Community Protest: Local Government Perceptions
Foreword

Foreword by the Chairperson of the National Executive Committee of SALGA

The marking of the 15th anniversary of democratic local government in South Africa has allowed us to look back on the achievements of local government in building a developmental local government. While there has been significant progress in the sector in building and capacitating institutions, there remain some significant challenges in governance that cut across all spheres of government. Part of the Constitutionally mandated purpose of Local Government is to improve the public’s involvement in the affairs of Local Government. This is only a viable mandate if all other spheres respect the institutions and processes of the Local Government sector.

Local Government has been at the forefront of service delivery, and it is the site where policy and governance structures meet communities. Many Local Government departments have embraced innovative ways of addressing the social issues that give rise to protest. Early warning systems in Johannesburg’s parks created by City Parks and Zoos have created a safer environment in the City’s open spaces while public works programmes that employ youths contribute to alleviating the harsh poverty that brings about protest.

Coordinated support from all spheres of government to the work of Local Government will contribute to building a better society, a better system of governance and a better system of service delivery. Back to Basics is the avenue that we will pursue, as a sector, towards attaining the developmental objectives of the National Development Plan.

Cllr Thabo Manyoni
Foreword by the Chief Executive Officer of SALGA

Protest activity is of great concern to the Local Government sector. While protest may occur for any reason, it still occurs in a local municipal space, and often at a cost to Local Government. The disruptive nature of the protest is costly to municipalities in that we are now starting to see how protest actions disrupt Local Government business. Planning cycles, business plans and budget expenditure in sector departments have been affected through the destructive and violent nature of protest.

While the Local Government sector supports the right of communities to protest, the destruction of public property is of great concern. When infrastructure is destroyed, Local Government must bear the costs of repairing or replacing it, consuming resources that would best be expended in building on existing service delivery gains.

While a significant number of protests are related to basic service access, the environments in which services are delivered are sometimes beyond the control of local government. Droughts affects water supply. Water policy and major water storage infrastructure building is beyond the control of Local Government, as is the behavior of consumers. Migration creates pressure on infrastructure while rendering other infrastructure obsolete before its lifespan has been reached. Migration is a tributary to the uncontrolled expansion of informal settlements. In urban environments, citizens living in informal settlements have a right to services but if they are not planned for or illegally occupy land, costly legal and practical complications arise for Local Government in provisioning these communities with services.

It is clear that community protests are not singular issue problems with rapid solutions. Many issues are structural, inherited from the past, or created through the way in which services are delivered, how resources are allocated and the variable capacity of Local Government structures across the country. The relationship between protest and unintended policy outcomes may also require further exploration on a sector by sector basis to build up a more accurate narrative of the relationships between policy and protest service delivery bottlenecks. This report unearths some of the concerns raised by Local Government and puts these issues on the agenda for further discussion.

Mr Xolile George
Acknowledgements

SALGA would like to extend its thanks to all the officials from the provinces (Gauteng, Limpopo, Western Cape and Mpumalanga) who graciously gave of their time to be interviewed for this study. Appreciation is also extended to all the officials from all provinces who took the time to complete the survey.

Further gratitude is extended to all SALGA’s National and Provincial staff who contributed to the interview process in their invaluable ways. In this, the Head of Special Projects and the OCEO are thanked for their hands on involvement in this project. The Governance and Intergovernmental Relations Directorate is acknowledged as a significant contributor to the processes of this study and thanked accordingly. The members of the Review Committee and from the Steering Committee, which was drawn from all SALGA’s directorates, are also thanked for their contributions in suggesting improvement, editorial comment and support in the dissemination. The participants from all the state departments, chapter nine institutions and civil society who attended the initializing roundtable are also thanked as their insights and contributions were most appreciated.
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<td>ESKOM</td>
<td>Electricity Supply Commission</td>
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<td>GDP</td>
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<td>IDP</td>
<td>Integrated Development Plan</td>
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<td>IRIS</td>
<td>Incident Registration Information System</td>
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<td>ISS</td>
<td>Institute for Security Studies</td>
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<td>KZN</td>
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<td>kWh</td>
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<td>MB</td>
<td>Municipal Barometer</td>
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Executive Summary

Introduction

In 2010, the South African Local Government Association (SALGA) conducted a study that surveyed its members to determine what local government thought about community protests. This study is a continuation of the 2010 study and emerges from questions raised by the Municipal Barometer, a database SALGA has developed to assist local government planners and decision-makers. The Municipal Barometer demonstrates that government services in general have been improving, yet media reports suggest that there has been an intensification of protest action. The previous study found that community protest had a limited relationship to demanding service delivery. Communities in areas where service delivery was robust demonstrated a heightened willingness to protest.

In areas where there was low levels of service delivery, community protests around services were relationally lower. The current study examines community protest action from 2010 to 2015 and aims to update the perceptions local government has of protest action to determine if local government views of protest action are changing to accommodate new social and political realities. This study focuses on high protest districts in order to understand some of the complexities confronting municipalities who are beset by frequent community protests. Based on the uncovered issues, it is suggested that methods of mitigating the violence of protest should be explored.

Background

South Africa has a historical experience of protest action directed at the state. While the political context has changed, the social context has not. The prior study (SALGA Perception Survey on “Service Delivery” Protests, 2010) demonstrated that the dominant perceptions local government has of community motivations for protest include political infighting, corruption and access to services. The study discovered that “protesters raised numerous genuine concerns that municipalities must address urgently. However, the research suggested that there are far more issues causing protests than lack of service delivery by municipalities. The study pointed out that there were more protests in areas where significant progress in delivering services has been made than in areas where significant backlogs still existed such as rural areas (e.g. Kynsna and Bitou in the WC and Mbhashe and Msinga in KZN.)”

Current views of protest action describe protest as a ‘revolt of the poor’ (Alexander, et al 2015) or a result of a state-led project that disrespects the capacities of the poor to be a part of their own development (Friedman, SALGA Roundtable 2015). In some instances, deteriorating economic conditions correlate to protest action. However, protest is a complex phenomenon that interplays with historical political legacies, cultures of violence, corruption, lived experiences of poverty that create dependency on the state for improvements to living conditions, communication effectiveness between local government and communities, migration, planning, power struggles and multi-faceted contestations over how state resources are expended.

While local government has a Constitutional and legislative mandate to facilitate community participation and to create fertile conditions for community engagement, protests are part of the public’s right to demonstrate dissent and express objections to existing policy decisions and resource distribution patterns. In terms of the Gatherings Act (205 of 1993), communities are required to express their intent to conduct orderly and regulated protest in advance with local councils and police services. When communication channels between communities and local authorities are perceived to be closed or unresponsive to community need, protest action becomes an avenue of engagement.
However, many of the motivations for community protest action are unrelated to local government mandates. In addition, service delivery and municipal capacity are not predictors of protest action. The prior SALGA study on community protest (2009) found that where services are at a high level of access and quality, protest action tended to be high. This was true of all metropolitan municipalities and in some secondary cities in North West, Northern Cape and Limpopo. In municipalities where services and municipal capacity are low, there was a trend for protest action to be low. This was particularly true in KwaZulu-Natal. However, evidence from Incident Registry Information System (IRIS), the Public Order Policing’s database on public gatherings, and the PLAAS hotspots monitor demonstrate that where there is both incapacity and low delivery on average, protest has escalated since the implementation of the prior study. Metropolitan municipalities are no longer the sole hotbeds of protest action with local municipalities surpassing metropolitan municipalities in protest frequency and rural communities growing increasingly restive.

Methodology

This is a descriptive and longitudinal exploratory methodology that examines community protest incidences from 2010 to 2015. The study adopts an exploratory methodology that assembles data rapidly in order to diagnose issues giving rise to protest without interrogating the issues in detail.

SALGA hosted a roundtable with well recognized institutions in the area of community protest action. The roundtable included representation from the University of Johannesburg, the Human Sciences Research Council, the South African Human Rights Commission, the Institute for Security Studies, the Department of Human Settlements. The outputs of the discussion were used to enrich the data analysis and validate the issues identified in the literature review.

The literature review examined the dominant sociological perceptions of community protest and built on the findings of the roundtable discussion. Key informant interviews with 18 executive and administrative personnel mostly Municipal Managers and some senior managers, provided survey description. A survey questionnaire was sent to municipal managers in the country’s districts municipalities most affected by community protest. The survey questionnaire (N=122) measured local government perceptions of public motivation, groups perceived most likely to protest, perceptions of protest action and remedial action. The quantitative outputs from the survey were compared against the qualitative inputs derived from the key informant interviews with executive and administrative local government personnel.

Findings

In the 2009 to 2013 period, the IRIS database claims that of all crowd incidences, 10.8% or 4493 of these were protest actions attributed to local service delivery. An additional 1.2%, or 520 incidences, were related to community dissatisfaction with representation. If we assume that the 11% national average (provincial shares of unrest incidences) of all crowd incidences that become classified as unrest can be generalized to all protest motivation categories, then 494 of all 4494 service delivery motivated protests could be arguably identified as unrest incidences. In this, an unrest incident would be one in which the police are called in to restore order. Data sources (Alexander, Runciman and Maruping, 2015; ISS, 2015) for the 2010 to 2015 period indicate protest related to service delivery has increased from 10 in 2010 to 191 in 2014 declining to 129 in 2015. Violence has escalated in tandem with community protest action with the destruction of private property and infrastructure increasing and widening into generalized protest action norms.

Most of the interviewees communicated that the protest action witnessed is not primarily directed at local government. In such instances where protest was directed at local government in service delivery related issues, there was no prior notification of protest in nearly 40% of perceived protest cases. Public participation was seen as in need of strengthening by 61% of all the responding personnel. Consultative processes at
various levels were not extending into ward structures giving rise to information asymmetries between
councils and communities. In some instances, councillors were not part of the feedback loop to either
councils or communities, which speaks to a need for additional ward committee information and quality
inputs, such as community development workers, and specific councillor training. Youth unemployment
that creates high levels of free basic service dependency, uncoordinated line and sector departments
were seen as major challenges to local government’s ability to continue delivering services. Funding was
also seen to be an issue, given the high rates of free basic services dependency in many municipalities,
particularly the rural municipalities.

Recommendations

Local Level Recommendations

• Municipalities need to be assisted to improve debt collection systems to ensure that private individuals,
  private businesses and government departments pay their fair share of service delivery costs.
• Proactively identify issues by means of an early warning system that give rise to community protest
  action and use CDWs and Councillors to communicate with communities what is being done.
• Improve public consultation and communication processes so that communities are engaged in their
  own development.
• Active planning for migration in the IDP must occur through a mainstreamed approach. This will enable
  local government to address the issues generated by unplanned settlements more effectively by
  tracking settlements in order to accurately predict where services are most likely to be needed In
  future.
• Densification strategies should be actively pursued through urban planning instruments to ensure that
  an economy of scale is attained in service provision. This would assist in lowering the costs of providing
  services to communities, enabling more people to be reached.
• The current model of free basic services must be assessed for affordability and sustainability. It may
  even be the case that cross-subsidisation models would be served by qualifying access to the free
  basic services.
• In order to assist local government to enhance Local Economic Development activities, tools enabling
  local government to identify and analyse economic growth points and to attract investment to fund
  job creation may be developed on the strength of existing or additional local economic development
  maturity assessments.

National Level Recommendations

• A framework needs to be developed for protest action outside of the Gatherings Act that provides a
  method encouraging of proactive redress from all spheres of government.
• Local government participation structures must be the primary structures through which redress
  activities occur. National and Provincial spheres of government must assist to build capacity in public
  participation structures at the local level, contribute to improvements in coordination between spheres
  of government and ensure that all spheres of government are accessible to grassroots.
• Additional resources should be channelled into local government to enable it to perform its service
  delivery mandates in accordance with the subsidiarity principle.
Recommendations for SALGA

- A Barometer to Monitor Community Protests should be developed either by SALGA or in partnership with other Stakeholders.
- A toolkit to assist members to deal with community protests, particularly illegal protests that fall outside of the Gatherings Act framework, should be developed.
- More research must be undertaken to determine the causes of unnatural attrition among councillors.

Hypothesis Identification

In the identification of possible hypotheses, it is hoped that these items may guide the research agenda for practitioners interested in supporting local government and the SALGA developmental mandate. The purpose of these hypotheses is to identify the best practices required to bring about a reduction in protest actions and improve developmental outcomes of the National Development Plan.

Hypothesis 1: Improved intergovernmental coordination of shared services could contribute to reducing community protest frequency.

Hypothesis 2: Local government requires strategic and substantive improvements to its public participation process to reduce the incidences of community protest.

Hypothesis 3: Social cohesion activities will reduce the level of community protest.

Hypothesis 4: Low cost and high impact changes to the way local government works and delivers infrastructure and services can reduce protest.

Hypothesis 5: Innovation in planning and data availability will improve local government outputs and contribute to the reduction of community protest.

Hypothesis 6: Domesticated resource mobilization strategies embedded into IDP documents and municipal strategies will improve developmental outcomes and assist to reduce protest incidents.

Hypothesis 7: Local Economic Development strategies, if tied to resource mobilization strategies and human development system outcomes, can be an effective vehicle of youth job creation and protest reduction.

Hypothesis 8: More identifiable relational and improved fiscal resources available to local government and innovations in local government resource utilisation will reduce protest.

Hypothesis 9: Densification strategies can reduce competition for land thereby contributing to a reduction of protest action.

Hypothesis 10: Accountability and public participation suffer when national and provincial government projects exclude local government.

Hypothesis 11: Violent and disruptive community protest costs municipalities a significant amount of resources that would be better spent driving service delivery.

Hypothesis 12: The better integration of districts into the work of their local municipalities will improve coordinated service delivery.
1. Introduction

Protest actions, no matter the source of the grievance, occur within municipal spaces. Municipalities bear the overwhelming consequence of these protest actions, ranging from damage to infrastructure and public amenities to diminished public perceptions of local government effectiveness. While local government does face some significant challenges, the extent to which local government is directly responsible for motivating community protest action is an unsure determination. Often, important community issues driving community protest are neither related to local government nor its mandates, as it is the case in issues of housing.

Protest activity has been a feature of the South African political landscape for decades. Challenges have arisen in classifying protest according to frequency and motive. This is due to the many methodologically unstandardized ways data is collected, coded and classified. As a result, many protest tracking studies examine newspaper reports of protests to form profiles of service delivery and community protest frequencies and motives do not collectively contribute to a broader understanding of community protests and their relationship to service delivery. Similarly, not all peaceful protests or their motives are reported in the media or are decisively linked to the reported motivations and issues. Violent protests are more newsworthy so an impression is created of escalating trends in violence accompanying protest action even though the data is not reliable enough for robust inferences to be made.

Though the identified trends might be correct at a broader scale, relational intensity and motivation may be an area of contestation. There may be a tendency to overestimate the extent of violent protest and misattribute motives for protest. These limitations notwithstanding, this paper looks at the possible explanations, the frequency, distribution and motivations of protest action using the IRIS database generated by the Public Order Policing Unit. Data from (Alexander, Runciman and Maruping, 2015; ISS, 2015) source and service delivery protest data from private sources and research institutions will allow for a picture to be built of trends in community protest. These identified trends and local government perceptions of the protest arenas are examined through the analysis channels of types of protest action, motivations for protest actions at capacity and service delivery levels, the dominant actors involved in protest and possible remedial actions.

2. Background

2.1 Defining protest and related terms

The dictionary definition of protest as a noun is described as, “an expression or declaration of objection, disapproval or dissent, often in opposition to something a person is powerless to prevent or avoid (Dictionary.com).” According to this particular definition, one may infer that protest is driven by a claim to a capacity or power from a position of relational powerlessness.

The Public Gatherings Act (205 of 1993) stipulates the conditions under which any public gathering may occur. A gathering is defined as an aggregation of ‘15 or more persons on a public road or any public space’. It is this definition that allows us to apportion a description to protest action, no matter how problematic that definition appears. For the purposes of this study, a protest is therefore described as ‘a public gathering which is convened for the purposes of declaring an objection or expressing dissent.’ This definition is further limited to public gatherings convened for the purposes of expressing dissent over the pace and quality of service delivery.
2.2 Public Participation

One of the 5 mandates of local government is to promote public participation. In terms of the Municipal Systems Act (MSA) (32 of 2000), municipalities are legally obliged to encourage and create conditions for community participation. Principally, local communities are to be encouraged to participate in the affairs of local government, particularly in the planning of service delivery, performance management review, budget preparation and strategic service delivery decisions of local government. The primary document that bears witness to community participation levels is the Integrated Development Plan (IDP). The MSA injunctions to promote community driven development are conditioned by the Intergovernmental Relations Frameworks Act (13 of 2005) and amendments to the Public Service Act (13 of 2005). These legislations enable government to set developmental goals from a national level and exercise supervision from the provincial level.

Participatory channels in the IDP formulation process include; ward councils, elected representative councillors and IDP representative fora. Existing structures at the local level include various consultative processes in IDP fora and ward committees as well as innovative methods of communication which include short text message services, smart phone applications and e-governance. These methods are guided by section 156 of the Constitution which places the onus on local government to ensure that local communities are consulted and engaged in development. However, most people still rely on physical meetings and interactions with councilors and officials to effect such ends. When these physical structures fail to meet community expectations, protest action is an extra-institutional avenue for continued engagement (Nyalunga, 2006). Participation channels in local planning processes are illustrated in the diagram below.

FIGURE: Organisational Structure of Local IDP Planning Process

Source: Adapted from IDP Process Review (2012)
Communities are represented in ward committees and in the IDP representative forum. All of the structures feed into the IDP technical committees through the representative forum and the stakeholder structures into the council.

The functionality of these structures notwithstanding, protests, or public gatherings and assemblies, are a constitutionally recognized form of communication between government and citizens. Within developmental paradigms, people-centred development is taken to allow for protest action to challenge political and administrative decisions and redirect government action and resources (Mottiar and Bond, 2011). However, the legal conditions under which protest occurs are legislatively prescribed.

### 2.3 Legal Conditions of Public Gatherings and Protest

The Regulation of Gatherings Act (205 of 1993) acknowledges the rights to assemble in public and to express views in a public forum. This is limited by the rights of others. While promoting the responsible use of rights, the Gatherings Act prescribes the conditions under which public gatherings for the purposes of protest may occur. Protests are assumed to be orderly affairs that are planned and regulated.

Protestors are marshalled by a convenor of the protest. The convenor is required to provide a written notice expressing an intention to gather seven days prior to the planned event. If notice is provided less than 48 hours prior to the gathering, the officers responsible for granting the authority to assemble may decline the application. The written notice must contain details of the protest. These details are summarised below.

- **i) The purpose of the gathering.**
- **ii) The time, date, place and planned duration of the gathering.**
- **iii) The anticipated number of participants.**
- **iv) The number and names of the marshals.**
- **v) The ways in which the marshals will be distinguished from the rest of the participants.**
- **vi) The commencement and termination point of the route of the procession.**
- **vii) The time from which assembly is to occur.**
- **viii) The mode of transportation to and from the place of assembly.**
- **ix) The number and type of vehicles used in the assembly.**
- **x) If a petition is to be handed over to any person, the place where and the person to whom it is to be handed over.**

It requires a fair amount of knowledge of law, regulations and procedure to comply with the legal criteria of a lawful public gathering. Under this definition, the characterisation of protest is further explored in order to attribute a degree of comprehension on why communities may opt to protest rather than participate in formal channels created in local government community engagement processes and through planning and accountability fora, such as IDP community consultations and ward committees.

### 2.4 Explaining the protest

In trying to understand protest, an explanation of the protest needs to be attempted to locate protest in a human agency or an institutional milieu. An explanation for protest that appears to be strong in some quarters ascribes the demand for a respect for agency to be behind many protests aimed at government services.
Friedman claims that, "...as long as we understand popular protests as demands for “service delivery”, we will continue to make the government the master, not the servant, and we will continue to treat grassroots citizens as people fit only to receive the products devised by their betters, not as thinking and choosing human beings" (Defenceweb, 2010) This asks us to infer what we mean by service delivery and the nature of protest from existing theories doing the circuits. Some theories are exclusively rooted in class, some in the human agency of democracy and others in economic progress.

Some class-based theories are credible as they rest on group dynamics. Alexander (2010) has termed protest a ‘revolt of the poor’. Under his explanation of protest, the poor are growing progressively weary of electoral promises and their living conditions not improving. Zwelinzima Vavi, a prominent trade unionist, has described this general revolt as a “ring of fire” forming around urban-industrial centres (Daily Maverick, 2012). This description attributes labour unrest as a dominant source of protest action and locates the cause of protest firmly in a class struggle paradigm. Ngwane (2014) claims that the working class have not seen significant improvements to their living conditions and are prone to labour-specific protest. The unemployed use protest in the same way the working class use strikes, and for the same reason, to see improvements to living conditions.

Friedman (Defenceweb, 2010) has described protest as a general dissatisfaction with the services provided by government and has claimed that putting the ‘service’ back into service delivery would go some way in appeasing restive communities. This view calls for respecting the human agency of communities by allowing them more substantive inputs into what services are delivered and how. Afrobarometer-derived papers take a generous view of protest action and extend on Friedman’s view that a disrespect for human agency drives a substantial component of the protest. Bratton and Sibanyoni (2006) claim that the relationship between service delivery and protest is due to councils not communicating with communities. Their study, operating off the assumption that protest is a democratic right that promotes communicative potential between citizens and state, found a firm and fast inverse statistical relationship between protest and council communication. The more councils communicated with communities, the lower the communities’ desire and propensity to protest.

There have often been claims that councils are unresponsive to community grievances and memoranda (Rabkin, F. in Business Day, 13.02.2014). Data emerging from the Afrobarometer supports this contention. Lavery (2012), utilising Afrobarometer data, claims that the willingness to protest is declining with more people claiming to be unwilling to protest over time as protests become more violent and met by public order policing repression. However, people who continue to protest are more likely to have contacted their councillors or government officials, have a greater belief that they are being heard and are more likely than non-protestors and infrequent protestors to use violence to advance their causes. From this account, one can deduce that claims made by Runciman (2015) that protestors target state property to gain the attention of senior government officials and politicians in a trade-off action are consistent with the human agency claims made by Lavery (2012). When communities burn down their clinic, for example, it is in the hope that they will receive a greater benefit from any further engagements with national government. Communities are therefore speaking to government officials through protest, and yelling through disruptive and violent protest. The withdrawal of non-violent protestors from community mobilisations may also be behind the upward trend in violent protest action. It may just be the case that the law-abiding or process-observing people traditionally leading protest action have been displaced by more radical community elements.

A Centre for Violence and Reconciliation study, The Smoke that Calls (2011), advances the contentions of protest as negotiation and local community leadership displacement are supported. Yet this latter conversation is made the more complex by a narrative of local elite competition for local state resources to serve as a basis of accumulation. In this six case study account, local leaders use community protest to undermine each other in order to retain or gain access to the resources of the state. Communities are
somewhat knowingly coopted into these intra-elite struggles in the hope that they will be able to advance their own agendas among these competitive local elite struggles. Depending on one’s position in these local hierarchies, definitions of protest and protestors vary from a democratic right of active citizens to the work of criminals. These relationships influence the relationship between communities and councils.

Much has been made of the relationship between communities and councils, particularly in community pursuit of peaceful protest. Ngwane (2014) claims that many protests should be preceded by an ‘all protocols observed’ poster as much protest emerged from fruitless engagements with council through established structures. The process for lodging complaints was followed but it is perceived to be difficult to protest within the bounds of law. Communities need to obtain permission from council to protest but in instances where communities were dissatisfied with services and had a grievance against their particular council, some councils were perceived to be quick to deny such permissions. Duncan and Royeppen (2013) noted that in Rustenburg, the frequency of declined protests by council was increasing with over half of all protest actions ending in a denial of permission to assemble in the 2011 to 2012 period.

Nembambula (2014) locates protest in deficient public participation norms. He claims that since local government is closest to the people, participation must be placed at the centre of the development agenda, as has been the strategy of the Back to Basics Strategy. Such participation must be allowed to determine the prioritisation of services and to maximise the allocation effectiveness of public capital to service delivery.

However, in a participatory action capacity assessment in Ilembe District (UNFPA/CoGTA: 2014), members from the municipalities made the following claims about their participatory institutional processes:

- Local government legislation is overdesigned and overburdens local government with reporting and compliance activities. Managers spend more time on compliance issues than on driving service delivery.
- Communities are continuously engaged but migrate within the district to municipalities with services, disrupting the planned distributions of infrastructure and services development.
- Communities tend to protest more when prior IDP and public consultations do not deliver on their agreed service delivery targets. In this, the more consultation there was, the more expectations were raised and the more protest occurred.
- As a result of economic and service access driven migration, planning and meeting targets in a process generally acknowledged as cumbersome was disrupting service delivery and rendering some infrastructure obsolete before the expiration of its lifespan and other infrastructure overburdened.

Bedasso (2014) extends the institutional and participation issues to the generic ineffectual machinery of the whole state in addressing socio-economic issues. This institutional failing is linked to economic conditions and escalates direct protest action. In the Bedasso study, protest action has a statistically inverse relationship to GDP growth. The more the economy grew, the less protest occurred.

From an economic vantage point, many communities are unemployed and poor, depending almost exclusively on the state for improvements to their living standards. As a result, this dependency relationship has increased dissatisfaction with services delivered by the state if access levels and quality do not visibly improve. Bedasso (2014) substantiates this perspective and suggests that the strongest predictor of protest action is the ‘unfulfilled expectations’ of income potential many protestors hold. In this material desires might be a corollary to protest action. This is against a backdrop in which the vacillating fortunes of prevailing national and global economic conditions appear to predict and track protest action.
3. Methodology

This descriptive longitudinal study is aimed to collect data on local government perceptions of community protest in the 2010 to 2015 period by means of a literature review, appreciative enquiry guided semi-structured key informant interviews with municipal officials, and an email survey sent to municipal leadership in administrative, representation and financial posts. This assisted to determine the extent to which protests are perceived to be directed at local government structures.

3.1 Research Question

What do local government perceptions of public protest action tell us about the nature, frequency, distribution and motivations of community protests and the relationship of protest to service delivery?

3.2 Study Objectives

The paper explores community protest in the municipalities of selected provinces in the 2010 to 2014 period in order to update the prior study and set the perceptions of institutional and community conditions of participation underlying community protest dynamics.

1. The study mapped out protest activity in two stages. The first stage consists of mapping out the theoretical issues around protest. This includes describing the viewpoints around protest as set out in the background and describing the nature, frequency, distribution and motivations of existing protest. The second stage includes the fieldwork and the email survey. The first stage covers objectives i to iii. The second stage covers sub-objectives iv to v.
   i. Describing the possible analytical frameworks through which protest and violent protest may be understood;
   ii. Describing the nature, frequency, distribution and motivations of protest;
   iii. Inferring the justifiability and nature of the relationship between protest and service delivery;
   iv. Providing key perspectives of local governments’ experience and view of protest action; and
   v. Providing recommendations and possible avenues of further investigation.

3.3 The units of analysis

The primary unit of analysis is the local government structure. Local government responses to survey questionnaires and key informant interviews constituted the modes through which inferences around how local government relates to protest were made.

The secondary units of analysis in this study are the protest actions that have occurred in the country within the 2009 to 2015 timeframe. The channels of analysis for these protest actions include their nature, frequency, distribution and motivation.

3.4 Sample

3.4.1 Sample Rationale

The sample frame emerged from 8 metropolitan municipalities (category A), 226 local municipalities (Category B) and 44 district municipalities (Category C). According to the ISS and PLAAS hotspot identifier
maps, the sampled Metropolitan and district municipalities are those with the highest frequency of protest activity. Municipalities falling into the hotspot areas were targeted for analysis under key informant interviews to inform the descriptive analysis to follow.

### 3.4.2 Sample

Purposive and convenient sampling was used. District municipalities sampled from Gauteng, the Eastern Cape and the Western Cape were prioritised as representative of high protest areas with varying degrees of service delivery proficiency while municipalities from Mpumalanga and Limpopo were purposively selected. Due to the study focus on protest action, the following districts were purposively sampled to provide the key informants that assisted in explaining the quantitative data amassed from the survey.

1) Limpopo: Vhembe District, Mopani District
2) Gauteng: Ekurhuleni, Tshwane, Johannesburg, West Rand District, Sedibeng District.
3) Western Cape: City of Cape Town, Cape Winelands District, Overberg District.
4) Mpumalanga: Gert Sibande District, Ehlanzeni District.

### 3.5 The survey

A survey was emailed to all senior municipal leaders (municipal managers, executive mayors, speakers) in all municipalities within the country. Their employees formed a second catchment level. The channels of analysis have been set by the literature review and the terms of reference of a prior study done by SALGA that attempts to quantify the perceptions of protest identified in the findings from the perspective of SALGA’s members. The themes explored are local government perceptions of protest frequency, motivations for protest, protest actors, descriptions of protest action and remedial actions.

Stratification of respondents occurred by province, district/metro, urban-rural locality and area of business. The primary purpose of the survey was to gather information of significant quantity to support or contradict data emerging from the literature review and key informant interviews.

### 3.6 Interviews

Semi-structured interviews were done with 18 representatives and administrative personnel within district municipalities drawn from the offices of mayors, speakers and municipal managers. A combination of face to face and telephonic interaction methods were used. An appreciative enquiry method was used following the channels of enquiry established in the survey methodology. The themes covered in the face to face interviews included: perceptions of protest actors, frequency and motivations for protest, descriptions of protest action and remedial actions.

### 3.7 Study Limitations

Data used to determine the frequency and motivations of protest may create the impression of cyclical protest. This is a limitation of the existing data as the protest trends extend back into the apartheid era. The study is not representative due to the limitations of the sampling and the survey methodology. As a non-probability sampling method, the sample is not truly representative of the general population and does not eliminate sampling bias. As such, this research is categorized as exploratory and experimental. In the former sense it aims to unearth trends that may be interesting enough to explore through further investigation and in the latter sense, the study does not follow a rigorous sampling method due to the small sample of the population as well as the low levels of control in the survey administration process.
4. Understanding and Contextualising Protest Issues: Preliminary Findings

In light of the theories on the nature of protest, the assessments of their strengths and merits may only be determined if one examines the properties of the protests themselves. In order to do this, the IRIS database was used to determine the frequency and motivation of protest actions. Protests clarified as service delivery protests was contrasted against this general protest data field with data from the Multi-level Governance Initiative based in the University of the Western Cape, PLAAS and Municipal IQ.

4.1 National Summary of Gatherings Frequency

The trend chart below summarises the total number of protests reported in the IRIS police service database over the 1997 to 2013 period. There are some issues with the data as it is captured in a format that allows for multiple motivation reporting for a single incident. In around an average of 31% of the instances, no motivations for unrest and gatherings were identified. The trends identified are unlikely to differ if a complete dataset was used. Only the accuracy of the data would likely improve.

The graphic illustrates peaceful and unrest gatherings. National unrest incidents and total unrest incidents track each other when unrest incidents remain low. The increase in unrest incidents leads the peaceful trend line to diverge from the total number of protests trend line. This occurs in 1998 and significant divergence occurs from 2010 onwards to 2013.

![Frequency of Peaceful and Unrest Protest Incidents (1997 to 2013)](image)

**Source:** IRIS data derived from Alexander, Runciman and Maruping (2015)

The gathering trends at the provincial level follow no apparently visible particular pattern. A deeper analysis on protest action was done at the national macro and micro levels and identified the relationship between economic growth, youthful populations and elevated protest action (Bedasso, 2014).
Trends in Provincial Share of Unrest Incidents (1997 to 2013)

Source: Alexander, Runciman and Maruping (2015)

Local Level Protest Frequency for all Municipalities (January 2004 to September 2015)

Source: Municipal IQ (2015)
Significant aggregations of protests at the local level reveal a definite pattern to the protest. According to PLAAS, it is possible to identify that protests are concentrated around metropolitan areas, significant secondary cities and major towns and in mining areas. In the Western Cape and Eastern Cape, protests are rural in nature but differ in source, namely combinations of poverty and service delivery related issues.

Protest Activity Concentrations (2012)

Source: PLAAS (2013)

Protests in these areas are becoming increasingly violent. This is linked to prior theories of people seeking improved living conditions and believing that public violence attracts attention from important decision-makers. Since 1997, 156,230 crowd incidents have been reported. Of these, unrest incidents have averaged around 10% of the reported incidents. In 5 year intervals from 1999, it is possible to see slight variations in the intensity of unrest nationally. The most violent of these periods has been in the 2009 to 2013 period as 11.67% of all crowd incidents reported by the police services were classed as unrest incidents.
At the local level, evidence indicates that incidences of violence often ensue from protest action, indicating that protests are turning increasingly violent. While there may be some dispute around what is a violent act, the Municipal IQ and the MLGI data suggests that any definition of violence includes the destruction of property and the injury or threat thereof to citizens. The distribution of protest might not capture the geographical relationship between violence and protest in the PLAAS hotspot monitor. Afrobarometer data (South Africa Round 5) describes those who are willing to use violence as being more likely to be from rural areas. This is problematic as most violent protest is apparently occurring in urban contexts and may be linked to migratory patterns.

However, according to studies from the MLGI, it is clear that violence is a growth sector. If this trend is confirmed, it might fit in with one of the theories advanced by Alexander et. al. that suggest communities are increasingly relating to state institutions through violent actions in the belief that this will make them heard by senior decision-makers.
While there is no data to draw a clear linkage between aggregated national and aggregated local level protest motivations, protests at the local level are certainly intensifying over time. Motivations for protests lend some interesting insights into what drives protest.

4.2 National Motivations for Protest

According to the IRIS database, there are around 24 major issues that cause a crowd incident to be registered. Below, the frequency for motivations is captured. Wage and labour incidents dominate the motives for protest. Dissatisfaction with service delivery one of the major issues and registered 4493 incidents in the 2009 to 2013 period.

Source: de Visser (2015)
In the table below, categories are aggregated into thematic areas to reduce the number of motivations and to create a percentage picture of the frequencies above. Labour and wage disputes constitute the overwhelming majority of the public gatherings at 28.5%. Sporting and social events are major contributions to the number of public gatherings at 28.1%. Taken together, labour and wage disputes and sporting and social events constitute 56.6% of all recorded public gatherings and crowd incidents.

Bearing in mind that multiple motivations may be captured for the same event, the chart below over-represents motives of incidents. In around 40% of all instances, crowd events do not have motivations assigned to them. The data is therefore not 100% reliable but does show trends which can be reasonably inferred to be indicative.

### Frequency of Motivations for Public Gatherings (2009 to 2013)

<table>
<thead>
<tr>
<th>Category</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tertiary/campus conflict</td>
<td>387</td>
</tr>
<tr>
<td>Vote</td>
<td>400</td>
</tr>
<tr>
<td>Demand release of suspects</td>
<td>421</td>
</tr>
<tr>
<td>Schools conflict</td>
<td>433</td>
</tr>
<tr>
<td>Political Intolerance</td>
<td>461</td>
</tr>
<tr>
<td>In sympathy with oppressed</td>
<td>503</td>
</tr>
<tr>
<td>Dissatisfied with workers dismissal</td>
<td>520</td>
</tr>
<tr>
<td>Demand resignation of councillors</td>
<td>520</td>
</tr>
<tr>
<td>For/Against bail application</td>
<td>528</td>
</tr>
<tr>
<td>Taxi dispute</td>
<td>590</td>
</tr>
<tr>
<td>Opening ceremony</td>
<td>618</td>
</tr>
<tr>
<td>Funeral</td>
<td>844</td>
</tr>
<tr>
<td>Dissatisfied with housing</td>
<td>849</td>
</tr>
<tr>
<td>Dissatisfied with unemployment</td>
<td>863</td>
</tr>
<tr>
<td>Solidarity</td>
<td>1079</td>
</tr>
<tr>
<td>Imbizo</td>
<td>1223</td>
</tr>
<tr>
<td>Dissatisfied with highcrime rate</td>
<td>1250</td>
</tr>
<tr>
<td>Establishing new organisation</td>
<td>1320</td>
</tr>
<tr>
<td>Election campaign</td>
<td>1670</td>
</tr>
<tr>
<td>Labour dispute</td>
<td>2530</td>
</tr>
<tr>
<td>Sporting Event</td>
<td>3346</td>
</tr>
<tr>
<td>Social event</td>
<td>3997</td>
</tr>
<tr>
<td>Dissatisfied with service delivery</td>
<td>4493</td>
</tr>
<tr>
<td>Demand Wage Increases</td>
<td>7941</td>
</tr>
</tbody>
</table>

*Source: Alexander, Runciman and Maruping derived from IRIS (2015)*
From the data in the chart above, 11.8% of all gatherings have no attributed motivation. However, due to multiple reporting, this 11.8% is closer to 40% of all incidences. Nonetheless, despite this limitation, the top three gatherings motivations are labour and wage disputes (28.5%), social and sporting events (28.1%) and local government related (12%). This latter category is an aggregation of 10.8% service delivery related and 1.2% political representation related motivations.

### 4.3 Motivations for Protest at the Local Level

In the 2009 to 2013 period, the IRIS database claims that of all crowd incidences, 10.8% or 4493 of these were protest actions were attributed to local service delivery related protest actions. An additional 1.2%, or 520 incidences, were related to community dissatisfaction with representation. If we assume that the 11% national average (provincial shares of unrest incidences) of all crowd incidences that become classified as unrest can be generalized to all protest motivation categories, then 494 of all 4494 service delivery motivated protests could be arguably identified as unrest incidences. In this, an unrest incident would be one in which the police are called in to restore order.

The balance of the 4000 protests directed towards local government are typically peaceful and service delivery-based. According to the Multilevel Governance Initiative (MLGI) based in the University of the Western Cape, 5 of the top protest grievances provide some insight into which services are being contested. Land and housing are consistent issues for protestors. Poor service delivery ranks fairly consistently as a significant issue. Water, electricity and sanitation are indeed issues that concern residents. Party political issues and corruption also feature.

**Source:** derived from IRIS data in Alexander, Runciman and Maruping (2015)
Top five motivations for local service delivery protests (2007 to 2012)

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Poor Service Delivery</td>
<td>Land and Housing</td>
<td>Land and Housing</td>
<td>Land and Housing</td>
<td>Electricity</td>
<td>Land and Housing</td>
</tr>
<tr>
<td>2</td>
<td>Land and Housing</td>
<td>Electricity</td>
<td>Poor Service Delivery</td>
<td>Poor Service Delivery</td>
<td>Party Political</td>
<td>Water/Poor Service Delivery</td>
</tr>
<tr>
<td>3</td>
<td>Water</td>
<td>Poor Service Delivery</td>
<td>Corruption/Nepotism</td>
<td>Water</td>
<td>Land and Housing</td>
<td>Electricity</td>
</tr>
<tr>
<td>4</td>
<td>Electricity</td>
<td>Water</td>
<td>Electricity</td>
<td>Electricity</td>
<td>Water</td>
<td>Ignored Grievances</td>
</tr>
</tbody>
</table>

Source: MLGI 2013

In MLGI Study - (2013), a similar profile of issues emerged. The top five issues identified here are consistent with the issues identified by the MLGI. Housing, water, sanitation, electricity are identified by both studies (De Visser (2015), (Alexander, Runciman and Maruping, 2015; ISS, 2015)). However, in the Alexander et al study, political representation was flagged as a top five issue which is also consistent with the national incident reports in IRIS in gatherings driven by dissatisfaction with services mostly provided by local government. Where land was mentioned as an issue in the MLGI study in conjunction with housing, land features in a much weaker sense in the above graphic. The trends are therefore established and consistent across two data sets and the macro trends are consistent with micro trends to a large extent.

Recorded motivations of protest at the local level (2002 to 2013)

Source: Alexander, Runciman and Ngwane (2013)
The IRIS database, its data capturing omissions noted, identifies the top 5 issues over the 2002 to 2013 period being generic service delivery, housing, water and sanitation, representation and electricity. The next five identified issues include corruption at over 5% of all protest motives, municipal administration, roads, demarcation, land and health all under 5% of total crowd incidences.

4.3 Service Delivery Trends

Trends in service delivery are examined by province in the 2002 to 2014 period. In the areas of households enjoying piped water, electricity access and sanitation, provinces are having mixed success in attaining universal access.

4.3.1 Access to Piped Water

In delivering piped water, the Western Cape, Gauteng and Free State are close to achieving universal access. In the Eastern Cape, the most rural province, access to water has consistently improved from around 50% to over 70% in the period.

(Source: Statistics South Africa)

4.3.2 Access to Electricity

As with water, household access to electricity has demonstrably improved and universal access is becoming a reasonable attainment.
Community protest action driven by electricity are usually due to affordability concerns. Prepaid meters have generated protests and illegal connections have burgeoned. Non-payment, illegal connections and all forms of unbilled consumption are the three areas that ESKOM and local municipalities struggle with the most. Western Cape News reported in 2011 that a protest was sparked off when ESKOM sent personnel into Khayelitsha to disconnect illegal connections which annually cost billions of Rands in lost revenue for local municipalities. In 2010, ESKOM lost about R4.4 billion. One of the residents protesting against prepaid meters claimed to have been illegally connected to the electricity grid since 1989. This pattern has been observed in Gauteng, which has the highest rate of electricity theft of all the provinces. This suggests that the culture of civil disobedience and non-payment has been inherited and as a way of life and causes communities to resist state authority when state authority clashes with personal interests, a feature that has been noted in many developing countries (Smith, 2004). In the United States, a developed country, electricity is the third most stolen commodity, after credit card details and cars (Kelly-Detwiler, 2013).

Illegal connections
Some have claimed that energy costs consume much of the resources of the poor (Wolpe and Reddy, 2014). However, there is no indication of who really benefits from illegal connections among the poor, considering the indigent policies that provide a basic level of free electricity of 50 kWh to mitigate energy costs on budgets of poor households. If more electricity is stolen and fewer people pay, the price of electricity goes up, placing electricity even further out of the reach of the poor and forcing more to connect illegally to the grid. This unvirtuous cycle robs municipalities of additional revenue that could be used to maintain electricity infrastructure and subsidise other indigent services. ESKOM and the National Treasury took steps in April 2015 to respectively cut off water and power and withhold equitable shares to 56 municipalities unless the arrears owing were paid. Many communities have successfully withheld payments while still receiving electricity. As a result, municipalities are held accountable for actions they cannot financially support while the poor are losing their free basic services through the partial withholding of the equitable share allocations.

4.2.3 Access to Sanitation

Access to sanitation at an RDP level has improved in the 12 year period under examination. Western Cape and Gauteng are the best performing provinces with universal access possible in the future. Significant improvements have been seen in Free State, Eastern Cape and Mpumalanga.

(Source: Statistics South Africa)
However, as fast as services can be extended, repair and maintenance to address ageing sanitation infrastructure and the existing backlog would cost R50 billion rand. Municipalities were not spending their full capital budgets and what they were spending was not on sewage treatment plant infrastructure or on waste removal pipes. Many municipalities lack skills to deal with sanitation issues and consequently do not maintain or plan for this service (SAHRC, 2014). The findings of the Human Rights Commission’s report (2014) on the standard and of sanitation in South Africa found that:

- Approximately 11% (1.4 million) of households (formal and informal) still have to be provided with sanitation services (these households have never had a government supported sanitation intervention);
- At least 26% (3.8 million) of households within formal areas have sanitation services which do not meet the required standards due to the deterioration of infrastructure caused by lack of technical capacity to ensure effective operation, timeous maintenance, refurbishment and/or upgrading, pit emptying services and/or insufficient water resources.
- Although the un-served population is 11% of the national total, their predominance is in the widely dispersed rural settlements of KwaZulu-Natal, North West and the Eastern Cape. The areas with high levels of infrastructure maintenance needs are located within Limpopo, KwaZulu-Natal, Free State, Mpumalanga, Northern Cape and the Eastern Cape.
- Based on an assessment of the provision of water services, 23 municipalities (9% of the total) were in a crisis state, with an acute risk of disease outbreak; and
- A further 38% were at high risk, with the potential to deteriorate into a state of crisis (SAHRC, 2014).

### 4.2.4 Access to Refuse Removal

Provincially disaggregated data for refuse removal is not available through Statistics SA across the time period in question. Some provinces fare better than others primarily due to their urban character. Rural provinces generally experience more difficulties in servicing household refuse removal requirements. However, nationally, there are incremental improvements to refuse removal.

![National Percentage of Households with Weekly Refuse Removal and Own Dumps (2002-2014)](image)

_Aggregated percentages due to the variation between rural and urban municipalities. Over time, municipal capacity to remove refuse is slowly improving._

(Source: Statistics South Africa)
Service delivery protests seldom occur over refuse removal but it may be that this issue is eclipsed by bigger community issues. A third of households have their own dumps and it is very possible that there is a relationship between people who have not protested over this issue and who manage own their own refuse disposal.

4.2.5 Housing

Around 3 million housing low cost housing units have been built since 1994. Southern African Cities Network (2014) locates the purpose of housing within the elimination of intergenerational poverty by turning public housing into inheritable assets. First time RDP home buyers are not permitted to sell their houses in the first 8 years and the state has first option to purchase the property as these houses are aimed at assisting the poor to enter into the property market and to ascend the ladder of asset accumulation (SACN 2014).

Housing has been attributed with a significant role in generating protest. Housing protests are related to spatial development, land ownership, town planning, socio-economic and infrastructure services. The Department of Human Settlements found in a review of housing delivery policy that there are four issues tied to housing: 1) the cost of the houses for both the beneficiaries and the state, 2) the poor siting of the housing, 3) build quality considerations and 4) low levels of integration with socio-economic and transport amenities. Reconstruction and Development Plan (RDP) housing developments are therefore developmentally sub-optimal (SACN 2014, Qirana 2015).

Coupled to the housing issues, corruption around the allocation of resources earmarked for housing developments can be categorised as state corruption and social corruption. According to Corruption Watch (2014), 54% of all complaints around the state’s allocation of housing come from Gauteng province, where land is most scarce and land demand the highest. The majority of these complaints involve the rigging of tendering and collusion between construction firms, contractors and administrators to inflate costs to aid corrupt state employees embezzle money. This renders housing development slower, as plundered budgets are expended on fewer units, and undermines the fair value of the provided housing through artificial cost inflations.

Given that it is not permitted for an RDP home owner to sell or rent their housing allocation, urban poor survival strategies put them at odds with the law. Social corruption would entail the practice of letting or selling RDP property before the 8 year period has elapsed, and to an actor other than the state. Urban poor have been known to rent their homes and remain in informal settlements. Income derivation from an asset is a survival strategy that is at odds with the intention of the settlement policy’s community empowerment agenda. Social corruption also includes the manipulation of housing lists. There are often reports of housing list tampering by public office bearers who do so to reward supporters. On occasion, the sale of an RDP unit is followed by the seller reapplying for an RDP house (Pillay, 2015; Corruption Watch, 2013; Tolsi, 2013). Urban poor survival strategies, state and social corruption and the inherent issues embedded into the provision of low cost housing coalesce with other complex issues emerging from housing funding models, administrative assumptions of human/community agency and spatial planning issues, all of which contribute to community discontent.

4.2.6 Representation

Community dissatisfaction with their representation from councilors constitutes around ten percent of all local level protests, or two percent of all protests. While this may be a communicative matter, it has been claimed in some studies that communities are more likely to protest when their voices are not heard. The quality of being heard is a contestable item and may differ from geographical area to area. Local communities demonstrate a propensity to destroy councilors’ private property. Cars and houses are regularly targeted by vandals and arsonists among disgruntled communities.
SAPA created a timeline in which it was demonstrated that in the 5 years prior to 2012, 50 local politicians, mostly councilors were either killed or disappeared without a trace. The extent to which councillors or politicians are subject to unnatural attrition has yet to be properly determined through research.

As a result of these dynamics, it is very possible that councilors withdraw their presence from communities if they are under skilled for the post, if they are exercising effective oversight as whistleblowers and being threatened, or if local government’s institutional and communicative machinery cannot back community representatives with information, feedback or delivered services (see for example, Bernado, 2015, SAPA, 2013, Timeslive, 2014).

5. Findings of the Survey and Key Informant Interviews

This section covers the findings of the study and combines the survey results with the key informant interviews. The interviews are used to unpack the survey responses and describe the dynamics of community protest action from the perspective of local government. The survey comprised 121 responses. Of these responses, 71% of all districts and metros combined had at least one response submitted. There was a bias towards rural areas with 58.7% of all responses emerging from predominantly rural areas. 41.3% of respondents identified their municipalities as urban areas. Districts were selected as the primary unit of analysis as it was assumed that districts, as coordinating and planning bodies, would be aware of the dynamics of community protest in their constituents. Metros, comprising more than half of all recorded protest action, were also included in the distribution sample.

**Survey Responses (N = 122)**

<table>
<thead>
<tr>
<th>Description</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>71% of all District Municipalities had at least one response</td>
<td></td>
</tr>
<tr>
<td>41.3% of survey responses were from urban areas</td>
<td></td>
</tr>
<tr>
<td>58.7% of survey responses were from rural areas</td>
<td></td>
</tr>
</tbody>
</table>

The respondents who participated in the survey self-identified in four main categories: municipal and senior managers, who formed nearly 64% of the respondents, political representatives, who comprised 12.4%, finance and auditing who made up 11.6% of the sample, technical services with 5% and 7.4% identifying as other.
The starting point was the protest frequency within the municipalities as seen from district and metro perspectives. In the view of 84.6% of the respondents, protests happened less than 3 times per month. From the interviews, it become clear that communities seldom protest in the view of most.

"Communities seldom protest… [there has been] one community protest in two or three months" – Office of the Exec Mayor

"Protests rarely happen” – Deputy Director of Integrated Planning Services

‘In our area, protest is not happening frequently’ – Municipal Manager

However, the metropolitan municipalities had a different experience of protest action which does not conform to the conventional media reportage. This was exemplified in the following experiences relayed in the interviews:

“I have been dealing with each and every protest…. [there have been] more than 500 in this year.” – Community Liaison Manager

“We have had our fair share of protests but most were centred in the Cape Winelands” – Mayor

“It will happen every two weeks on average [in the city region]" – City Region Director

“[There have been] 40 protests this year alone in our area of Soweto” – City Region Director

The frequency of community protest should not be confused with public gatherings or mass demonstrations. It has been reported that some protest actions comprise more than the legal limit of people on a public road but less people than what would register the event as a serious and reportable case. Protest actions of forty people or less were cited as common.

**Perceived Motivations for Protest**

Based on the discussion group and on the literature surveyed, a list of motivations for protest were compiled with an open ended section for respondents to identify their own localised issues. Under unidentified
causes, none of the respondents marked off their perceptions so this was entirely constructed from the key informant inputs. Due to the multiple response questions, it is not a true reflection of the frequency of protests but instead points to the textured and localised nature of protest issues.

Each of these list items are discussed in turn.

### Other unidentified causes

Respondents in 21.5% of the multiple response cases identified a number of causes as being the source of community protest action. No new issues emerged in the interviews to explain these unidentified causes.
Levels of safety and Security

According to the survey respondents, 19.8% of all community protests were related to safety and security issues which were also raised in the interviews. These issues had to do with murder and looting. In Limpopo, the acting mayor raised the issue of muti murder. “One of the chiefs took part in ritual murder so they ended up burning all his property. In Tshaulu village, they ended up burning the houses of the suspects, so the protests … [are caused by] … ritual murder, and police are not doing their responsibility.” As a result of the perceived ineffectualness of the police in apprehending a suspected murderer, the community took matters into their own hands and destroyed the property of a chief and all the suspected participants of the ritual murder.

In Johannesburg, the looting of a store by youths led to the owner shooting one of the youth dead. The community took over and began a rolling wave of reprisal that saw foreign stores being looted across the East Rand. The manager in the City Manager’s office claimed that a massive wave of civil unrest, “originated in Doornkop where those kids raided a shop and one of the shop owners shot and killed one of them and from there it was just spread. This was not service delivery.” As with the police database, it becomes clear that just because there is a record of public gatherings, one has to attribute motive to each gathering and it does not always result in an attribution towards service delivery issues as a motivation.

Perceived Tender Irregularities

One quarter of the survey respondents attributed protests to tender irregularities yet in the interviews it was not mentioned as a cause of protest action. Community protests generated over perceived tender irregularities is a trend identified in literature but was not identified by the interviewees per se.

Political leadership

There are a number of protests originated by perceived qualities of political leadership. However, in the view of 17.4% of the local government respondents, the quality of leadership is flagged as a potential cause of protest. In some instances, the Executive Mayor said that, “[c]ommunities tell us that they report things to the [political] officials but they tell us they have not gotten any response.” Councillor responsiveness appeared to be an underlying issue. However, it was more common for local government to identify resource competition as the reason for why councillors were perceived not to be leading their communities. Due to resource competition occurring between community leaders competing for a seat on the council, protest was orchestrated to undermine other local elites. This was more common in the metropolitan municipalities. In Gauteng, this was summed up when a senior manager claimed that “[t]he root cause [of protest] is not necessarily service delivery but one person who has specific intelligence who undermines a sitting official.” In the Western Cape, the official was considerably more candid and direct when he said that “[w]ard committee members politick and undermine the sitting councillor so they can get on council and get a salary.”

In representing community needs, political representatives were also seen to be leading protest, particularly when they had relationally low level influence in the local councils. In the Eastern Cape, a director in the Office of the Executive Mayor observed “[T]he protesters are] opposition using the communities’ needs.” Moreover, party politics sidelined councillors in some instances. In the Western Cape, the Mayor said that “[p]olitical parties in all the cases led and organised the marches. Councillors were never on the forefront.” Some interviewees raised the issue of roles and functions with an Acting Mayor in Limpopo claiming that, “the role of the councillor is not to approve a variation order, but if this is happening it raises concerns.” In other cases, councillors were seen to be ineffectual due to the attitudes of other stakeholders. In some districts, the attitude appeared to be that, “[c]ouncillors are not treated as leaders.”
Despite this, in the same district, it was claimed that councillors defended their constituents’ interests. “You find a councillor, when it comes to the IDPs, they always fight with the communities. They bring issues that the communities want to see [to council and the IDP stakeholder fora] but with the limited budgets you will not see one thing in the community”.

Another obstacle to the effectiveness of political leadership also relates to the generally violent nature of South African society as a whole. In the Western Cape, it was claimed that “[t]here were death threats against the municipal manager and the councillors.” There have been a number of instances where the property of councillors has been destroyed in many provinces by disgruntled communities but it is never clear on who drives these acts of vandalism as local dynamics are fluid and differ from place to place.

In terms of improving councillor effectiveness it was claimed in Gauteng that, “[w]hen a ward councillor speaks to their people, the meeting is more constructive when multiple councillors chair.” Councillors then need to speak on behalf of their communities as a collective, presenting a united view of what needs to be done in order to close down the spaces others can use to capitalise on community discontent.

Illegal Connections and Basic Service Delivery

In the survey, 22.4% of the responses identified free basic services as a cause of protest. It was identified in the interviews that many protests commence when the illegal connections are cut. In the metropolitan municipalities, the interviewees said that the causes of protests were largely, “land related, housing and illegal electricity connections.” In specific areas, “protests mostly happen when we conduct operations, when we cut illegal connections in ward 68.”

The fact that there are illegal connections and that people are protesting for basic rights like access to water implies that the free basic service policy will only apply if there is a metered stand to which services can be delivered, monitored and billed. In the absence of a basic criterion, the poorest are penalised by the system that is supposed to be assisting them.

However, if we view illegal land occupants as illegal tenants they become planning problems because that land might not be zoned for services in the current fiscal year or planning cycle. In rural areas, free basic services were not accessed because, “[p]eople are not getting water, it is a fact. The borehole was broken for three weeks... people are fighting for basic things.” Generally, the tension is between what communities want and are entitled to and what is feasible to the municipality in question.

Perceived Corruption

In 38.8% of the respondents’ views, corruption was stated as a concern communities expressed. However, not many of the interviewees mentioned it in their conversations. In one instance, it was a low level concern. “We sometimes receive [community] complaints that there are some officials who are corrupt. Communities do not [generally] complain about this issue. It has not gone that far.” So while corruption was an identified issue, it was not clear what local government thought about it and the effect it was having on service delivery.

Employment Opportunities

Many of the respondents, 42.1%, identified unemployment as a severe issue contributing to protest action. From observations to severe predicted consequences, to impacts of unemployment on local government, unemployment remains a challenge to local government and service delivery. “Many [of the protestors]
are unemployed because these protests happen during the day.” “[Protests are] …due to unemployment and low levels of schooling…”

“So many people are unemployed. Unemployment is driving discontent.”
“[Unemployment] is why when there is a protest, it is sustained for one week or two weeks. People wake up in the morning and see how they can take their protest forward.”

Consistent with the general discussion and the literature review, respondents identified the obvious issue; that youth comprise the vast portion of protest demographics. The obvious source of discontent is a high level of dependence on the state for improvements to quality of life. “[The protest] element is down to job creation – youth are gathering in their numbers.”

“The young unemployed people – you find them wandering around.”

“The Youth are engaged in protest, particularly unemployed youth. There is a great idling due to joblessness…”

As a consequence of unemployment, local government is not deriving a revenue from the people they serve. One obstacle to service delivery was as identified as a lack of resources and high levels of dependency on free basic services. “[the] lack of resources to provide [services because] many are … unemployed.”

In the metropolitan municipalities, public works were seen as a way to create temporary unemployment opportunities for jobless youth. In Johannesburg specifically, through the jozi@work campaign, the city used some of its line departments as ‘quick win’ generators for the municipality by employing youth in low skill jobs, like grass cutting, tree planting, and as park rangers, to alleviate some of the more pernicious effects of joblessness.

**Municipal Demarcation**

Municipal demarcation was only cited as a cause of protest in the view of 5% of the survey respondents, and many of these were from Limpopo. The general understanding was that “[d]emarcation is not a service delivery issue.” However, despite the fact that demarcation is not a service delivery issue in the direct sense, it was thought that, “demarcation has given rise to more protest action.” In the view of some, demarcation was a highly emotive issue for some communities. “Most of the protests are peaceful except for that issue of demarcation.”

In an interview with the mayor, it was mentioned that, “they [the community] were thinking the demarcation task team was behind the incorporation into the Malamulele area…. the house of one of the demarcation task teams was burned [down].” Moreover, it was viewed by the Municipal Manager’s office that, “the demarcation is being fuelled by racial [ethnic] division between Venda and Tsonga peoples. When the Malamulele people were given this municipality, they would have to include the areas where Vendas were settled. These people do not want to fall under Malamulele.” Differences emerge between these communities primarily due to the levels of development experienced, with lesser developed parts of Malamulele comprising Tsonga speakers resisting incorporation with predominantly Venda speaking areas. One of the interviewees questioned why the demarcations were happening as the demographics of the area did not warrant it and it would impact on the functioning of the municipal administration.
Roads and Maintenance

Extending and maintaining road systems was identified by nearly 40% of the respondents as a cause of protest action. In relation to other responses, this was fairly high and might be due to the rural bias of the replies. However, repairs and maintenance to the roads appeared to be an urban concern while developing and resurfacing roads corresponded to rurally based responses.

In Johannesburg, a political representative said that the cause of community discontent was the lack of repair work to the roads but instead of protesting, people in those areas used the courts. It was claimed that political interference in the allocation of resources to repairs was behind the maintenance backlog. “Political interference, you would find that in ward 1 and 7 there is an area … there has been no work done on the retarring of the roads. Those people pay rates and taxes, they should not necessarily be prioritised but those issues have been logged two financial years ago and have not been resolved.”

In rural areas, in Limpopo specifically, the “reasons for protest… [were described as] the main one is the shortage of water, the second is roads.” As a water-stressed province, the second most important issue being identified as roads indicates a concern with the means by which the function is carried out. Roads are split up between national, provincial and local roads. On the roads not being repaired at local level, the concern was raised that the planning of roads was not done in ways that reduced community discontent. The interviewee in this instance said that with regards to roads, “we are not consulted, the department identifies the roads and puts the budget without informing us.” It was also stated that “the provincial department, before they plan which roads to upgrade, they need to consult with communities. The consultation process is not being run. They must not only react after the protest. People must know that the road [in their community] is in the programme is to be targeted in the financial year.”

This points to the issue of different consultation methods being used by different spheres of government, yet local government remains the point of contact between communities and government. As a result, when there is a communication breakdown between any sphere of government, local government becomes the community-state interlocutor and intermediary, a function which is not supposed to be left with local government alone, unless the consultative structures at the local level are utilised by all spheres of government. In instances where roads were incomplete as a result of provincial planning matters, “[community] delegations were sent to us to complain about the incomplete roads.”

Refuse removal

Seldom are protests perceived to be generated by refuse removal items, and less than ten percent (9.6%) of the responses in the multiple selection question identified it. Protests themselves are simply generators of a demand for refuse removal. In the metropolitan and urban areas, it was commonly observed that, “refuse drums were thrown around and waste and refuse [was thrown] all over the place.”

The destruction of property and the accompanying grand scale littering is designed to be disruptive. As a result, the clean-up costs associated with protest littering are borne by local authorities, many of whom do not budget for additional refuse removal. This clean up action is not simply limited to protest action but to the 156 thousand public gatherings that have occurred since the IRIS was initiated in its current form. Protests and gatherings costs to municipal authorities still need to be properly investigated to determine a cost to council average.

Sanitation

Respondents attributed 23.1% of the protests to sanitation concerns. In water stressed parts of the country, water-borne sanitation is a luxury and increasing emphasis is being placed on waterless solutions. While there
have been high profile protests around sanitation, particularly in the Western Cape, amid maintenance backlogs of aging infrastructure and the demand for sanitation, the only relevant claim extracted from the interviews was that, “free sanitation is in the budget.”

Electricity billing

In 19% of the responses, electrical billing was identified as an issue. This issue occurs repeatedly as an issue clustered with other issues, namely land, water, housing and free basic services. This is also tied to municipal financial stability, as much of the debtors book is populated with stale unpaid accounts which municipalities will be very unlikely to recover. Some of the interviewees felt strongly about this issue and claimed that, “I see no point in giving people electricity if they will not pay. New houses are being built and need to be connected to the grid but what is the point if houses are being provided to people who are not able to pay. ESKOM still demands payment from the council.”

Some of the protests, particularly those in Soweto were attributed to vague promises of free electricity made by the ruling party’s representatives many years ago and many protesting community members cited this in the media. The regional director said that, “most of these protests are around electricity and many of them attract a small number of protestors, as little as 25.” In informal settlements, water and electricity, were reported to be the dominant cause of protest. In instances where no payments were forthcoming, the council had to take steps to reduce its liabilities by cutting illegal water and electricity connections. In the metro areas, this sentiment was captured as “[p]rotests mostly happen when we conduct operations when we cut illegal connections.” Access remains an issue still in some wards. In Limpopo it was claimed that, “in Bungeni, people were protesting because they wanted a supply of electricity.” However, another issue was raised around the extension of electricity to infrastructure developments. An interviewee said, “how many times we find a school is being erected and there is no electricity.” This raises the issues of coordination, planning and communication between different spheres of government.

Land

It is clear that access to land as a resource is conditioned by a number of issues ranging from historical claims, migration and settlement and suitability of available land. Much land in urban centres is already occupied and what land is open is usually private, unsuitable for human settlement or has a planned future public use. Across the country, urban or rural, the interviewees explained the 24% they identified as a source of protest as the result of land competition between competing actors and people. In one instance, “there is a new shopping centre coming up on provincial land and that land was earmarked for housing. People began to protest when they saw that.” In another instance, there was a settlement in Roodpoort on private land owned by the mine, which was no doubt not suitable for human habitation. In the case of the settlement on the mine’s property, “when they [the community] were evicted and served with notice, the water was cut and then the protest erupted. Council intervened and supplied water.”

“A lot of those houses you cannot do much with them because they are built in marsh land.”

“In Caledon they had a protest because of awarding land to a church. It was a peaceful demonstration. They gathered at the Municipal Offices and handed over the position to the Mayor and they left their peacefully as well”. Land use and land allocation is a problem in many instances, particularly when proper consultation is not carried out between provincial departments, communities and local authorities. It is hoped that SPLUMA will go a long way in remedying this.
Municipal finances

All protests triggered and attributable to service delivery are essentially around municipal finances and the ability of municipalities to utilise their resources effectively. It was common to hear from district municipalities that the cost of providing services was consuming most of their income.

“In our district we have many indigents so our own budget is grants dependent due to the high level of indigency. We are providing a service which does not attract income.”

“Free basic services... consume most of the budget.”

“Our budget, at least 90% is grants and only 6% is own revenue derived from water. Free basic services... consume most of the budget.”

In other instances, community protest action was inhibiting the ability of line departments to implement their projects. The general manager of JCPZ said that “[w]e have had to put on hold our capex projects because communities want houses rather than parks and it is influencing the timing of capex projects. This has implications on how we spend our budgets.”

The extent to which free basic services is sustainable is illustrated by a regional director in one of the metropolitan municipalities. “The new houses that are being built need to be connected to the grid but what is the point if houses are being provided to people who are not able to pay.” The lack of money available to councils to roll out services also emerged from housing projects which are not coordinated even though different spheres of government provide similar services to that of the metropolitans.

Housing

In 38% of the respondents’ views, housing was a significant issue. It has been used as a catalyst to spark protest by community representatives and opposition parties. One of the interviewees said that, “They [community representatives and opposition party members] mislead people by pretending to have a meeting over (eg) housing and then they make it a political issue and everything that the community is dissatisfied of is revealed.” Often, the housing issue gets taken up with local councils who are mostly not responsible for this function.

It was observed that, “They [most local communities] don’t know who is responsible for what service delivery, like housing.” However, in metropolitan municipalities the issue was more complicated than housing alone. Community resistance to other infrastructure that does not match their priorities lends itself to major disruption of line department business. In Johannesburg, the General Manager for City Parks said that, “[I]n the IDP it is stated that the city needs to develop a park but some communities prefer housing and we [City Parks] have been asked to hold off on developing the parks.”

In other instances, councils were being pressurised by the demand for housing and the uncoordinated way in which housing projects were being implemented. “Housing issues are a major problem. It takes time. Housing developments are funded by council and others by province/national. New housing developments put pressure on infrastructure.” It was also claimed that distant provinces allocating housing created a measure of unfairness at the local level as provinces, “scrutinise applications and determine which applicant qualifies and which one does not. In the final analysis, there are people who are getting houses, which was determined by an application form, people who are more deserving are not getting houses.”
The principle that was identified here was that of decentralisation of the housing function. One of the principle divers of protest was the criteria used in the allocation of houses. It was claimed that, “the process was fair when local government led this process. The current process does not work. Destitute people are not getting houses while the more better off are.”

Decentralisation was also seen as a local government objective in human settlements. The main issue here being accountability. Since most communities are unaware of where housing services originate, they target local government when issues arise from housing developments. In Johannesburg, it was claimed that, “they [province] come up with housing but overlook local government in planning but after the implementation the problems come to local government.”

This was exemplified “in the case of Bramfischerville – a lot of those houses you cannot do much with them because they are built in marsh land. The foundations are crumbling and people get sick. It is also a dolomitic area which affects the stability of the ground. The only solution is to bulldoze houses and start again. This provincial project gets handed over to local government and local government must deal with the aftereffects.”

New housing developments were also a bone of contention among communities themselves. “People were complaining about housing. Some of them did not want to be moved to Pennyville and wanted to stay [where they were].” Opposition parties and community activists were identified as having a habit of calling a housing meeting and then mixing their issues. This was only possible when local leaders are aware of how important housing was to local communities and who then use this priority to establish their own agendas amid a general dissatisfaction over housing.

**Housing Lists**

In the view of 16.5% of respondents, housing lists were a source of grievance. If one assumes a rational and orderly list that caters to citizens on a first come first serve basis, then there may be something wrong in the maintenance of the housing lists. While this did not appear in the interviews as a major concern, a regional director from Johannesburg claimed that the “work on housing will never be done, communities rent houses to foreigners and then complain that the outsiders are getting advantage.”

This may have had the effect of rendering the housing lists as illegitimate in the eyes of communities, leading to the high level of disaffection around housing issues manifesting through protest. In the view of the respondents, 54.5% of them have identified housing related issues as the root cause of community protests.

**Communication between council and communities**

Communication is perhaps the most dynamic cause of direct action among communities and attracted 33.9% of survey responses as a cause for community protest action. In an illustrative case, the Executive Mayor said that, “we have a communication breakdown, when people go to the street to stage a protest, the ward councillor would be aware. The councillor must take the information to the municipality. If the issue is beyond the competency of local government, they must relate the information to the relevant authority to prevent the protest action. The other thing is feedback to the community.” The degree of proactivity the council could exert was directly related to how effectively community representatives functioned. Informed communities were far more likely to understand than uninformed ones. One interviewee said the solution to protest resides in, “keep[ing] communities informed. People are not expecting miracles overnight. After a particular period of time, [they should be informed] this is how the process would unfold.”
In some areas it was stated that, “the ward councillor does not bring that information to the district. The people do not get the feedback on the progress. People then say they will take steps. The district is not aware that the community had a problem.”

Apart from a breakdown in communication between local and district municipalities, provinces and local municipalities experience communication failures as well. “If the roads department could consult the people, it will be an informed process. Currently they just do things on their own.”

Communication is a complex issue that can be resolved simply by viewing service delivery as more than a formal planning exercise. Placing local government at the centre of service delivery planning as a communication hub may do more to synergise service delivery and coordination than any other intervention.

**Low levels of formal community participation**

Community participation is a central theme of protest activity. The primary reason is identified as, “the lack of information and knowledge of the community. They don’t know who is responsible for what service delivery, like housing, clinics, ambulance and transport of school children etc. The municipality is not responsible for these services but the responsibility of national and provincial government. The buck is just then passed to the Municipality.”

Voter education around service delivery appears to be a major concern and it is sustained at the planning level. “We have an IDP structure where we expect sector departments to form partnerships so when communities need information we can furnish them but the participation there is not that good.”

Communities lack information because they are not participating. From an overall picture of the interviews, low levels of participation may be due to the multiple platforms available to communities provided by multiple governance spheres which is rendering their participation complex. Centering participation in existing local governance structures would address this issue and provide the foundation for a complete feedback loop to communities and into council structures from national and provincial spheres.

The interviewees stated that protest could be resolved through communicative means and by explaining the roles and functions of each sphere of government to communities. “I think that the solution to avoid protest is regular communications with role players and define respective functions of all parties involved. I find that in some cases, some people are protesting because there has not been proper communication which is key to resolving problems that might not be communicated.”

Obviously, communication is not a panacea for resolving all protests. An interviewee mentioned that, “people protest on resolved issues because they were not informed or the response they get they are not happy with.” The issue of service delivery is about meeting community needs and needs differ from community to community. Utilising a bottom up approach to service delivery may cure some of the perceived issues emerging from meeting the needs of people where they live.

**Municipal administration**

Municipal administration is dependent on skilled personnel and functioning systems. However, many of the interviewees looked at how community protest impacted on their administrative processes. In Johannesburg, protest has influenced the timing of capital expenditure projects as well as disrupting the implementation of the planning cycle. Although only attracting 15% of the suggested motivations for protest, it was clear
that management was a central concern. One of the interviewees said that, “the management is not taking the lead so you ask yourself what just is it that they are doing... This is sparking the issues of protest.”

In the context of tribalism, which may also be a case of catering to specific constituencies to secure support, municipal administration was seen to be partisan in shaping service delivery. “Officials are doing something to provoke the anger of the community. On opposite sides of the road, one side gets water and one side does not get.”

More holistically, administration is placed under pressure by protests of all kinds. Protests of all kind impact on “all spheres of council productivity, we reallocate manpower to address protest action that is not always in our budgets: the clean-up, the repair of infrastructure damage, for example, particularly to the road surfaces where tyres burned on the road. Then we are on the back foot from thereon. It impacts on the day to day operations.”

**Quality of services**

Quality of services attracted 54.4% of the survey response as being the source of community protest. The quality of the services has been directly associated with declining willingness of communities to pay. Yet the demand for services is escalating. From the interviews, service standards provided by spheres of government differ. In the metropolitan areas, it was claimed that in general, “the quality of services from provinces differs from what we provide.” In another instance, the Mayor claimed that, “in most of the cases [of protest] it is not over dissatisfaction over service delivery by the municipality.”

The quality of services remains a bone of contention. In Limpopo rural communities, “express dissatisfaction over roads and water. They are always dissatisfied with these two areas.” In this instance, it is most likely that accessibility drives community assessments of quality.

**Accessibility of services**

In most municipalities in which interviews were done, “land, housing, electricity and water remain common causes for protest.” In 49.6% of the respondent views, common basics remain a pressing need. However, the interviewees in metropolitan areas stated that the majority of their protest actions were located in informal settlements, which explains the content of the protest action. Further, an emerging trend towards rurally-driven protest action was identified as accessibility as well. The “Thusong centres are for cities and towns. Rural people do not have access to these.” Inequalities in rural and urban access, and access within rural areas and urban areas, was a driving force behind protest. It is illustrative of a number of social issues packed into the community protest discourse: namely, high levels of poverty and unemployment render communities heavily dependent on the state for quality of life improvements. Protests should therefore be seen as part of a competition for resources discourse. Competition for resources also fits into the visible inequalities between communities. These are macro-issues over which local government has little direct control which must be addressed at a national policy level.

**Categories of Citizens Local Government Perceives as Protest Actors**

From the survey results, it is clear that men and women are more or less just as likely to be engaged in protest action, with men only 5% more likely to be perceived as protest driving actors. Three groups stand out, criminals (14.4%), people originally from other municipalities, or migrant populations (12.7%), and youth (69.5%).
Many of the interviewees cited the criminal element as a source of concern. In the survey results, the concern was not that profound. In the common view, “there were criminal elements in the protest actions but the protests themselves were spontaneous outbursts of community frustration.”

“There is a criminal element that emerges from protest action.”

“Shops were looted by hooligans that were attached to the protest.”

“There is a criminal element and opportunism, like when there is a strike by informal traders to claim a market space, there will be elements that loot. It starts of as service delivery but degenerates into looting.”

However, the concern is that violence is increasing with each protest action and this is due to a cycle of protest violence gaining currency. As a cycle that feeds on itself and grows, protest action and violence in communities is a growing concern. The youth are learning this behaviour from their communities and are emulating the violence and looting they see. Many interviewees raised this concern.

“The critical problem is that they [protesters] disturb the youth from school... and engaged [youth] as protestors.”

“For youth protest goes hand in hand with looting so they saw adults doing it. We can’t have protests without damage to property.”

“The Youth are engaged in protest, particularly unemployed youth.”

High rates of youth unemployment add to frustration and with violence becoming acceptable modes of expression in many communities, youth are increasing venting their anger through acts of violence and vandalism. In the perceived economic status of community protestors, local government confirmed that unemployed people and part time employed people constitute the two largest categories of protestors. Since 70% of unemployment is concentrated in the youth category, it is clear that this association is established.
Protestors emerge from a cross-cutting spectrum of economic statuses. Employed people account for 7% of all perceived protestors while business owners account for 4%.

**How Municipalities Describe Community Protest**

Protest actions are described as legal in 52% of the cases and as peaceful and legal in 38% of the cases and as remaining peaceful in 56% of the cases. However, in 35% of the cases, community protests are described as violent. The legality of protest action is a very mixed bag of issues. Most municipal interviewees describe protest as legal.

“Normally when people are coming to town they are fully aware they must submit a notice for gathering, most occurring in townships do not apply for notice. The hotspots are not clear because some might come to town but that does not mean the hotspots are in town.”

“Sometimes communities follow the gathering act and sometimes they don’t. They are trying to follow the law. Without the necessary documentation to approve the march, they know the consequences of the law. Many times they are having their actions approved.”
“Protests are not spontaneous they apply for the permission to march.”

In other instances, protest was viewed as a spontaneous activity that occurred at random times.

“At the drop of a penny these guys will mobilise and have their action. It is spontaneous and does not follow legal channels.”

“The protests themselves are spontaneous protests.”

“The protests ... are spontaneous. In Princess it started in 3 in the morning. There is a certain amount of violence that goes with it.”

Many communities are following the law but some actors are exploiting the law and breach the agreements made with the local council in the run up to approving the protest action in terms of the Gatherings Act.

“In the most of the instances in [district name omitted] they followed the Gatherings Act. They apply for a 100 people and then 200-300 arrive and then the Municipality is blamed when violence breaks out and they say it is not their people. ...The municipality does not allow any protest action without the necessary approved documents and permission.”

How municipalities Perceive Themselves to Deal with Community Protest

In 73% of cases, municipalities perceived themselves to be legally compliant and constructively engaged with communities. One must bear in mind that community protest is driven by complex and multiple causes that operate under the generic and misleading label of service delivery. The true motives of many community protest actions are myriad and opaque. Despite this, many municipalities perceived themselves to be engaging with communities and community leaders in ways that resolve the issues, despite the bottlenecks identified in participation structures.
In 20% of the cases, unconstructive engagement was seen as a direct consequence of illegal gatherings or personal preference of small groups within the community.

“We disperse them [the small protests] with the JMPD because those protests are illegal anyway.”

“Every time there are issues we engage them [community members]. When we introduce a project in the community some favour it some don’t like it. The ones who don’t like it protest.”

Some identified the insubstantial nature of community engagement as the cause behind protest.

“Community engagements are compliance [driven] exercises.”

In addressing communities, it was stated that, “communication would diffuse tension because they are often advised of new project at the tailend … commencing engagement prior to activity which is what we have done in communities where we are establishing parks.” Community participation is part of the communication cycle and is therefore inextricably linked from the items covered above in motivations for protest.

**Municipalities believe that protest could be reduced if:**

Throughout the analysis of the findings, all these issues have been raised and this question summarises the activities identified and or practiced by municipalities.

<table>
<thead>
<tr>
<th>Municipalities believe that protest could be reduced if:</th>
<th>%</th>
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<tbody>
<tr>
<td>Police used less force in crowd control actions</td>
<td>2,5</td>
</tr>
<tr>
<td>Private sector wage negotiations were more effective</td>
<td>3,4</td>
</tr>
<tr>
<td>Police used more force in crowd control actions</td>
<td>5</td>
</tr>
<tr>
<td>Public sector wage negotiations were more effective</td>
<td>15,1</td>
</tr>
<tr>
<td>Civil society and community based organisations</td>
<td>20,2</td>
</tr>
<tr>
<td>Coordinated their activities with council</td>
<td>36,1</td>
</tr>
<tr>
<td>LED strategies were effective and aligned to the needs of the economy</td>
<td>42,9</td>
</tr>
<tr>
<td>Promises made by elected representatives were kept</td>
<td>50,4</td>
</tr>
<tr>
<td>Local government had additional human and monetary resources from national government to address backlogs</td>
<td>52,9</td>
</tr>
<tr>
<td>Communities participated in council decision-making more</td>
<td>53,8</td>
</tr>
<tr>
<td>Ward councils functioned better</td>
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The top three issues are ward council functioning, community participation and monetary/human resources. Ward councils were perceived not to be well-functioning due to a lack of knowledge on processes and
procedures. One of the interviewees recommended that in order to reduce protest, it would be necessary to, “improve public participation and consumer education on processes and procedures of government.” In other instances, participation was deemed to be weak because participation was directly impacted by fragmented community engagement. “Public participation structures carry on in their own way but there is no synergy... Officials’ participation is also an issue that needs to be looked at.”

However, in instances where these structures were functioning, the problems resided in the commitment of local government. “We have an IDP structure where we expect sector departments to form partnerships so when communities need information we can furnish them but the participation there is not that good. They are sending junior officials who cannot take decision so it defeats its aim.”

Free basic services was also consuming much municipal resources. Some districts claimed that they and their local municipalities were providing services that did not generate income. Rural municipalities were most affected by this.

**Actions from other spheres of government contributing to protest action reduction**

The two most important issues raised in this section of the survey speak to many issues raised in the interviews. Improved shared service coordination (62.6%) and more strategic consultation with local government in establishing national priorities (54.8%) were most frequently cited in the survey.

![Graph showing local government's perceptions of actions to reduce protest action](image)

Improved coordination of shared services is a layered item that extends across, planning, budgeting, billing, participation and administration. A District Mayor said that, “we do not have the bill for raw water in the audit committee because the department did not give the bill to us.” Even within the same administrative entity overall processes of, “coordination of programme development in different city region administrations...”
[differ]. However, the view was widely shared that, “better consultation and coordination between spheres of government could improve service delivery and minimise the issues that give rise to protest.”

It was suggested that coordination between spheres of government through a “coordination network to address issues” (education, water services, electricity) would improve service delivery results. In some municipalities, it was acknowledged as a provincial initiative in which, “war rooms established by the premier enable us to share information to avoid coordination and communication failures. These are only starting now so judgment may be too soon as to whether they work or not.” One thing was clear, proactivity was needed, as provincial government, it was said, “must not only react after the protest.”

In one instance, the Regional Director said that protest action could be reduced if, “national and provincial governments … express themselves through IDPs.”

### Resources Local Government Needs to Address the Underlying Cause of Protest

<table>
<thead>
<tr>
<th>Resources Local Government Would Need to Address Underlying Causes of Protest (Multiple Response)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other/Unsure</td>
<td>9.2</td>
</tr>
<tr>
<td>Improved accountability processes</td>
<td>39.5</td>
</tr>
<tr>
<td>Political Interventions and strategic deployments</td>
<td>26.1</td>
</tr>
<tr>
<td>Better policy enforcement capabilities</td>
<td>27.7</td>
</tr>
<tr>
<td>Planning resources</td>
<td>32.8</td>
</tr>
<tr>
<td>Improved public participation protocols and systems for meaningful engagement</td>
<td>51.3</td>
</tr>
<tr>
<td>Improved billing systems</td>
<td>15.1</td>
</tr>
<tr>
<td>Improved terms of service for skilled personnel</td>
<td>28.6</td>
</tr>
<tr>
<td>More income resources</td>
<td>44.5</td>
</tr>
</tbody>
</table>

Participation, income and accountability were the three big issues raised in this response item.

“Public participation structures carry on in their own way but there is no synergy. How many times we find a school is being erected and there is no electricity.”

“We are providing a service which does not attract income.”

“Free basic services… consume most of the budget [in this rural municipality].”

“Improve public participation and consumer education on processes and procedures of government.”
6. Conclusion

At present, it is the common view that, “whatever the community can think of, they target local government.” Local government is not responsible for many of the issues emanating from community grievances. More often than not, service delivery is expanding amid moving targets caused by mandate creep, new legislation and regulations, unclear roles and responsibilities divided between national, provincial and local spheres of government and migratory populations.

Ultimately, protest is about a competition for scarce resources and baskets of resources. Increasing the capacity of local government to provide effective stewardship of its resources, combined with better integrated planning between spheres of government, certainly will do more in addressing the root causes of protest. However, this must not be viewed in isolation from economic conditions and the levels of job creation provided by the formal private sector. State resources are finite and the state cannot be expected to provide cradle to grave resource packages amid dwindling natural resources and deepening cyclical downturns in the global economy.

Most of the issues providing fertile grounds for community protest reside in uncommunicative state systems and asymmetries of information in which communities are left without knowledge on projects and roles and responsibilities designated to specific spheres of government or shared services delivery from government. Local government may not be responsible for many service delivery bottlenecks and the thwarted expectations of material betterment held in many communities but it will remain at the forefront of service delivery. Communities expect local government to provide service excellence and service leadership and it is up to local government to ensure that it delivers on this expectation within its constitutional developmental mandates and within its efficient use of existing resources and capacities.

It is apparent that partnerships between spheres of government, line departments and sector departments are crucial to this exercise, and all these partnerships must be mediated through unitary local public participation structures to avoid duplication, information asymmetries and community confusion over what happens where and when. This will also arguably improve coordination between local government and the other spheres of government while creating the capacitated participation infrastructure necessary for democratic governance.

Realistically, community protest will never go away, not while competition for resources persists, in whatever form it may take. The best local government can do is address the legitimate sources of service delivery discontent.

7. Recommendations

Local Level Recommendations

• Comparative early response systems should be investigated as good practices and made available to municipalities to assist them to proactively manage community protests.
• Municipalities need to be assisted to improve debt collection systems to ensure that private individuals, private businesses and government departments pay their fair share of service delivery costs.
• Proactively identify issues that give rise to community protest action and use CDWs and Councillors to communicate with communities what is being done.
• Improve public consultation and communication processes so that communities are engaged in their own development.

• Active planning for migration in the IDP must occur through a mainstreamed approach. This will enable local government to address the issues generated by unplanned settlements more effectively by tracking settlements in order to accurately predict where services are most likely to be needed in future.

• Densification strategies should be actively pursued through urban planning instruments to ensure that an economy of scale is attained in service provision. This would assist in lowering the costs of providing services to communities, enabling more people to be reached.

• Assessing the effectiveness and efficiency of Local Economic Development and Expanded Public Works Programmes as part of job creation programmes would assist in profiling the good practices in the Local Government sector.

• The current model of free basic services must be assessed for affordability and sustainability. It may even be the case that cross-subsidisation models would be served by qualifying access to the free basic services.

• In order to assist local government to enhance Local Economic Development activities, tools enabling local government to identify and analyse economic growth points and to attract investment to fund job creation may be developed on the strength of existing or additional local economic development maturity assessments.

National Level Recommendations

• A framework needs to be developed for protest action outside of the Gatherings Act that provides a method encouraging of proactive redress from all spheres of government.

• Local government participation structures must be the primary structures through which redress activities occur. National and Provincial spheres of government must assist to build capacity in public participation structures at the local level, contribute to improvements in coordination between spheres of government and ensure that all spheres of government are accessible to grassroots.

• Additional resources should be channelled into local government to enable it to perform its service delivery mandates in accordance with the subsidiarity principle.

Recommendations for SALGA

• A Barometer to Monitor Community Protests should be developed either by SALGA or in partnership with other Stakeholders.

• More research must be undertaken to determine the causes of unnatural attrition among councillors.

• A toolkit to assist members to deal with community protests, particularly illegal protests that fall outside of the Gatherings Act framework, should be developed.
8. Possible Hypotheses Emerging from Findings to Guide Further Research

Hypothesis 1: Improved intergovernmental coordination of shared services could contribute to reducing community protest frequency.

Hypothesis 2: Local government requires strategic and substantive improvements to its public participation process to reduce the incidences of community protest.

Hypothesis 3: Social cohesion activities will reduce the level of community protest.

Hypothesis 4: Low cost and high impact changes to the way local government works and delivers infrastructure and services can reduce protest.

Hypothesis 5: Innovation in planning and data availability will improve local government outputs and reduce the incidences of protest.

Hypothesis 6: Domesticated resource mobilization strategies embedded into IDP documents and municipal strategies will improve developmental outcomes and assist to reduce protest incidents.

Hypothesis 7: Local Economic Development strategies, if tied to resource mobilization strategies and human development education system outcomes, can be an effective vehicle of youth job creation and protest reduction.

Hypothesis 8: More identifiable relational and improved fiscal resources available to local government and innovations in local government resource utilisation will reduce protest.

Hypothesis 9: Densification strategies can reduce competition for land thereby contributing to a reduction of protest action.

Hypothesis 10: Accountability and public participation suffer when national and provincial government projects exclude local government.

Hypothesis 11: Violent and disruptive community protest costs municipalities a significant amount of resources that would be better spent driving service delivery.

Hypothesis 12: The better integration of districts into the work of their local municipalities will improve coordinated service delivery.
References


Municipal Barometer (www.municipalbarometer.co.za)


