactions between the local communities and municipal officials. While it may be believed that the interactions between some people from the local community and municipal officials are there to help advance the whole community, the reality is that most community members will never benefit anything from such interactions. The meet-ups benefit those with political connections in the municipality, inter alia, benefiting even those who have helped make possible any agreements entered to.

The cause of unethical conduct in municipalities is triggered by the existence of lopsided political and administrative structures. However, such is mostly motivated by the influence of the political structure over the administrative structure (Maape, 2017). Municipalities are captured by politics, in particular; politics of the ruling party within any municipality. The existence of politics in municipalities gives the modus operandi for a municipality's entire administration. Therefore, the administrative structure may want to fight against the unethical conduct occurring in the municipality but it is caught-up under the influence of politics and the fear of losing power through means of unlawful dismissals. If municipal officials are afraid of being dismissed by the political structure, then what measures can be taken to address the matter of unethical conduct in municipalities? Maape (2017) further makes suggestions that, when there is understanding of roles and powers in the administrative structure through the guidance of the authorities, then such can help halt the problem of unlawful practices. However, the clarification of roles and powers cannot help end the lingering acts of unethical conduct because the administration is still subjected to political power and not exempted from political influences.

According to Fakoya (2014), clear explanation and understanding of roles and responsibilities remains a very serious issue and leaves the reputations of municipalities in disrepute. The understanding of roles and responsibilities helps in creating a stand for any municipality to be able to fight against any formidable threats, such as

maladministration. Sentsho (2012) points out that each structure, whether in charge of the political section or administrative section, should then improve in the clarification of roles and responsibilities. As previously stated, the issue of unclear description of the roles and responsibilities is what that triggers unethical conduct in municipalities. Moreover, Mdlongwa (2014) stipulates that unethical conduct leads to municipality bankruptcy, corruption and poor service delivery. It therefore, shows that unethical conduct of politicians and municipal officials leads to a non-functional municipality which also fails to uphold local government objectives.

For better municipality performance, the political and administrative structures should consist of members who are highly skilled in managing local government in its vastness (Managa, 2012). It is rather a shame that municipalities are still victims of looting by the very members existing within these government institutions. It also questions whether the democratic governance has been too lenient in dealing with the rise of future threats, created by those in power. Therefore, how can municipalities be conceptualized towards performing their roles and responsibilities of upgrading the standard of living of the local communities, not forgetting the quality of life?

2.6.3 Poor service delivery

The basic concerns surrounding poor service delivery in South African municipalities according to Twala (2014), are triggered by issues such as unfaithful politicians and unskilled personnel, which result in vulnerable local government. Service delivery depends upon the political and the administrative structures for its success. Therefore, when services delivered to the people by the municipality tend to be poor as opposed to bettering the people's standards of living, the political and administrative structures are to be blamed. It then necessitates that these two structures be well configured as per the local government objectives in order to possess the needed capabilities to deliver services. Politicians should build local communities other than enriching themselves and their personal needs to be properly trained for the performing of tasks. The municipality's weaknesses such as lack of municipal resources for the delivery of better services to the people, are often used to shield poor service delivery, whereas factors such the political and administrative interface should take the blame (Financial and fiscal commission, 2012). Therefore, the South African local government is left in a serious strain of

developing the local communities because of internal problems existing within municipalities.

According to Mabitsela (2012), the majority of local communities consisting of a large number of those who were previously marginalized, mostly rely in services delivered by the municipalities. However, those in municipal power view their offices as a means of generating revenue. It is undeniable that municipalities have to generate revenue through the provision of services. However, to expect much revenue through imposing higher tariffs yet delivering poor services, is nothing but scamming the local communities. Municipalities should not view service delivery as trade between the municipality and local community but should perceive it as an initiative of bettering the standards of living in communities. Morudu (2017) believes that the unfavorable understanding of formulating policies that address the level of delivering services to the people, results in poor municipal administration. Policies formulated should by far and large be relevant to the well-being of the society rather than being just created for the sake of filling up pages in the book of by-laws.

The level of seriousness and professionalism within a municipality's "key actors" has an important role in terms of making service delivery talk to the needs that the local community expect to be met (Nkomo, 2017). How municipal actors dedicate all their interests to service delivery is clear in the level of life that the local community is exposed to. Thus, to deduce that the municipality is failing in having to provide good service delivery to the people is easily notable through the reality of an ineffectual institution. Therefore, those forming part of the municipal governance should strive to ensure that the needs of the people are addressed through good service delivery. The concept of politics-administration dichotomy was solely founded on the basis of the belief that politics disrupts the practice of an efficient administration in the municipality (Madumo, 2017). In as much as the municipal actors are concerned with the level of service delivery, politics tend to hamper most of the things that the administration had planned to address in the area of service delivery. Then, how can poor service delivery be addressed while not taking politics out of the system as it is a crucial factor in local community representation?

Thornhill (2014) also believes that better service delivery can be made possible through the functioning of a well-established administration which will set out its municipality's objectives and later achieve them, without any political interference. Political structures have to always stick to their role of formulating policies and respect the function of the administration to implement them without any interventions. This will help assist in curbing the looting of municipal resources which are mostly blamed on the political elites. There is little to suggest that the administration is part of such looting of municipal resources. It will also assist in terms of having the trained personnel so as to realize local government objectives. Henry (2013) proposes the idea that the two structures (political and administrative) were conceived for the purpose of bringing together the different functions so as to protect the local community. Service delivery needs be properly attended to by the administration without any sense of political manipulation or interference.

Political manipulations tend to linger and also affect the level of service delivery because the political structure in most municipalities does not respect the legislations in place, hence the appointment of unqualified personnel into municipal administration (Thornhill, 2014). It is rather unfortunate that the legislations put in place for creating an environment which would be beneficial to all are not respected by those in power. Local government is a sphere that is founded on and supported by enormous legislations to protect both the political and the administrative powers. However, it is found that the political power threatens the existence of the administrative power. Political power in municipalities seems to carry some sort of bias because the receivers of services delivered are supported by party politics, resulting in who gets what and why (Reddy, 2016). Therefore, if service delivery is directed to very few people in the local community, then the level of service delivery is poor.

2.7 Summary

In gathering much understanding about the subject matter of this study, this chapter has reviewed relevant literatures on municipal operations, local government legislatives, local government' political and administrative differences, powers and functions. It further reviewed literatures on the effects and issues surrounding policy formulation and policy

implementation at local government level, and also the challenges in the local government system such as public participation, unethical conduct and poor service delivery. Through having conceptualized matters revolving around navigating political and administrative dichotomy in South Africa on the principle of separation of powers in municipalities, it is quite evident that local government in broad terms is faced with many problems. Therefore, it necessitates the reshaping of local government management in South Africa. While reviewing literatures, it has shown that tackling the principle of separation of powers at a metropolitan municipality level and navigating through the political and administrative dichotomy in South Africa, has not been attended to and there is no study with such particular focus. Considering the above mentioned statement, it then necessitates the need for conducting this study.

The following chapter will focus on the theoretical framework of this study.

CHAPTER THREE

THEORETICAL FRAMEWORK

3.1 Introduction

This chapter gives a theoretical framework for the study in order to make the subject more understandable in its practical format and also show how the structuring of systems stands at the work place. The inclusion of theories in research provides the relevant assumptions of the study through means which have been applied or even adopted before by other experts in the field. Such theories have been given in a scholastic way on the basis that those who have formulated them were likely to have experienced their effects in real-life basis. Thus, in order to prove their authenticity, these theories have been tested and validated as true when transferred to real-life. According to Aithal and Kumar (2016), the existence of theories and their originality was encouraged by the assumptions that are there with regard to how people relate to their actions in a working environment or organization. Therefore, theories can be referred to, as lenses of viewing the descriptive operations that exist in organizations or the public sector, to be more precise.

In trying to get a more practical sense, the researcher carefully selected the following theories in the belief that they address the subject matter: administrative theory, bureaucratic theory, scientific management theory, principal-agent theory, decision-making theory, motivation theory (x-y theory), and democratic theory (participatory).

3.2 Administrative theory

Administrative theory has become a part of the most important theories in terms of understanding the existence and operational system of any organization, especially in the public sector ever since Henri Fayol echoed this theory. Oyedele (2015) asserts that the understanding of administrative theory is drawn on the basis of giving the focus and duties of the management in an organization. Through its application in the public sector, it gives a much in-depth view of how socio-economic and by extension, political policies should be directed through the means and practice of relevant expertise (Marume, Jubenkanda, Namusi and Madziyire, 2016). In viewing the relevance of administrative theory in an

organization, the elements of management given by Henri Fayol are the core factors for the managers of this era (Thornhill and Dijk, 2010).

According to Abdulrahim and Elbashir (2016), administrative management theory groups together all the important aspects that form an organization, those aspects being the roles, powers and different offices directed to meeting the organizational objectives. This is because every organization exists for the purpose of a particular important goal. Responding to the organizational goals, Ferdous (2016) stipulates that the management should have sound relations with personnel so as to influence the results of an organization in a good manner. To date, administrative theory has been proved to exist in many organizations because of the 14 principles outlined by Fayol for the mere purpose of the personnel and the management to have an advantageous standing on organizational performances (Adegboye, 2013).

In relation to this study, administrative theory is important for laying out how the management of municipalities is expected to function. The exercise of powers and responsibilities of the management are easily understandable through noting how the management should control the organization, in this case referring to the municipal management. The exercise over the powers and roles of both the municipal council and administrative management in a municipality has great impact on the performance of the organization at large. The practices of these structures as they both form part of the municipality' management, have much effect in ensuring that the local government objectives as enshrined in laws, are achievable for the benefit of the local community. Generally, all the local populace's advancement depends on the municipality's management.

Mbalamula, Suru and Seni (2017) pointed out that to apply Fayol's 14 principles in management helps those in charge [of management] to understand the vastness of the organizational management setting, especially the conflicting roles that sometimes occur. Fayol (1949) explained that the ideal of the management in its foundational essence should be "to plan, to organize, to command, to coordinate and to control". This is to say, before the consideration or success of the 14 principles, these five elements of management should act as an overarching factor to the entire organizational well-being.

In administrative theory, the concept of authority and responsibility should be taken into serious consideration. This is because, if those in authority give clear commands over the planned work for the personnel, then those who ought to carry out such tasks are left with no choice but with the responsibility of ensuring good organizational performances (Ojogwu, 2017). Support is given so that those in charge of the organizational management should exercise authority over the personnel in order for the subordinates to carry out their tasks in a manner that will be beneficial to the organization, not forgetting respect for the notion of responsibility (Godwin, Handsome, Ayomide, Enobong and Johnson, 2017). The understanding of different roles in an organizational setting is important because of the sole purpose of practicing functions that exist in structures of the organization directed to encouraging good performance (Clem and Mujtaba, 2012).

The above submission is corroborated by Godwin, Handsome, Ayomide, Enobong and Johnson (2017) who argue that through the means of administrative theory, organizations uphold the rationale of having an efficient and effective organizational setting and such is believed as being achievable through having fields of specialization. Every worker in an organization should have a particular field of specialization which enables one to focus and perform a particular function at a time. This is also believed to write off the wastefulness of resources that tend to occur in organizations. To Abdulrahim and Elbashir (2016), specialization also gets rid of confusion of the functions that ought to be performed by different individuals in an organization. It is not only limited to the confusion of functions but such can also contribute to the confusion and mixture of powers by those forming part of the management. Dumez (2018) states that it is not only for the organizational performance where specialization is to be practiced but the management also requires specialists who will assist it in the carrying out of functions.

3.3 Bureaucratic theory

Max Weber referred to the bureaucratic theory as the kind that exists in both the public and private sectors for the mere purpose of the distribution of powers and separation of structures with regard to the operational activities of organizations (Weber, 1968). It is argued that bureaucratic theory and administrative theory have the same characteristic in regard to the essence of understanding the functionality of organizations in terms of

being efficient and effective. Musonda (2016) also argued that bureaucracy is all about the existence of structures of power in an organization, hence these structures are responsible for the developing and implementation of organizational rules and regulations which are the foundation of the processes of an organization in its entirety. Mori (2017) further gives the view that bureaucracy holds the strict enforcement of rules and regulations that are practiced by the complicated hierarchies and levels in the organization. It, therefore, becomes evident that much of this set-up exists in the public sector whereby the government has much rules and procedures which cannot easily be twisted.

However, Page (2003) begins by rejecting the assumed prominence of the bureaucracy in organizations as sources of strict rules and regulations in terms of management. The scholastic view on this matter is that bureaucrats sometimes by-pass the standing rules of the organization in the name of creating a harmonious relationship between the organizational structures and hierarchies. It is rather a usual practice by the bureaucrats that they avoid the rules of the organization but rely on their experience and service for what may be best for the institution (Rasul and Rogger, 2013). Bureaucracy is much applicable to the public sector because those who form part of it have to implement the formulated policies of those leaders who were elected into office. However, the respect of the rules that exist there is not guaranteed (Mori, 2017). This is because of the clash between the bureaucrats and elected officials in office being viewed as non-experienced people in regard to understanding of public service.

This theory is related to the focus of this study because part of it is about the understanding of the different structures and powers of the hierarchy that exists in municipalities, particularly the Metropolitan municipalities. Therefore, to understand how the rules and regulations which exist in the municipalities are respected or sidelined is but an imperative issue for this study. The relationship between those in charge of the administrative section (bureaucrats) and elected officials (politicians) also needs address in terms of understanding the interactions that occur between these structures. Not only that, but also, the practice or application of the principle of separation of powers promulgated by the local government legislations. The functionality of bureaucrats and

politicians in the municipality has to be understood for the benefit of clearing the aspect of roles, powers and responsibilities present in the processes of governance.

Furthering the understanding of bureaucracy in the public sector Mabasa (2014) explains that it seeks to enforce procedures over the application of merits and tough competition occurring between the organization's personnel. The public service needs fully trained workers who will create measures of advancing the entire development of the state regardless of being at a local government level. Weber (1968) argued that an organization cannot be safeguarded if it does not have competent workmanship that will carry out its duties with respect for the rules that exist in the organization. Therefore, the public sector has to consist of the relevant people through the assistance of bureaucrats in terms of stationing of employees with expertise. The appointment of individuals existing in the public sector should be founded on the basis of merit and presentation of qualifications rather than partisanship (Musonda, 2016). Such practices of appointing employees through the means of qualifications and merit can in many ways combat the bad tendencies that attempt to capture the public service.

However, Samier (2013) questions the excessive power that is possessed by bureaucrats and views it as affecting the public institutions, for such power is exercised over the governmental policies and has negative effects on the general populace. Power that is autonomous in any organization in the public sector becomes questionable. There should not be any kind of power when mentioning the public sector that cannot be brought to book for its actions. Every kind of power should be related or rather form part of the processes which will include other stakeholders before its approval of application. Page (2003) also argued that the exercise of power in public institutions should be challengeable regardless of whether such power is for bureaucrats or politicians. Answers over actions taken should be given to receivers of services. Therefore, if such application of the bureaucratic theory in public institutions is applied through means of respect of power, the public service will by far and large become beneficial to all those who fall under its operations.

Mai (2016) proposes that the power of the bureaucracy should be applied in a manner which will free the public sector from all malicious acts and control over the resources be

upheld, so as to realize the large governmental objectives in place. Public institutions like municipalities have much work to do in terms bettering the lives and well-being of the people being governed. Therefore, the strict rules and regulations in such organizations should enable the public service to advance and be protected. The basis of merit and competence also creates a sense of awareness that the public service needs people who are well equipped in working for the state. Thus, the evils of nepotism and all kinds of partisanship get to be sidelined. However, Rasul and Rogger (2013) pointed out some concerns over the rationale of not having a “competitive pressure” in the public service. This is to say that, the public organizations sometimes do as they please because of being aware that there is no other agency that will provide the services needed by the general populace. Therefore, the application of the bureaucratic theory also has its limitations in placing the public institutions in a better standing.

3.4 Scientific management theory

Turan (2015) believes that scientific management means having a successful operating organization, where the personnel are properly aligned to the organizational objectives needed to be realized, through the relevant acquired expertise. Scientific management as pioneered by Fredrick Taylor solely relies on the staff base of an organization so as to have good end results. Uddin and Hossain (2015) emphasized that Taylor gave a new footing that suggested the breaking down of work in an organization in order of different levels which also have their own roles to perform. To manage an organization meant that there should be a process that is undergone by personnel so as to have workmanship which is directed to a high level of output for the organization. Santos (2015) argued that the kind of scientific management introduced by Taylor was founded on the basis of time, complicated selection process, the availability of qualifications and the individual advancement that a particular being possesses.

In scientific management it is difficult to conduct both the function of planning and having to execute the planned work through the same personnel. It then necessitates the different roles and responsibilities in an organization, having to differentiate the functions between labourers and the management (Su, 2017), the function of planning being entangled to the management and that of execution to the labourers of the organization.

However, Lonescu (2015) argued that although scientific management views the function of planning and that of execution as different to each other but the persons responsible for planning and execution should never be two separate individuals. This is encouraged by the view that, perhaps the person who planned the work can execute it in an easier manner since they already know more about the planned work. To uphold the notion of different labourers for different functions makes the organization to limit any kind of mistakes and wastages which can be present when an individual performs both planning and execution (Ferraro, 2016).

Relating this theory to this study, it is important to understand that the functions of the political and administrative structures in municipalities, are intertwined or separable in nature. This is because much confusion in terms of who ought to perform what function tends to arise. Thus, the confusion of functions in municipalities may be responsible for the creation of a sense of wasteful expenditures, hence affecting the governed communities. This problem is not only limited to the confusion of functions but also in terms of the confusion of powers which also adversely affects the organizational performance. It is therefore, reasonable to adopt the essence of scientific management theory that things done should be done in a correct manner at a first attempt. This will assist in preserving the resources of municipalities and that such resources be directed to the local government objectives.

According to Su (2017) what needs to be separated in an organization is not only the planning and implementation function, but also, the whole operational and setting of the organizational system should be properly differentiated according to expertise. The emphasis on the differentiation of functions in the whole organization is in line with the idea of making high production for it and creating some sort of efficiency. Bell and Martin (2012) encourage separate functions and places of focus in an organization in order to enhance efficiency as it is one of the most important aspects in the public service. However, efficiency cannot just be realized without measures such as the employment of qualified personnel because such people have been thoroughly trained in being ambassadors of an efficient organization (Turan, 2015).

Palla and Billy (2018) posit that through the absence of a well-structured organization possessing the differentiated functions in all levels, it becomes difficult for organizations to be efficient in nature. This is because an improperly structured organization contributes to a mixture of functions and powers, hence resulting in a dilemma in the entire functionality of the organization. In order to eliminate mistakes within organizations, scientific management stresses the notion of one task to one employee and the repetition of that task on a daily basis. (Ireh, 2016). The question therefore is whether, the repetition of one and the same task by the employees is not against the notion of having personnel that develops itself, for it to be recognized by the management of the organization. To repeat the same task every day at work seems to be rather not developmental, in this case it limits the growth of the workers and their expertise. Koumparoulis and Vlachopouloti (2012) argued that to concentrate an individual to one specific function all the time weakens the organization's reputation and operational effectiveness for such makes the management to not consider the views or suggestions of its workers.

Taylor's scientific management is based on making a complicated system and its functions much easier by having individuals focusing on particular utilities. However, some criticized its application. Oyedele (2015) referred to scientific management as a kind that 'dehumanizes' workers in an organization since they had to produce a specific output with the application of time management. Therefore, workers become the slaves of the organization because they have to work according to the given time frames which determine the output. If output is not realized, penalties are imposed in salaries. Regardless of such criticisms, scientific management is still applied in many public institutions. For instance, the notion that employing a qualified person with the necessary skills can benefit the organizational output, still persists up to date (Ferraro, 2016). In order to realize the efficient factor in organizations, it is imperative that the personnel of the organization be professional in all its activities, especially in the execution of functions as expected (Levin-Waldman, 2015).

3.5 Principal – agent theory

The principal-agent theory puts emphasis on the relationship between two forces, whereby one party gives decisions or commands (principal) and the other party is the

receiver and executor of such decisions taken (agent). To Higgs (2018) principal-agent theory revolves around the notion of giving orders and responding to similar others; namely the principal gives orders and the agent has to respond to such orders by fulfilling them. Sometimes this relationship is even applicable to the communities in the essence of local government whereby the community becomes the principal with, municipalities being the agents of the community. Although the community does not give orders but tends to lay out its priorities before government for these to be attended to. Ahmed, Tandberg and Zhang (2002) stipulated that the conceptualization of the principal-agent theory is about the relationship that exists in the structures of an organization through having the superior and the subordinate.

Lee (2013) refers to principal-agent theory taken into the organizational viewing, as the realization of the principal's wishes and interests. Those of the agent do not matter, even though the agent is still responsible for making the interests of the principal possible. In an organizational setting, an agent is an employee that is hired through the means of having the available skills to help realize those things which the principal and superior wants to achieve while in office. Keser and Willinger (2002) believe that the principal-agent relationship functions on the basis of a contract between the two parties and the things which they agree on. Therefore, there is a binding factor that makes the two parties to be connected up until that factor has been achieved and these parties are both happy. Sometimes while working together, the relationship between the principal and agent builds trust thereby lowering the "levels of monitoring" the relationship (Ojo, 2013). However, such may have a negative contribution towards the objectives of the relationship or contract which have necessitated converging of the principal and agent. It then necessitates monitoring of the relationship in order to determine that it does meet its purpose.

Relating this theory to the study, principal-agent theory is applicable to understanding the principle of separation of powers in the organizational setting of municipalities. Firstly, this theory is related to the study in understanding how the political structure (principal) cooperates with the administrative structure (agent). Secondly, this theory assists in understanding how the administrative head conducts interactions with the administrative

staff and different administrative departments within the municipality. This is founded on the basis of grasping that the political structure appoints the administrative head, which will then interact with the political structure in what it needs the municipality to achieve. After such interactions, then the administrative head communicates with the different administrative structure in ensuring that the objectives given by the political structure are realized.

Gailmard (2012) pointed out a concern over the application of the principal-agent theory through noticing that the sense of accountability between the two parties is somehow limited and not properly exercised. Such an atmosphere is created by the notion of long term relations that make the two parties remain at ease with each other due to having developed a sense of trust or even loyalty. Higgs (2018) also argued that, accountability in the long-run is just encapsulated in the written contract and actually not applied by the agents and the principals seem to have no concern about such a matter. It therefore, proves that long standing relationships between the principal and agent undermine the merits of the theory when applied in an organization. Thus, Deci and Ryan (2012) proffered the view that the principal-agent theory tends to have a negative impact on organizations because the principal is deemed as a factor that has all the bargaining power.

Relating to the public sector, the principal-agent relationship sometimes causes strife due to making objectives which have been included in policies by the government rather than particular individuals, namely; politicians or bureaucrats as principals (Leruth and Elizabeth, 2006). People in power often want things to be done as per their wishes rather than being instructed by the legislative framework on what they ought to do while in office. However, Deci and Ryan (2012) argued that this theory of principal and agent relationship is still applied in the public sector, its different structures, and offices of power to subordinates.

3.6 Decision-making theory

Decision-making is an everyday thing in organizations. Therefore, the decision-making theory is applicable to every organization, whether belonging to the private sector or public sector (Gbande and Akuhwa, 2015). Decision-making suggests how an

organization should be run after the adoption of certain provisions which determine its existence in its setting. Marchisotti, Almeida and Domingos (2018) posit that in organizations, it is a usual act that those in power are involved in making decisions even if they may be easy to follow or quite complicated. The practice of decision-making is applicable to those in management of organizations thereby, directing the decisions taken to the lower level (subordinates) of the organization. Furthermore, Ahmed and Omutunde (2012) explained that, an organization that involves several stakeholders in the decision-making process, proves to be more successful and constructive in meeting the objectives of the organization through its stakeholders. The essence and development of the decision-making theory revolves around the managerial structures of an organization through the application of information for assistance in decisions to be made (Mullins, 2010).

According to Leoveanu (2013), the practice of rational decision-making is not addressed to the general populace in its entirety but rather to a few individuals who tend to benefit from their decisions. Therefore, the application of making rational decisions in the context of the public sector seems to be rather imprecise than exact with regard to its operations. It is deemed as fair that in any organization that espouses the notion of democracy should involve quite a number of stakeholders in decision-making, for that brings about constructive ideas for the organization (Ahmed and Omutunde, 2012). Public institutions, as the deliverers of service to the general populace of the state, should then make it a point that the people are part and parcel of the decision-making processes, in order to avoid a one-sided governance. Watkins, Massey, Brooks, Ross and Zellner (2013) argued that, a decision-making process that includes many people seems to portray a threat because the more involved the different structures are, then there will be more external forces to deal with. They, therefore, advise that the involvement of stakeholders in decision-making processes be limited and that would not be undermining the respect and practice of democracy in organizations.

This theory is related to this study because the decision-making process in municipalities is very essential in determining how the local communities will be governed. It is important to understand how political structure, administrative structure and the local community

converge in the decision-making processes of the municipality. The practice in decision-making that is only practiced by the politicians is a one-sided government. Thus, the practice in decision-making that only involves the political and administrative structure is deemed as unfair to the local community governed. The people do play a very important role in the processes and decisions to be taken by the municipalities that govern them.

Beresford and Sloper (2008) on the issue of power, argued that the relationship of the political and administrative structure develops through the years and ends up turning the two structures as the kind that view everything the same way. The concern is such that, these two structures should not end up meeting the apex of being mingled together due to their different offices of power. How can the administration challenge the political structure in decisions that it wants to take which are not realistic in nature, if they are amalgamated? Pandey (2018) argues that, through the course of time, people get easily influenced and such creates loopholes of threats to the organization. Relations between the management hierarchies should be founded on the basis of fidelity to the policies of the organization, in order not to affect the decision-making process. For the purpose of understanding decision-making, structures of power in an organization should not always agree in everything but other factors or decisions should be debated (Brocas and Carrilo, 2014). To be in the same organization does not guarantee that stakeholders will always view things in the same manner. However, when needs be, they have to disagree in order to reach sound decisions for the organization.

In modern management organizations, there seems to be a development of high uncertainty that attacks the managerial structures, thus, leaving the organization incapacitated through the decisions taken (Yurtseven and Buchanan, 2016). Organizations sometimes remain uncertain in decisions that they want to take or have even carried out. This is because of the ever-changing times and the external forces which affect decision-making bodies. Therefore, certainty is achieved through making a highly researched decision. Marchisotti, Almeida and Domingos (2018) advise that, those who form part of the decision-making processes are not competent enough in having to make sound decisions which are relevant to the matters faced. Sometimes, organizations are victims of having managerial structures which are just not orientated to identifying and

dealing with the threats that face the organization. Therefore, a developmental organization is possible through a managerial structure that is highly skilled in handling matters arising. Not only that, but also, the decision-making processes should include the relevant stakeholders.

3.7 Motivational theory (x-y theory)

McGregor (1960) believes that an organization operates in two sets of degrees. This can be seen through the analysis of two theories, namely; theory x and theory y. McGregor stressed that theory x captures a coercive type of leadership in relation to its employees, and theory y captures the notion of a democratic type of leadership towards employees. McGregor goes further to state that there is a great contrast between theory x and theory y because the one theory views employees in an organization as passive towards their work and the other views employees as people who respect their work and will always do their duties. Through the means of having passive workers, it is believed that they have to be forced to perform their duties under strict supervision, while on the democratic management of workers, there exists harmony and growth. Mohamed and Nor (2013) believe that organizations should adopt theory y because it motivates workers within the organization to grow and even work harder to advance the organization and themselves. Thus, through theory x, it has to be considered that it is not only the workers who end up being affected, but also, the organization which cannot grow to the extent of resolving matters through the employees (Aydin, 2012)

This theory is related to this study because at a local government level or municipalities, the relationship is not only limited to the political power and administrative head. However, there are employees within the municipality who are responsible for realizing the objectives of the organization. Therefore, if those who enjoy power over the employees tend to view the latter as passive in performing their work and as being usually intimidated through strict supervision, then the municipality cannot grow. Municipal performance mostly depends upon those who are at the ground level acting as implementers. If such people are not appreciated but instead deemed as vessels to be coerced and instructed anyhow, then that will harm the municipality. Thus, for the sake of democracy, municipality management has to make the organizational environment more responsive

to everybody, including personnel and the community governed. Employees show growth and advancement in an environment that appreciates everyone and allows them to go up the ladder of success.

Aithal and Kumar (2016) under the assumption of the managerial role, posit that theory y creates a sense of having employees to view themselves as people with an organizational responsibility and that they possess the relevant qualities for such a responsibility. When people become part of an organization, they often become indebted to it, hence they commit themselves to meeting the organizational objectives and to keeping the management at ease in regard to their performance. Hattangadi (2015) opposed theory x by viewing the management as an authoritarian structure that brings threats to its employees in order to place the organization at an advantageous footing in performances. Therefore, an organization that applies coercion whether through verbal abuse of threats is not founded on democracy. Municipalities have to be free from such assumptions encapsulated in theory x. Hattangadi (2015) further explained that to give strict instructions on what employees need to do restricts the creativity of employees to make decisions that would have benefitted the organization.

Sager (2008) believed that, theory x is still applicable to organizations and does not necessarily affect the democratic principle at a work place. This is to say that, employees often need to be supervised and given strict marching orders, in order to make them perform their duties. Some employees tend to do as they please and thereby end up forgetting the very responsibilities which they ought to perform. Strict rules and supervision are not against democracy but, it is about keeping the organization in line with its objectives through supervision of personnel. However, scholars like Arslan and Staub (2013) uphold the notion that, in order to make an organization to perform outstandingly and produce better results, the management in an organization should adopt the application of theory y.

3.8 Democratic (participation) theory

As per the South African local government laws, the citizenry of the state has to be included in the governance processes. They (communities) have a say in the affairs of their state and give suggestions or concerns regarding their well-being. Florida (2013) in

his explanation of democratic theory places emphasis upon the inclusion of the general populace into governmental affairs as a means of empowering the people and giving them a sense of responsibility towards their very country. The community's existence and importance should not only be important when it comes to voting into office those they have elected as their representatives. However, participation in the government gives them a sense of belonging. Hence, Pateman (1970) submits that through the application of a democratic system, it is then necessary to have a participatory process which is for the people governed and making them part of the government as far as is possible. Florida (2013) also stressed that the participatory process of having the general populace present in governance was to prove that they can also govern themselves and have a say over what they want to have.

This theory forms part of the study because the local communities which are governed by the municipalities require the inclusion of the people in the government processes through the means of community participation. It is believed that the government can be more responsive if those that are governed also have a say in the direction of their municipalities. Hence, municipalities do not operate in isolation. All the decisions that the municipalities take, the general populace has to form part of them. The inclusion of the local communities through the participatory process is also to make those in power become accountable for their actions and also transparent.

Brainerd (2013) asserts that citizens seem to be victims of the actions that are taken by their representatives and they mostly feel cornered by the decisions taken by those in power and in understanding this issue, public participation is the answer. However, to what extent does public participation occur and what are its limitations? The growth and realization of public participation depends on how responsive the public is towards participating in government affairs (Pateman, 1970).

However, Krouse (1982) sees the essence of democracy in communities through the means of interactions between those in power and the receivers of decisions taken. However, these interactions seem to be at a very low level. Although public participation is included in legislations which promote a democratic nature, the truth of the matter is that public participation is just absent in many municipalities. Thus, there are few if any,

who tend to question why public participation is not occurring as often as it ought to be. The communities governed seem to be illiterate in terms of understanding how public participation works. Doughty (2015) sees the inclusion and adoption of a participatory government under the notion of democracy as posing a serious threat to those in power, particularly politicians. This is because of their perception of the participatory processes with the local communities as if it were like they are giving their power away. Thus, they question why they should account to the public if the very same public trusted them (politicians) by voting them into office?

3.9 Summary

Through the reviewing of literature on the theories which were discussed in this chapter, such theories are deemed as relevant to the subject under discussion in explaining the basis of this study. However, attention has to be shifted towards the conceptualization of these theories in terms of whether or not they precisely attend to the problem study as well as to the aim of the study. This is because, these theories explain and give an idea of how organizations, especially public ones, handle their operational activities. Having studied these theories, it is clear that the main objective of this study remains unanswered by far and large. It then necessitates the continuation of this study, in order to get answers for the analysis of the principle of separation of powers in Tshwane Metropolitan Municipality while navigating through the political and administrative dichotomy in South Africa.

The following chapter consists of data analysis, research findings and presentations.

CHAPTER FOUR

DATA PRESENTATION, RESULTS AND DISCUSSION

4.1 Introduction

This chapter focuses on the views of the respondents of this study. As mentioned in the research methodology of this study, interviews include respondents from the political and administrative structures of the municipality. The main research question of this work deals with both political and administrative spheres of the municipality, in the context of analysis of the principle of separation of powers in the city. This chapter deals with data analysis and research findings. The findings of the study relate to the research questions that guided the study. The data was analysed to assess the principle of separation of powers between political and administrative structures in The City of Tshwane Metropolitan Municipality. Key informants of the study were the officers/staff drawn from the political and the administrative sections of the Municipality. However, the data is discussed and presented as a single unit of analysis, in order to enrich the analysis and to avoid repetition. The data is analysed through generative themes, which would be discussed separately. The overlapping of themes is explained and the findings are linked to the literature, research questions as well as the objectives.

Therefore, to respond to the research questions of this study, interview questions were structured in a manner that attends to the problem statement, research objectives as well as the themes of the study that have been discussed in the process of the study. Furthermore, this chapter entails data presentation on the subject matter. This simply refers to related research findings of other scholars in the discipline. This is necessary so as to support and validate the findings of the study.

4.2 Process of data analysis

Marshall and Rossman (1999) explain data analysis as a process of bringing, meaning, order and structure to the mass data collected, though ambiguous, time consuming, and sometimes very messy but at the same time a fascinating and creative process in research. Data analysis entails transforming large volumes of data into findings by bringing meaning and order to it (Patton 2002, in de Vos et.al, 2005). Patton further

argued that there is an indivisible relationship between data collection and data analysis. Moreover, data analysis does not in itself provide answers to research questions as these can be deduced by interpreting the data. Interpretation of data requires making sense and explaining the data. It is an ongoing process that requires the researcher's full engagement. The research automatically interpreted data as it was being analysed.

Part of the process in analysing data required the researcher's understanding on how to make sense of the collected data. This involved engaging with the data, meaning risking the researcher's knowledge of separation of powers in order to acknowledge the "liminal" experience of living between familiarity and similarity. This helped the researcher to analyse the data objectively without being influenced by preconceived answers which may lead the researcher to being biased and inflicting his own opinions thereby affecting the results of the study. The researcher was able to explore the data with an open-mind and flexibility.

However, in the course of this study, the sample number of respondents as indicated in the research methodology could not be met; owing to the difficulties encountered in trying to reach senior officials from the administrative sphere. This is because they are not always available, often their secretaries were delegated to give some information needed. However, in the understanding of the researcher such information is not enough. Hence, this study ended up including half of the sample number of respondents from the administrative sphere. However, the sample size of respondents from the political sphere was met.

Furthermore, in the findings of this study the researcher observed that the group interview with respondents from the political sphere affected the responses received. It would have been best if there were rather one on one interviews with the respondents rather than the group interview. However, such would have also had an adverse impact on the study due to the non-availability of councillors at the City of Tshwane Metropolitan Municipality. The researcher was therefore advised that it was only appropriate to schedule the interview the same day after the municipal council meeting. The observation was that respondents from the political sphere seemed to be self-conscious of the responses they gave, for fear of other political office holders present during the interview.

The suggestion that one on one interviews would have been appropriate for the study arose out of the interviews that occurred with respondents from the administrative sphere. Respondents were very comfortable during the interviews. They felt safe in stating what they know and their opinions about matters discussed while in a private space with just the researcher. Respondents were quite vocal about some of the occurrences that they have seen and have observed in the municipality while the respondents from the political sphere remained conscious about the kind of responses they made. Thus in most of responses, political respondents viewed some suggestions given by the researcher as merely witch-hunts by the administrative sphere on the political sphere.

4.3 Relevance of the principle of separation of powers in the local government system

In South Africa, the principle or doctrine of separation of powers is vastly comprehensible when discussing the operations and the interdependence of the three arms of government; legislature (parliament), executive (cabinet) and judiciary (courts of law). The principle of separation of powers has not yet reached the level of being conceptualized as one that exists in government institutions. However, through its relevancy, this principle is regarded as a possible application in every institution because of the varying degrees of political powers that exist within these institutions. Politically, it is often difficult to integrate different powers. Therefore, this suggests that power has its own sphere where it can be exercised according to the function of such a domain. Thus, exercise of power in any sphere means that such power is confined to that sphere and cannot be integrated to any other.

When there are different spheres/structures in an institution, it gives the suggestion that there would be different powers and the exercise of such powers will be guided by the legislative framework of that institution. Likewise, in local government/ municipalities, the principle of separation of powers does apply. This is because, in the local government setting there are two spheres, namely; political and administrative spheres that govern the functionality of the municipality. In as much as these two domains or structures can be deemed as being in the sharing of power, such power has its own limitations according to the responsibilities laid out in the local government legislative framework.

To give guidance to the exercise of power in municipalities, the application of the principle of separation of powers needs to be present in order to guide the exercise of power. Respect and application of the separation of powers in local government does not only guide the exercise of power in municipalities, but also, safeguards the harmony that is needed in processes of the municipalities. Such processes often involve the political and administrative structures that need to exercise their powers in order to meet the objects of local government as stipulated in section 152 of the Constitution of the Republic of South Africa.

In local government, the work of the political domain; the municipal council, office of the mayor and office of the speaker, obviously are different as compared to the work of the administrative domain, *inter alia* the office of the municipal manager. Through the differing responsibilities that exist in the municipal structure, this then necessitates dissimilar powers and their exercise. A legislative framework that gives power to the political domain differs from the one that gives power to the administrative domain in the municipality.

By implication, respect over the principle of separation of powers between these domains remains essential, so as to deliver the local government objectives as enshrined in the South African Constitution. The exercise of power cannot be a function that is taken lightly because decisions taken have an impact on those governed. Although delegation of power does exist in the local government setting, there are powers which cannot be delegated. Through the non-delegation of some powers, that is, where respect for the principle of separation of powers exists, the fusing of powers between the political and the administrative structures can be avoided.

The explanation and relevance of the principle of separation of powers in the local government system is vital so as to give a foundational basis of why this study is necessary. Thus, service delivery to the public can be very successful when properly steered through the political and administrative dichotomy in South African local government.

4.4 Themes related to the research objectives of the study

The results discussed below in the form of themes have been constructed and qualified in connection to the research objectives, research questions and problem statement of

the study. Therefore, results from respondents have been classified into groups of themes which guide all responses to a particular theme.

4.4.1 Perceptions towards political and administrative dichotomy in the City of Tshwane Metropolitan Municipality

As per opinions received from the respondents, political and administrative dichotomy in the City of Tshwane Metropolitan Municipality refers to the classification of each political and administrative structure and what that structure ought to perform. Respondents viewed the dichotomy within the municipality as having the right wing (administration) and the left wing (political) aspects. The view suggests that what happens on the side of the right wing does not include the left wing, however, such can be true to some extent. This is because some respondents argued that *“most of the things that happen at the administration sphere are still the business of the political sphere”*. This particular belief is founded on the basis that the political sphere deserves to be part of every decision-making process that occurs within the municipality. However, some disputed that, saying the inclusion of the political sphere in all municipal matters is unconstitutional, since politicians often do not have the necessary skills to understand and interpret the occurrences at the administrative sphere.

From a political perspective, respondents uphold that *“the dichotomy can in some way be disputable since everything that is performed by the administration has to be referred to the political office for consideration”*. Shazi (2016), in support of this view, suggested that there is merely no dichotomy between the political and administrative spheres, thus making the two spheres to remain inseparable. This is because most of the work that is performed by the administration sphere has, firstly, been a tabled notion in the political sphere before being referred to the administration for its realisation. It is deemed as rather vague that these two structure are separable or that a dichotomy even exists. A study by Agboola (2016) also concurred that, the dichotomy seems to be an imperfect concept in local government and policies are always the business of the day in municipal affairs hence both spheres belong.

However, from the administrative perspective, respondents believe that the dichotomy came to being in order to protect each sphere’s existence due to the growing and demanding nature of governmental affairs. Therefore, the dichotomy does exist and

deserves to be respected. The administrative perspective is supported by Magashoa (2006) suggesting that, since South Africa adopted the bottom-up approach which includes the introduction of local government sphere, there was a need for different spheres and officials with different expertise. On that case, a study by Grant (2014), views the political and administrative spheres as different in nature, and so are the expectations given to each sphere. The belief from respondents is that *“political and administrative dichotomy does exist as even being present in the local government legislations, however, the strongest issue with regard to this concept is that it remains unrespectable and dishonoured”*.

The necessitation of political and administrative dichotomy often occurs when it suits those in possession of greater powers in the municipality. Respondents from the administrative sphere suggested that *“the notion of political and administrative contrast occurs when the political will is not adversely challenged”*. This further suggests that should the political will be at stake or seem to be challenged, then the dichotomy will be as if it is a non-existing concept in the municipality. The suggestion of a suspension and repositioning of the dichotomy in the municipality in whatever way that will fit the political will, tends to be entirely undemocratic and is in conflict with the existing local government legislations. In protecting the separation of powers, local government legislations have in many ways tried to conjure the work of the administration sphere as different to that of the political sphere.

From the bureaucratic theory, it can be deduced that the suspension of the dichotomy when it is deemed appropriate to do so through the political power of the municipality, disturbs the organizational processes. This is because, bureaucratic theory suggests that there should be development and implementation of rules and regulations which will guide the processes of the municipality. In this case, there are already rules in place which have been enshrined in the different parts of South African legislations. Therefore, it is imperative that the political and administrative sphere should abide by the laws the administration of local government. Such will further protect the existence of the notion of political and administrative dichotomy in South African local government affairs.

However, respondents from the political sphere seemed to challenge the perception from the administrative sphere which lambasted the political sphere for suspending the dichotomy from time to time. The suggestion is that *“the dichotomy is fully functional and adhered to unless there are crucial matters in the municipality of which the political sphere would be left with no choice but to bypass the dichotomy”*. Respondents further expressed that *“on occasions when there is bypass of the dichotomy, it would only be for the benefit of the municipality and protection of its reputation, hence not for solely benefiting the political sphere”*. Thus, the respondents also suggested that *“an act of having to bypass the dichotomy is founded in section 160 of the Constitution of the Republic of South Africa, when relating to internal procedures that gives more exercise of power to the political sphere of the municipality”*. This is relevant when making decisions which concern the exercise of all powers and the performance of all functions of the municipality.

4.4.2 Functions, responsibilities and application of powers in the City of Tshwane Metropolitan Municipality

From the responses received from the respondents on the issues surrounding the understanding of functions, responsibilities and the application of powers, the following aspects emerged:

- Formulation and implementation
- Decision-making
- Staffing
- Municipal management
- Financial management
- Administering of by-laws
- Oversight
- Accountability

Political respondents when responding to the functions and responsibilities of the political and administrative spheres suggested that the formulation of policies solely rests upon the political sphere and the implementation of such policies belongs to the administrative sphere. However, a further suggestion was given that the implementation process by the administration was limited to some extent, as in some occasions the office of the

executive mayor may intervene. Respondents suggested that *“the intervention of the office of the executive mayor is not to undermine the competency of the administration, however, there are sometimes urgent matters which seem to take longer to be approved”*. Therefore, the office of the executive mayor has to ensure that such matters are realized as soon as possible in order to compel the administration to speed up processes.

Respondents from the administration stressed that the functions of formulation and implementation of policies are distinct in nature, therefore, it cannot be that another sphere becomes part of the other’s function. Another respondent lamented that;

“Why should the administration be always caught up in the cloud of political power? Because the political sphere would never allow the administration to bring policy advice into the formulation of policies since that sphere has its own policy advisors”.

The concern is that there is no fairness over the processes of the municipality and one way or the other, some sphere is always expected to compromise its functions and powers. Respondents further suggested that the political sphere cannot lament over the processes followed by the administration in conducting its business. For such processes were not created based on the administration’s will, but were rather borne out of local government legislations. Thus, the administration is expected to always do things by the book. Further, concern is that when there are issues arising in the municipality, the administration is always to blame, as if the very political sphere did not agitate for those matters in the first place.

In the decision-making aspect, respondents further mentioned that decision-making in the municipality rests upon three key offices, namely; municipal council, executive mayor and the city manager. However, such is not limited to these offices alone, as there are some offices which play a vital role in decision-making e.g. heads of departments. Respondents indicated that *“sometimes decision-making process tends to have complications as to which office should make what decisions for the municipality”*. However, the suggestion was that the office of the city manager or municipal manager plays a much bigger role in decision-making of the overall performance of the municipality. Obviously, the decisions

taken by the city manager have to be through consultation and collaboration with the office of the executive mayor.

The respondents raised concerns that decision-making processes may in some instances prove to be problematic due to matters which become unclear as to which office they belong to. This concurs with a study by Yawa (2016) where he states that in the local government system, there seems to be unclear understanding of powers and decisions to be exercised by the political and administrative spheres. Therefore, this gives an indication that municipalities and key officials require more in-depth understanding and workshops which will equip these officials in the exercise of powers and performance of duties.

When asked about the appointment of officials into key offices of the municipality, another respondent pointed that;

“On some occasions, the executive mayor may appoint a particular individual to a certain office through cadre deployment. Although such an individual may prove to be incompetent but it is not anybody’s concern but that of the executive mayor. It solely lies on the executive mayor whether to keep that individual or find another replacement. Other than that, others can do absolutely nothing”.

This shows serious concerns with regard to staffing in the municipality’s setting. The deployment of individuals into integral offices through the essence of party belonging or cadre deployment tends to hamper municipal performance. The employment of municipal personnel should strictly be based on qualifications rather than through party politics and how one works for the party. Municipalities are in need of credible and qualified officials in order to transform these institutions. Khaile (2011) suggested that municipalities need to start working with and having qualified specialists on matters of local government. Furthermore, the Auditor-general of South Africa (2013) highlighted that municipal appointments or officials in some key offices do not meet the standards set out in the local government framework. Hence, Ndevu and Muller (2018) suggested that there must be reform in the appointment of key officials into office and political appointments should be removed.

On matters of municipal management and financial management, respondents from the political sphere see municipal management as being the best, and a kind that delivers to the local government objectives. However, administrative respondents indicated that *“there is paralysis in the municipality, for one and the same projects always appear at budget list received from the municipal council, in each financial year”*. This suggests a contradiction of statements from both spheres. Interpreting these responses reveals that the political sphere perceives a functional and well-managed municipality, whereas the administrative sphere perceives a dysfunctional and distressed municipality. A respondent further stated that *“perhaps, when the budget is formulated, it serves the benefit of those who formulated it, not what it is stationed to deliver”*. Concern is raised about the political sphere not being realistic and faithful in the formulation of the budget. For factors such as Integrated Development Plan (IDP) never seize to receive enormous allocations while achieving nothing.

Respondents from the political sphere also placed emphasis on the administration of by-laws in the municipality. Respondents believe that *“administering by-laws means that the political party with the highest number of votes in the municipal council, should create policies which are in line with the party’s objectives”*. A study by Franks (2014) stresses the notion of having to create policies or by-laws which fit a particular party’s philosophies rather than the needs of the people which need to be met. Hence, van der Walt’s (2014) suggestion that policies which are not connected with the peoples’ needs can easily be identified as belonging to a particular political party.

With regard to some issues raised in relation to functions, responsibilities and application of power, some respondents indicated that there is much pressure coming from the political sphere. Respondents suggested that the pressures given by the political sphere adversely affects the performance of administrative sphere. However, respondents from the political sphere disputed suggestions of the administrative sphere by saying that *“municipal administrative officials tend to confuse exercise of oversight with pressure. It is unfortunate because the political sphere has to always exercise oversight over the administration”*. Further concerns were that, if the political sphere does not exercise

oversight in municipal affairs, then what will the executive mayor say when there are processes of accountability with the local communities?

Nyathela and Makhado (2014) refer to the exercise of oversight and accountability as functions and powers which empower the political sphere in a municipality to complete the expectations given to it. Thus, Makhado, Masehela and Mokheri (2012) suggest that the political sphere cannot give full account of the things done by the municipality if proper oversight has not been exercised. Although it is understandable that the political sphere has to exercise oversight in the overall performance of the municipality, such oversight should be a kind that does not apply force and compulsion. For if political oversight comes with force, then it can only be deemed as applying a *carrot and stick approach*. This is to suggest that the political sphere uses punishment if the desired outcomes are not met as per its wishes, and gives rewards when the outcomes are according to its wishes. Therefore, it should not be that there is some kind of capitulation from any sphere when performing its functions and exercise of powers.

4.4.3 Organizational state of health

Organizational state of health refers to the relationship between the municipality's stakeholders. When respondents were asked about the state of relations between the municipality's stakeholders, responses centred on the following factors:

- Ethical conduct
- Trust
- Tension
- Municipal performance

Respondents raised that working at a municipality means that one is working for the government *inter alia*, the general populace of the country. This suggests that every municipal personnel, be it from the political or administrative sphere, should conduct himself/herself in an ethical manner. This should not only be limited to the political and administrative spheres but must be inclusive of all municipal stakeholders. Respondents indicated that *“there are numerous stakeholders in the City of Tshwane Metropolitan Municipality, therefore entities like Eskom, Tshwane housing company and Innovation hub form part of the municipality's stakeholders”*.

On the contrary, respondents highlighted that ethical conduct in the municipality remains uncertain. Another respondent indicated that *“ethical conduct has been an issue for years now. Hence some key officials ended up been suspended even worse being recalled to office”*. The main problem was shown to trigger acts of unethical conduct was related to matters that have to do with municipal finances. Respondents further indicated that when dealing with a metropolitan municipality, there are enormous finances circulating from one office to the other. It would therefore, be only fair, to record that through the years key officials from both spheres were sometimes implicated in corrupt acts. Respondents highlighted that *“some were prosecuted because of such conduct but some were lucky enough to get away with it and were never brought to book”*.

A study by Maape (2017) suggests that the administrative sphere is often influenced by the political sphere to practice malicious acts in municipalities. However, the statement made by Maape carries two insights as it tends to be divided into two aspects. Political respondents stressed that;

“Sometimes the political sphere gets overly blamed and criticized and that is being biased. For administrative officials have the power to make conscious decisions, therefore when they are involved in ethical misconducts then it is through choice and not coercion from the political sphere”.

Whereas respondents from the administration indicated that;

“It is highly certain that the administrative sphere gets influenced by the municipal political power into improper acts. Thus administrative officials try to always cooperate as they are operating in fear of losing their jobs when trying to do things according to the rules”.

Mdlongwa (2014) states that unethical conduct of politicians and administrative officials leads to a non-functional municipality which will keep the advancement of general lives stationary. It is, therefore, important that municipalities be governed by officials of high moral standards and integrity.

According to the respondents, for a well-organized and functional municipality, there should be trust among the municipal stakeholders. In most instances, relations between

the political and administrative structures are such that there is no trust between each other. The kind of trust that is expected in these relations pertains to the delegation of some powers to particular offices in order to have a performing municipality. South African Local Government Association 'SALGA' (2017) suggested that trust is important between the city manager and executive mayor for the maintenance of control in strategic planning of the municipality which cannot be delegated to any office. Therefore, these two offices have to be responsible for leadership of these spheres, and should try to work together and also promote integration with each other. Such will help build trust between each other even on sensitive matters that pertain to the image of the municipality in its entirety.

Respondents further highlighted that although not intentional, however, both political and administrative spheres end up being in tension. Tensions linked to tender processes often occur between the political and administrative spheres but are not only limited to these structures as there are other stakeholders involved. Respondents suggested that *“sometimes the city manager and executive mayor end up being in tension with entities like Eskom on matters that have to do with electricity supply”*. Respondents further indicated that *“entities like Tshwane housing company and Innovation hub have sometimes been caught up with the municipal management for not meeting the expected performance standards”*.

Therefore, tensions that occur in the municipality's setting are solely based on matters that have to do with the delivering effects such as taking decisions which will benefit the local communities. Although the political sphere may be in conflict with the administrative one on the issue of decision-making, such should be noted as a means of having to get the administration to deliver timeously. This is because the executive mayor is also expected to duly account to the public and in a professional manner which will make the municipal operations credible enough.

When viewing organizational state of health, municipal performance has to form part in order to portray the overall image of the municipality. A respondent suggested that *“the municipality seems to be meeting its most key performance indicators although there are some work to also do”*. The respondents highlighted that the City of Tshwane Metropolitan Municipality is one of the fastest developing metropolitan municipalities in the Gauteng

province. There are also much infrastructure projects which in many ways are successful, thus showing that municipal performance is striving to meet the local government objectives.

However, in a study done by Monkam (2014), it was made clear that what deprives most municipalities of the need to deliver on expected outcomes is lack of the sense of sustainability. Bao *et.al* (2013) stressed that municipal leadership and management should be rightly informed about the local government objectives and how to come about having an effective and efficient organization. The route to be taken by the whole municipal setting should be based on measures that show sustainability in purpose.

4.4.4 The principle of separation of powers as a vehicle to ensuring developmental orientated municipality

The contextual basis of the existence of the principle of separation of powers at a local government level is to also ensure that municipalities uphold the essence of being developmental in nature. Therefore, when respondents were asked about how this principle benefits the local communities of the City of Tshwane Metropolitan Municipality, they suggested that the municipality is merely a servant to its master (local communities). Respondents indicated that *“through the collaboration of work between the political and administrative spheres, the municipality is able to detect and try to attend to the concerns or needs of the communities it serves”*. This relationship *inter alia* attends to the notion of ensuring a developmental orientated municipality. Furthermore, it also attends to the essence of the principal-agent theory, involving the local communities (principal) and the City of Tshwane Metropolitan Municipality (agent).

Respondents highlighted that the municipality does try to meet the basic needs of the local populace and to also provide services to the general populace within its jurisdiction. However, there are also challenges that prove to be problematic. Respondents stated that *“perhaps what hampers development in the municipality to some extent, is that local communities are not aware that the municipality operates as a business”*. This is to say, the municipality needs to have its own ways of generating enough revenue for its survival. What this suggests is that services provided to the people need to be paid for so as to prolong the provision of services by the municipality to the community. Respondents lamented that *“of course some services should be provided for free such as provision of*

RDP houses but the municipality does not have enough money to provide free services such as electricity since such services are expensive”.

Respondents also raised concerns that municipalities are expected to be developmental in nature. SALGA (2017) cautioned that there is not enough cash flow to ensure that municipalities are developmental enough so as to provide expected services like meeting the basic needs of the people. For the municipality to continue providing services, the essentials such as electricity and water should be paid for. According to one of the respondents, these two services are the most expensive within the municipality because the entities that provide them are also facing a lot of challenges to meet up with the demands. To then ensure that these services are sustainable, they should be paid for.

If the municipality is to operate as a business entity, this can in many ways be deemed as privatizing the municipality. It would also mean that the government ceases to be the owner of publicly traded institutions through transfer of ownership to but a few people or to the private sector. Privatization will also lower the revenue received by the municipality since provision of services rendered by the private sector like, for example, electricity, are cheaper than those of the public sector. Electricity bought from Eskom by Eskom consumers is cheaper than electricity bought from the municipalities. When respondents were asked whether the municipality should be run as a business institution and take the route to privatization, they could only agree based on the following statements:

“It is quite obvious that the municipality needs revenue of its own to therefore succeed in that, the municipality has to be run as a business since even the national fiscal is burdened by municipalities through owing Eskom”.

Some respondents further indicated that *“it is only appropriate to run the municipality as a business entity since the municipality is also expected to deliver infrastructure. While on the other side there is gross under-funding of projects in the municipality and sometimes funds end up being wastefully spent”.*

Consequently, other respondents suggested that *“it is probably high time that citizens are not overly depended on the municipality but try to do things on their own like having to*

pay for prepaid electricity straight from Eskom. Perhaps that would solve the Eskom debt by municipalities”.

A study by Binza (2005) concurs that the private sector seems to provide services in a much more efficient manner. Thus, if some services can be provided by the private sector then the assumption is that government may get to focus on its core functions.

However, some respondents highlighted that *“to run the municipality as a business would merely take decades to achieve. This is because those who have the skills to run the municipality as a business are under the scourge of being reshuffled up and down by the political powers of the municipality”.*

According to Mavhungu (2011), local communities do not avoid paying for services intentionally. Rather, it is because of their inability to afford the basic standards of living due to having low income *inter alia* that they do not have the means to pay for most services. Therefore, due to poor standards of living, communities do not have any other alternative but to uncap their meter boxes so as to use the service while paying absolutely nothing. Mazibuko (2013) is alarmed that when the City of Tshwane Metropolitan Municipality was established, the municipality inherited different debtor billing systems which were not integrated with the financial system. This gives an indication that the non-payment of debts date way back to the time the municipality was established. Therefore, to try to eradicate the problems of user-pays, such would take a long time to be corrected.

However, and with regard to operating the municipality as a business, it would seem to rather contradict the essence of government’s providing for its people. The suggestion is that the municipality should try other measures such as low user charges with government assistance and in consultation with its stakeholders to try and bring about better standards for the people they govern. For years, local communities have shown their concerns about high charges of tariffs and that the municipality should try to solve the matter. It is only fair to believe that by attending to the concerns of the local communities, the municipalities would be to ensuring a developmentally oriented direction.

4.4.5 Effects of the principle of separation of powers in the City of Tshwane Metropolitan Municipality

When relating to the effects of the principle of separation of powers, respondents gave many insights on how the principle has contributed to the entire organizational setting. Respondents affirm that *“the principle of separation of powers has made both political and administrative sphere to understand that political questions are not always administrative questions”*. However, it is understandable that there are matters within the municipality which perhaps require the executive mayor to intervene in administrative questions when needed to. Respondents also suggested that it is undeniable that powers and functions of the political and administrative spheres are distinct. However, there should be checks from both spheres so as to ensure there is congruence.

Political respondents indicated that the effect of the principle of separation of powers is that *“the principle becomes beneficial to the political sphere when deciding on the credibility and suitability of the city manager’s office”*. This is to say, the principle of separation of powers protects the image of the administration through powers vested in the political sphere. Therefore, it solely rests upon the political sphere to decide on the fate of the city manager as the head of administration sphere. Thus, it can never be that the administration officials can have such powers of deciding on the fate of the city manager.

Respondents from both spheres, however, lamented that *“the principle of separation of powers sometimes causes unnecessary delays which also involve enormous processes, thus contributing to delays in service delivery processes”*. The suggestion is that sometimes it may seem as if the municipality fails to deliver on time yet it is merely an issue that involves separation of powers. The distinctiveness in powers requires that there be enormous structural meetings in order to have a particular order approved. Hence, respondents from the political sphere suggested that *“perhaps it is high time that the municipality engaged in much delegation of powers from both spheres in order to deliver things in a speedily manner”*.

A study by Ndevu and Muller (2018) suggests that municipalities should work on achieving innovating ways such as engaging with municipal stakeholders in order to achieve local government objectives in a much accelerated manner. This refers to the

difficulties that are associated with the principle of separation of powers. The problems are such that the principle tends to ensure that most powers remain undelegated and they strictly remain in the offices they have been stationed at. In essence, the principle brings limitations of some sort within the processes of the municipality. Therefore, to some extent, there has to be review of the applicability of the principle.

Moreover, respondents from the administrative sphere highlighted *that “decision-making processes end up hampered as in matters of the preparation and approval of the municipal budget, which tends to have one and the same project being allocated enormous finances every financial year”*. The given concern is that, it would probably be beneficial to the municipality and the public at large, if there was an inclusion of other stakeholders of the municipality during the preparation and approval phase of the municipal budget. However, a study by Baker and Phillips (2018) suggests that it is important that municipalities maintain their public ownership status, for if there is inclusion of much foreign bodies in the municipal processes, it would mean that the public sector ownership has been sold to the private sector. Although the concern was based on matters such as improper financial matters, some powers have to be strictly vested within the municipality, so that they separate according to different spheres.

Respondents further stated that *“should there be an abandonment of the principle of separation of powers then it would be a collective and conscious decision reached by both spheres for the benefit of the public”*. This, therefore, gives an indication that respect over the principle of separation of powers is merely an understatement since the principle sometimes gets bypassed. Some respondents indicated that *“to abandon the principle on whatever occasion creates a culture of repetition and norms which in many ways has a contribution to mismanagement and political interference”*.

A report by the Financial and Fiscal Commission (2011) suggests that the political leadership of the municipality has much control over the well-being of powers within the municipality and has an important role to play in matters such as financial expenditure. Therefore, this requires the political sphere to be the one which will practice integrity and honesty in all its processes.

Respondents further indicated that *“although there are legislations which try to protect the harmony of political and administrative functions, responsibilities and powers but the administration will forever remain the victim and puppet of the political will”*. This suggests that there has to be a legal structure in local government which will watch over the exercise of the principle of separation of powers. However, some respondents highlighted *“most municipalities, including City of Tshwane Metropolitan Municipality have reached a crisis point between political and administrative powers because most powers seem to be overridden by the political sphere”*.

It, therefore, shows how the dispute over the principle of separation of powers will keep on recurring in the local government context. This is because the separation of powers remains contentious between the two spheres. Sometimes one sphere keeps lamenting over the other due to issues of interference. This calls for a hands on approach and much in-depth analysis over the notion of the principle of separation of powers. Such will later contribute to the harmony of relations between the political and administrative spheres in the municipality.

4.5 Discussion of findings

The findings of the study revealed that political and administrative dichotomy within the City of Tshwane Metropolitan Municipality is understood as differences between both spheres, to a certain extent. The findings showed that the dichotomy becomes active when the operational of the political sphere is not compromised. Therefore, suggestions were such that although the administrative sphere is distinct in nature, it should always comply as per the modus operandi of the political sphere. Political perceptions also give indications that the dichotomy can be functional to a certain extent, since the political sphere has knowledge of the things that occur in the administrative section. Some literature concurs that in most things that occur within the municipal framework, both political and administrative spheres do belong. Therefore, it sometimes becomes cumbersome to view the two spheres as separate in nature, although separated in local government setting. The findings indicated that when the dichotomy is bypassed, this occurs through a conscious decision having being taken by both spheres for the benefit of the municipality.

The findings further revealed that powers and functions of the political and administrative spheres are different in nature as they include policy formulation and implementation functions. However, findings showed that the implementation function of the administrative sphere ends up in the office of the executive mayor. The suggestion is that it is unfair to have the executive mayor in the functions of the administration as it would never happen that the administration be made part of the political sphere's function. Therefore, this meets the study's expectations that upheld the perception of having a mixture of functions between the political and administrative spheres. However, it was not expected that the political sphere uses its powers to impinge itself on the functions and space of the administrative sphere. In many ways, these findings concern respecting the principle of separation of powers in the municipality.

The findings also indicated that on some occasions there is confusion of powers and functions between the political and administrative spheres. This is very worrisome because the entire operation of the municipality should be founded on a pure understanding of functions between the two spheres. It therefore means that the powers and functions of these spheres are not rightly understood, thus making the municipality's performance to be disaster-prone.

With regard to decision-making processes, the findings revealed that there are matters of staffing and financial management which adversely affect the municipality. The findings showed that the political sphere through the office of the mayor, is sometimes cumbered with inappropriate staffing of personnel into key offices. This badly contributes to the reputation of the municipality due to the employment of incompetent officials into offices that ought to advance the municipality's performance. It, therefore, remains a big concern as findings further revealed that these incompetent officials tend to remain in office even when it is clear enough that they cannot meet the standards set; showing that in the municipality the political power tends to do as it pleases and it is difficult to contest its action thereof.

However, it is very obvious that municipalities are faced with the predicament of inappropriate staffing that is caused by the political sphere. This is because of cadre deployment, a concept referring to the employment of politicians/people belonging to and

loyal to the party that governs the municipality. The appointment of such people into offices that are integral to the municipality's performance has never proved to be correct. In most instances, municipal offices require skilled personnel in order to carry out the local government objectives. It has been noted in most literature that cadre deployment often involves people without qualifications or experience of running municipalities. Perhaps, it would be considerate for the municipality political power to consider people with the necessary skills when employing for key municipal offices.

The findings further indicated that municipal management and financial management has reached a crisis point. This is because the realization of projects which have been designed and allocated funds by the municipality remain incomplete. The findings show that there are wasteful expenditures incurred by the municipality and some officials have been suspended because of that, whereas some are still in office. This finding shows that within the municipality there is no compliance with the rules of the Municipal Finance Management Act (MFMA). If there had been compliance, the municipality would not have been involved in matters of wasteful expenditure, whereas there are measures enshrined in the act that ought to assist with financial management. It, therefore, shows that municipal officials, be it from the political and administrative spheres, tend to do as they please with the public coffers which are meant for the local communities. These findings are in tandem with the literature reviewed in terms of financial management in South African municipalities.

The findings also suggest that there still needs to be understanding of the oversight function of the political sphere by the administrative sphere. The findings show that the administrative sphere perceives oversight by the political sphere as unnecessary pressure on the administration. Although oversight has to be exercised in municipal matters, it should not be through coercion. When the other sphere feels coerced to carry its functions, that creates unhappy or passive officials and such tends to hamper the overall performance of the municipality. It is, therefore, imperative that there is congruence between the two spheres when working together. This will ensure that the oversight function is rightly performed so as to enable the political sphere to be accountable to the local communities governed.

The findings revealed that there is tension between the political and administrative spheres, thus such tension is mostly founded on unethical conduct. The findings show that unethical conduct is often triggered by dishonesty over the municipal processes. There are corrupt acts which involve finances that go missing and cannot be accounted for. The available literature validates the assertion that municipalities are prone to acts of corruption by those who govern them. This also remains a serious matter in local government because there is lack of bodies which are responsible for making officials liable for their actions. The main concern rests upon the victimization of the administrative power of the municipality since the administration has to work while being afraid of being dismissed from office because of raising concerns. Local government has to come with initiatives which will protect the administrative powers from being unlawfully dismissed by the political sphere just for trying to do what is right.

When looking at the principle of separation of powers as a vehicle of development, the findings suggest that the municipality is determined to deliver effectively to the people. However, it is also expected to function like a business. The concern is that much revenue is needed by the municipality in order to perform its function and to fulfil its objectives while expected to deliver most services for free. In order to have accelerated development within the municipality, there has to be exchange of efforts from the municipality and the local communities. Most municipalities end up in debt due to unresponsive communities when it comes to paying for services rendered. There is much need of reciprocity between the municipality and local communities so as to have sustainable delivery of services. The user-pays approach should be promoted by all means possible, not neglecting the rendering of free basic services to the people as enshrined in the South African Constitution.

The findings further revealed that the principle of separation of powers causes unnecessary delays and enormous processes. The findings suggest that there should at least be curtailment of much delegation in the municipality in order to fast-track things. However, such is concerning because the strict setting of delegation of powers has been created to halt the improper activities that could occur in municipalities, and also to create structural order. It can only be concluded that too much delegation would create loopholes

for corrupt acts and the increase of capitulation in the municipality. To have a functional municipality, there has to be adherence to the principle of separation of powers. Although Agboola (2016), Shazi (2016) suggest that municipalities should engage in initiating innovative ways and integration of power with all municipality stakeholders, the belief is that the root cause of misconduct rests in a much broader decision-making body.

Moreover, the findings showed that the principle of separation of powers needs to be reconfigured and protected since the administrative sphere tends to be the victim of the political sphere. There is a need of creating a legal structure in local government that will not be biased in any form but will instead try to protect both powers of the political and administrative spheres. This will also ensure that there is no jettisoning of the principle of separation of powers, but rather that it be adhered to and respected. This is essential for contributing to a functional municipality that is in line with the local government objectives.

The possible implications of the study's findings are that the principle of separation of powers remains an important factor in South Africa's overall government administration. The link is drawn when making reference to the three arms of government that somewhere in the principle there might also be intermingling of powers. The suggestion is that so long as the ruling party holds the majority vote in parliament, then the executive's decisions will always be enforced even when other parties deem certain matters as inappropriate for the country. Where there is political power the work of the administration remains compromised.

In addition to this, the essence of political and administrative dichotomy in government institutions remains an ongoing matter. This is because politics seem to control the administration of most of the government institutions. Those in power are most likely to be politically connected or to have been deployed through political will and power. Therefore, the principle of separation of powers remains strangled so long as much of the decision-making processes empower the political spheres within government institutions. Hence, the suggestion that the principle of separation of powers in South Africa needs to be addressed while considering placing differing powers in equilibrium.

4.6 Summary

This chapter has focused on matters that disturb the principle of separation of powers as well as its application to the City of Tshwane Metropolitan Municipality. There are problems which have been shown to disturb the operational of the municipality while considering the principle of separation of powers. Factors such as decision-making, staffing, ethical conduct, formulation and implementation of policies, financial management, municipal management, oversight and accountability have been proved to disrupt the application and functions of the principle. It, therefore, shows that the political and administrative dichotomy as regards the application of the principle of separation of powers tends to come with a lot of strife and tension between the two spheres of the municipality.

The following chapter will focus on chapters' summary, conclusion and recommendations.

CHAPTER FIVE

SUMMARY, CONCLUSION, RECOMMENDATIONS AND FUTURE RESEARCH

5.1 Introduction

This chapter summarizes, concludes as well as presents recommendations that could be of help to the City of Tshwane Metropolitan Municipality with regard to the proper application of the principle of separation of powers. This is made with an intension to resuscitate the principle as well as enhance respect for its enforcement in the entire local government system.

5.2 Chapters' summary

Chapter one introduced the concept of political and administrative dichotomy in South Africa. A brief background of the study was given as to how the political and administrative dichotomy has developed in the South African local government system. Further to this, the chapter went on to discuss the problem statement of the study while attempting to provide an understanding of the challenges that exist in South African local government due to the differing powers between the political and administrative spheres in municipalities.

Part of chapter one was the aim of the study and research objectives as well as the research questions. Significantly, the study made mention of the broadness of the principle of separation of powers taken into the level of the local government sphere. It also mentioned that there is lack of studies pertaining to the principle of separation of powers vis-à-vis the political and administrative dichotomy in South African municipalities.

An in-depth understanding of the local government system with regard to the existence of the principle of separation of powers, while navigating through the political and administrative dichotomy in South Africa, was explored further in chapter two. The discussion of the municipal operations in South Africa was made in the context of viewing municipalities as solely responsible for the development of the local communities' lives. The discussion proceeded to also give a background of the functionality of municipalities

through the different structures in them. Founding legislations of the local government sphere, as well as its operations, were also discussed.

The local government's political and administrative differences, powers and functions were further explored in chapter two. This created a foundational understanding of how the political and administrative spheres differ from each other. The discussion further highlighted the functions and powers of both spheres which cannot be mixed as per suggestions stated in the literature review. Effects and issues of policy formulation and policy implementation in local government were also discussed. This further led to the discussion of challenges in the local government system and how they impact the essence of the study.

Chapter three focused on the theoretical framework of the study. This was the discussion of theories that are deemed as relevant to the study. The analysis of each theory and how it has evolved over time was presented. Theories in discussion were transferred into real life assumptions as to how each theory relates to either the political and administrative dichotomy or the application of the principle of separation of powers. This helped to give content to the conducting of the study and its importance.

The results in chapter four suggest that the relevance of the principle of separation of powers in local government is almost related to that of the three arms of government except that in this case, it revolves around the political and administrative spheres. Findings also indicate perceptions of respondents in relation to the political and administrative dichotomy in the City of Tshwane Metropolitan Municipality. From these findings, it can be deduced that respondents do know and understand the dichotomy between the two spheres along with its application. The findings of the study went on to further present the functions, responsibilities and application of powers in the City of Tshwane Metropolitan Municipality. This chapter also included findings on organizational state of health, the principle of separation of powers as a vehicle to ensuring developmental oriented municipality, and the effects of the principle in the City of Tshwane Metropolitan Municipality.

5.3 Limitation of the study

This study is limited due to the following aspects:

- The study only targeted the City of Tshwane Metropolitan Municipality in Gauteng, South Africa.
- The bulk of the respondents were the political and administrative officials of the municipality. The study could not meet the stated sample size of administrative officials as mentioned in the research methodology section. This was because of difficulties incurred in trying to reach the personnel since they were mostly unavailable. The sample number of administrative respondents that became part of this study could only be half of the sample size.
- The study could not apply group interviews for both political and administrative respondents. For political respondents the study used a group interview, whereas for administrative respondents the study adopted the use of one on one interviews.

5.4 Conclusion

This study focused on understanding how the political and administrative dichotomy in South Africa has impacted on the principle of separation of powers at local government level. Some of the most encountered challenges and issues caused by the political and administrative interface have been brought to discussion, as well as the impact these factors have in the application of the principle of separation of powers. The study used the City of Tshwane Metropolitan Municipality in order to understand the dynamics surrounding the existence, process and application of the principle in the municipality and in a broader context, to the local government sphere.

Therefore, this study has revealed the effects that are associated with the presence of the principle of separation of powers in municipalities. This was through revealing the scramble for power between political and administrative officials, while taking consideration of the political and administrative spheres' differences within the organization. Through this study's analysis, it has been shown how much the political and administrative spheres have experienced enormous strain due to non-adherence to and respect for the principle of separation of powers and in the local government setting. It also appeared that both political and administrative spheres have to be properly trained for the successful implementation of this principle.

Although much legislations have been stationed for the success of the local government sphere, the study has revealed that most issues surrounding corruption, wasteful expenditure and maladministration, are evidence of being influenced by non-adherence to the principle. It is clear enough that South African local government legislations are accurate and precise on the successful application of the principle of separation of powers. However, officials who ought to apply the principle need to be re-aligned with its proper application. Thus, if respect for this principle is not exercised, it is clear that the local government sphere will still has a long way to go in addressing some of the aforementioned issues.

5.5 Recommendations

The recommendations suggested by this study are deemed to be helpful in regard to the application of the principle of separation of powers by both political and administrative spheres. This study, therefore, suggests that the City of Tshwane Metropolitan Municipality analyze and adopt the following recommendations:

- The City of Tshwane Metropolitan Municipality should establish an internal legal structure which will ensure the protection of the existence and application of the principle of separation of powers. This should also be considered in the whole local government sphere.
- On matters that are of paramount importance to the application of the principle of separation of powers where the performance of the municipality could be improved with reference to service delivery; efforts should be made by the political and administrative spheres to collaborate for better and enhanced performance. For the success of the formulation and implementation of policies in the municipality, the political and administrative spheres should consider involving local government specialists in both processes. This will help in having to avoid one sphere invading the other's sphere's jurisdiction.
- There should be development of initiatives that will help build the relationship between all municipal stakeholders.
- It was suggested by some respondents that the delegation of powers be unlimited. However, this study suggests that the delegation of powers should remain limited

to the municipal council, the office of the executive mayor and the office of the city manager. This will still assist in curbing acts which cannot be accounted for by anybody; whereas if power rests in the aforementioned offices, then accountability is made easier.

- In the exercise of oversight, the municipality should consider using standing committees like the Municipal Public Accounts Committee (MPAC) in order to make them more proactive so as to ensure proper oversight and accountability, while also helping the municipal council in carrying out its oversight function.
- For municipality staffing, employment/appointment of officials in integral offices of the municipality in both political and administrative spheres should be through the provision of qualifications and consideration of the selection process.
- Thus, for proper financial management, the municipality should work on improving the procurement and tender allocation processes. These processes should not just include those in power and control of the municipality. However, there should an initiative which will include representatives from the provincial government sphere under the Department of Cooperative Governance and Traditional Affairs (COGTA).
- The Auditor-General should have a strict review of the municipality's budget and allocations of funds for each project per financial year. This will assist in understanding whether funds allocated were accordingly used to meet the stated reasons. Thus, if funds cannot be fairly accounted for, then the office of the Auditor-General should take decisive measures such as placing those in power under prosecution. This has been recently suggested by the South African Local Government Association (SALGA) in the 2019 report.
- Moreover, the South African Local Government Association (SALGA) should work on curbing political interference in administrative business within the municipality, for such impedes the function of the administrative sphere.
- On matters of generating municipal revenue, the privatization of some municipal services should be avoided since that takes away the power of ownership from the municipality, when such power belongs to the local communities of the municipality.

- The legal division of the municipality should work on, or draft new laws which will ensure and improve ethical conduct in the whole organization. This should not only be limited to that, but to also, punish those liable for the practice of improper conduct.

5.4 Future Research

This study suggests that future research in the analysis of the principle of separation of powers be conducted on the following:

- To analyze the effects and applicability of the principle of separation of powers between the three arms of government, namely; legislature, executive and judiciary. This will help understand the current trends associated with allegations of state capture in South Africa.
- Further analysis should focus on scrutinizing the principle of separation of powers between the national government, provincial governments and the department of Cooperate Governance and Traditional Affairs (COGTA).
- To analyze how the principle of separation of powers affects financial management in public institutions such South African national departments e.g. Department of Public Works, as per the Public Finance Management Act (PFMA).
- To analyze the effects surrounding the principle of separation of powers between the office of the Public Protector and State President in decision-making. This is with regard to understanding the relationship of these offices in ensuring justice in the country, particularly associated with misconduct of public officials while trying to ensure good governance and law enforcement.

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Appendices

Appendix: A (permission letter)



City Strategy and Organizational Performance

Room: GSP22 | Ground Floor, West Wing, Block D | Tshwane House | 329 Marisa Street | Pretoria | 0002 | PO Box 440 | Pretoria | 0001
Tel: 012 358 7423/0798
Email: Nesiphoh@tshwane.gov.za | www.tshwane.gov.za | www.facebook.com/CityOfTshwane

My ref: **Research Permission/Vilakazi.A**
Contact person: **Pearl Maponya**
Section/Unit: **Knowledge Management**

Tel: 012 358 4559
Email: PearlMap3@tshwane.gov.za
Date: 23 October 2019

Mr Ashia S. Vilakazi
1007 Ext 4
Tembisa
1832

Dear Mr Vilakazi,


RE: NAVIGATING THROUGH THE POLITICAL AND ADMINISTRATIVE DICHOTOMY IN SOUTH AFRICA: ANALYSIS OF THE PRINCIPLE OF SEPARATION OF POWERS IN THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY

Permission is hereby granted to Ashia Sihle Vilakazi, a Master of Public Administration degree candidate from the University of Zululand, to conduct research in the City of Tshwane Metropolitan Municipality.

It is noted that the study aims to get an understanding of how political and administrative dichotomy affects the principle of separation of powers at the City of Tshwane Metropolitan Municipality. City of Tshwane further notes that all ethical aspects of the research will be covered within the provisions of the University of Zululand Research Ethics Policy. You will be required to sign a confidentiality agreement form with the City of Tshwane prior to conducting research.

Relevant information required for the purpose of the research project will be made available as per applicable laws and regulations. The City of Tshwane is not liable to cover the costs of the research. Upon completion of the research study, it would be appreciated that the findings in the form of a report and or presentation be shared with the City of Tshwane.

Yours faithfully,


PEARL MAPONYA (Ms.)
DIRECTOR | KNOWLEDGE MANAGEMENT

City Strategy and Organizational Performance • Studstrategie en Organisasieprestasie • Letšapha la Thulaganyo ya Tiro le Tugumano ya Toropokgale • UmNyango wezaaSebenza namisQingha nHlebelo kaMasipala • Kgoro ya Ienqenqanyi la Toropokgale le Rodi agatsi leja Mzantsipala • Mhahaho wa Vhupulani ka Duroho lilelwane na Mhahaho • Ndzawulo ya Maqhinga ya Durobelule na Malibele ya Masipala • Umnyango Wezeqhinga Ledolobha Nalusebenza Kwesikhungu

Appendix: B (ethical clearance certificate)



ETHICAL CLEARANCE CERTIFICATE

Certificate Number	UZREC 171110-030 PGM 2019/44		
Project Title	Navigating through the political and Administrative dichotomy in South Africa: Analysis of the principle of separation of power in The City of Tshwane Metropolitan Municipality		
Principal Researcher/ Investigator	Sihle Ashia Vilakazi		
Supervisor and Co-supervisor	Dr T.C Adenba		
Department	Public Administration		
Faculty	Commerce, Administration and Law		
Type of Risk	Med Risk – Data collection from people		
Nature of Project	Honours/4 th Year	Master's	Doctoral
			Departmental

The University of Zululand's Research Ethics Committee (UZREC) hereby gives ethical approval in respect of the undertakings contained in the above-mentioned project. The Researcher may therefore commence with data collection as from the date of this Certificate, using the certificate number indicated above.

- Special conditions:**
- (1) This certificate is valid for 1 year from the date of issue.
 - (2) Principal researcher must provide an annual report to the UZREC in the prescribed format (due date-24 September 2020)
 - (3) Principal researcher must submit a report at the end of project in respect of ethical compliance.
 - (4) The UZREC must be informed immediately of any material change in the conditions or undertakings mentioned in the documents that were presented to the meeting.

The UZREC wishes the researcher well in conducting research.


Professor Gideon De Wet
 Chairperson: University Research Ethics Committee
 Deputy Vice-Chancellor: Research & Innovation

CHAIRPERSON
 UNIVERSITY OF ZULULAND RESEARCH
 ETHICS COMMITTEE (UZREC)
 REG NO: UZREC 171110-030
 27-11-2019
RESEARCH & INNOVATION OFFICE

27 November 2019

Appendix: C (semi-structured questionnaire)

- 1.** How is the relationship between the political and administrative sphere in the City of Tshwane Metropolitan Municipality?
- 2.** Considering the principle of separation of powers, does it exist the political and administrative spheres according to the local government setting as compared to the three arms of government?
- 3.** What are the main arguments resonating from the notion of political and administrative sphere in the City of Tshwane Metropolitan Municipality?
- 4.** Is there practice of principle of separation of powers with regard to the everyday functionality of the City of Tshwane Metropolitan Municipality?
- 5.** What makes politics and administration separable or inseparable?
- 6.** Is it possible that the principle of separation of powers be jettison in the City of Tshwane Metropolitan Municipality? If so then which sphere is to blame, political or administrative sphere?
- 7.** Has the principle of separation of powers been beneficial since its emergence and application in the City of Tshwane Metropolitan Municipality?
- 8.** In the relationship of stakeholders of the municipality, is the principle of separation of powers adhered to?
- 9.** Can the rationale of running the City of Tshwane Metropolitan Municipality as a business entity be relevant and beneficial in a public institution responsible for public service?
- 10.** Are there any disadvantages caused by the principle of separation of powers in the City of Tshwane Metropolitan Municipality and what measures can be taken to resolve them?
- 11.** How does political and administrative dichotomy affect the service delivery of the City of Tshwane Metropolitan Municipality?