

An exploration of Hannah Arendt's *The Human Condition* as it relates to
'meaningful public participation' in the South
African context

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Dissertation accepted in fulfilment of the requirements for the
degree *Master of Philosophy in Philosophy* at the North-West
University

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Graduation: June 2022

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ACKNOWLEDGEMENTS

I would like to express my profound gratitude to the following persons for their contribution without which this study would not have been possible:

First and foremost, all glory and honour belongs to the God Almighty for guiding me throughout my master's studies.

My study supervisor, **Dr Jean Du Toit**, thank you first and foremost, for cultivating my passion for Philosophy and encouraging me to embark upon my postgraduate studies. I am profoundly grateful for all the empathy, patience, motivation, support and guidance you provided during my postgraduate endeavours. Thank you for being an exceptional mentor and inspiring me to be more kind, compassionate and conscientious.

My parents, **Andrew and Marietha Diedericks**, thank you for fostering my sense of wonder, indulging my endless questions, guiding me to the threshold of knowledge and encouraging me to enter. My sincerest gratitude for your unyielding support that made it possible for me to complete my studies.

My colleagues at the **School of Philosophy**, Faculty of Humanities, North-West University, Potchefstroom for the insightful and respectful discussions that taught me the value that lies in questioning the established and accepted. Also, for the financial support during my MPhil.

The **North-West University (NWU)**, for enriching my mind and welcoming me into the academic fraternity. I am also thankful for the NWU's financial support for the duration of my MPhil studies as well as its ample administrative support. My gratitude also extends to the **Ferdinand Postma Library** for helping me to obtain the necessary literature sources I used within this study.

My best friend, **Maricelle Botes**, for being a pillar of support, confidant and '*partner in [academic] crime*'. Your encouragement throughout my writing journey has been invaluable.

ABSTRACT

Public participation is significant as it guarantees citizens an informed say in governmental decision-making. To ensure that participatory processes are effectual within South Africa, the Constitutional Court held that citizens should be afforded a 'meaningful' opportunity to partake in decision-making which affects them. My analysis of the participatory processes established within the legal framework demonstrates a meaningful public participation crisis. An interpretivist framework suggests that this meaningful public participation crisis results from government's failure to properly define the notion of meaningfulness leading to ambiguity. Furthermore, the legal framework's encouragement of two competing and irreconcilable approaches (i.e. cultivating and humanistic as well as goal-orientated) engenders inconsistent applications of meaningful public participation. Arendt's views on active citizenship, per *The Human Condition* (1958), sees community engagement and collective deliberation as crucial for political participation and responsible governance (through meaningful action). I argue that Arendt's perspective of meaningful action, informed by her analysis of labour, work and action, informs a comprehensive theoretical understanding of a meaningful participatory mechanism as well as illuminating the cultivating and humanistic approach. Arendt's insights allow us to reconceptualise participatory mechanisms by allowing South Africans to take an active stance with regard to such mechanisms, to capacitate citizens to act in such processes via words and deeds, to open a space for the recognition of all voices in a plural society, and to assist government in establishing a safe, inclusive and communal participatory space. In light of the afore-mentioned meaningful public participation crisis, the goal of this study is, by way of a literature review, to provide a comprehensive theoretical understanding of a meaningful participatory mechanism, as well as advance a cultivating and humanistic perspective of meaningfulness in this regard.

Key terms

Meaningful public participation, Hannah Arendt, meaningfulness, cultivating and humanistic approach.

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CHAPTER 1: INTRODUCTION

Democracy is a daring concept - a hope that we'll be best governed if all of us participate in the act of government. It is meant to be a conversation, a place where the intelligence and local knowledge of the electorate sums together to arrive at actions that reflect the participation of the largest possible number of people.

Brian Eno

1.1 Background

Public participation is a democratic and legal process that empowers citizens to participate in governance (Hoexter, 2017:80; De Vos *et al.*, 2014:93).¹ It ensures that elected representatives (that function as part of representative democracy) continuously (especially during the period between elections) represent the views of the electorate (Hoexter, 2017:80; De Vos *et al.* 2014:93). Public participation is part of democracies around the globe; Scotland, Canada, Uganda, Ethiopia, Sweden and England are countries that similarly practice participatory decision-making (Legislative Sector, 2013:7, Churchman, 2012:2) In South Africa, rigorous public participation is indispensable to enact legitimate legislation and for government to take lawful, reasonable and fair administrative action.² It is also key to maintaining a stable political environment as well as a constitutional imperative within the South African context (Section 1(d) of the *Constitution of South Africa*, 1996).

The South African dispensation reaffirms the democratic and legal significance of public participation in the affairs of local government, law and policy-making processes as the

¹ There are several common synonyms utilised in discussing public participation; these synonyms include citizen participation; political participation; public involvement; citizen engagement; community participation; community engagement and citizen deliberation (See Department of Public Service and Administration, 2020:8; Maphazi *et al.*, 2013:59). Although there is contention concerning the appropriate and particular usages and applicability of these terms (See Department of Public Service and Administration, 2020:8) within this dissertation, these terms will be used interchangeably as the focus of the study will be understanding the notion of 'meaningful' as is required when the government implements public participation. Further, take note that the concept of public denotes all citizens, natural and juristic persons whom the government is legally obligated to serve.

² Enacting legitimate legislation in this regard simply means that the legislature (which includes local, provincial and national) enacted legislation into law in accordance with the *Constitution of South Africa* (see Section 53 of the Constitution). Lawful, reasonable and fair administrative action is a fundamental right that all people who find themselves within the borders of South Africa are entitled to and government must comply with in accordance with the *Constitution of South Africa* (see Section 33 of the Constitution).

nation aspires to an accountable, responsive and transparent government (Sections 1(d), 59 (1) (a), 72 (1) (a), Section 118 (1) (a), 152 (1) (e), 195 (1) (e) of the *Constitution of South Africa*, 1996). To bring an accountable, responsive and transparent government to fruition, decisive statutory steps have been taken by the government to incorporate the public's views in governmental decision-making. These statutory steps include elevating public participation to a constitutional duty that binds all branches (executive, legislative and judicial) of the South African government, as it is vital to effect the fundamental human rights of dignity and freedom within South African communities (Sections 10, 12 of the *Constitution of South Africa*, 1996; Currie & de Waal, 2016:253). To fulfil the constitutional duty of public participation in local governance, the *Local Government: Municipal Systems Act* 32 of 2000 regulates the functioning of municipalities (local government), promulgates clear instances in which public participation is mandated and specifies the participatory processes that local government should follow (Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000). The commitment to engage the public in law and policy-making is confirmed in the *National Policy Framework for Public Participation* and the *Public Participation Framework for the South African Legislative Sector* published by the South African government (Department of Provincial and Local Government, 2007:7, 15; Legislative Sector, 2013:11).

Beyond the indispensable democratic and legal function, a participatory mechanism fulfils an essential political-philosophical role of engendering political freedom (Strauss, 1945:98; Strauss, 1949:30). Public participation realises political freedom within society as it safeguards a citizen's right to be informed and involved during political decision-making (Strauss, 1945:98; Strauss, 1949:30). South Africa recognises the political-philosophical significance of public participation within political decision-making (which includes decisions taken by the executive, legislative and judicial branches of government). Such decisions, though seemingly unremarkable, are made regularly in all spheres and all provinces within South Africa and undoubtedly affect an individual's political, social, economic, cultural and environmental spheres of existence. Executive decisions made by a municipality when earmarking certain areas for certain types of activities as part of municipal planning, for example, determine where citizens are allowed to live, work or carry on business, and where they are permitted to perform certain cultural

practices.³ Moreover, decisions taken by the Presidency can also impinge on citizens' freedoms; the mandatory lockdown instituted during the COVID-19 pandemic serves as an example of this. When the legislative branch of government promulgates legislation, it not only grants citizens particular freedoms, rights and protection, but also confers certain responsibilities, liabilities and duties. A court judgement has profound consequences as well because it can result in imprisonment for the accused and cost orders for liable parties. A further philosophical study of citizen engagement - that acts as a necessary offset against excessive political power- is crucial because political decision-making influences South Africans' lived experiences.⁴

The Constitutional Court presents an understanding of public participation that recognises the democratic, legal and political - philosophical significance as stated in the excerpt from a ground-breaking court case:

Participation by the public on a continuous basis provides vitality to the functioning of representative democracy. It encourages citizens of the country to be actively involved in public affairs, identify themselves with the institutions of government and become familiar with the laws as they are made. It enhances the civic dignity of those who participate by enabling their voices to be heard and taken account of. It promotes a spirit of democratic and pluralistic accommodation calculated to produce laws that are likely to be widely accepted and effective in practice. It strengthens the legitimacy of legislation in the eyes of the people. (*Doctors for Life International v Speaker of National Assembly*⁵, 2006).

The *ratio decidendi*⁶ of the above-mentioned case illustrates the pivotal role which public participation plays in South Africa's democracy. The excerpt further indicates community engagement's role in preserving core constitutional values such as human dignity, equality and human rights and freedoms (Section 1(a) of *the Constitution of South Africa*,

³ This is but one of the several powers and functions that a municipality has in terms of the Constitution (Section 156 (1) and Part B of Schedule 4 and Part B of Schedule 5 of the *Constitution of South Africa*, 1996).

⁴ Here the term 'lived experience' refers to how humans experience the world and existence shaped and influenced by encounters and events that happen around them. Although lived experience here does not refer to the phenomenological or existential school of thought in the strictest sense, there may be corresponding overarching themes as public participation and political decision-making are both political phenomena (that could be studied phenomenologically) and facets of existence (to be studied existentially).

⁵ Ngcobo, J. in *Doctors for Life International v Speaker of National Assembly*, Paragraph (hereafter Para) 115.

⁶ Latin term for "the rationale for the decision". It is the justification a judge gives for his/her judgement.

1996). These values are reinforced in participatory processes by respecting legal autonomy⁷, enabling citizens to have an informed say in the government's decision-making. Furthermore, political participation gives expression to the *Audi alteram partem*⁸ principle associated with natural justice and equality. Citizen deliberation processes respect the *Audi alteram partem* rule as it gives the parties involved the opportunity to express their views. Moreover, having community input in law-making procedures ensures adherence to laws.

Imbizo or *Indaba*⁹, public hearings, parliamentary inquiries, surveys, round-table conferences and local meetings are some of the mechanisms through which community engagement is carried out by the government (Department of Public Service and Administration, 2020:25; Hoexter, 2017:82). Not only do these deliberations enable citizens to have a say in decisions that will impact their lives, they also cultivate the potential of citizens and allow for citizen liberation¹⁰ (De Vos *et al.*, 2014:94; Maphazi *et al.*, 2013:60, Hoexter, 2017:79).

Public participation programmes in South Africa, however, are criticised for becoming a mere charade that aims to mimic democracy and are done only for the sake of legislative compliance (Bishop, 2010:337; Maphazi *et al.*, 2013:60). Public deliberation initiatives are further accused of expecting the public to merely rubber-stamp the decisions taken by the government after the fact, regardless of the public's views (Tshoose, 2015:18). Furthermore, Buccus and Hicks (as cited by Tshoose, 2015:18) deem public participation simply as "...the presentation of predetermined positions and programmes for limited feedback or information sharing only." To respond to these criticisms and answer the legal question of involving the public in legislative and executive processes, the South

⁷ Legal autonomy in the South African context is regarded as "the right to be left alone in the sense of being allowed to live the life one chooses" (Currie & de Waal, 2016:287). This incorporates the notion of self-governance and a right to have an informed say in decisions that affect a person. This principle is confirmed in the founding provision Section 1 (a) and Section 12 of the *Constitution of South Africa*, 1996.

⁸ *Audi alteram partem* is a Latin phrase that requires one to listen to the other party's side as well. This principle finds application in the judicial process by allowing a party to state their case in court when a suit is brought against them. This rule also finds application in public participation mechanisms. In meeting the obligation for just administrative action for example (Section 33 of the *Constitution of South Africa*, 1996) this rule must be complied with to ensure procedural fairness (Hoexter, 2017:362).

⁹ *Imbizo* (isiZulu) or *Indaba* (isiXhosa) are used interchangeably to refer to gatherings or engagements with communities to promote democratic principles.

¹⁰ Liberation should be understood in a colloquial sense. Liberation should be regarded as freeing citizens from limitations on thoughts or behaviour that will accompany the cultivation of their potential during the implementation of public participation procedures.

African Constitutional Court held that public participation entails more than mere involvement, it requires that participatory mechanisms create 'meaningful' opportunities for citizens to partake in decision-making that affects them (*Doctors for Life International v Speaker of National Assembly*, 2006; *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008).

Benchmarking public participation against meaningfulness has profound political (as the government is duty-bound to implement 'meaningful' participatory mechanisms) and societal (as a meaningless participatory mechanism impinges on citizens' political freedom) implications. The notion of 'meaningful' as it relates to public participation however is undefined within the South African context, despite the political and societal significance of the meaningfulness criterion. Failing to properly define meaningful public participation leads to ambiguity and engenders inconsistent applications of a meaningful participatory mechanism. The meaningful participatory mechanism becomes even more problematic for South Africans because two polarising approaches to meaningfulness are simultaneously promoted with the legal framework for public participation, namely the cultivating and humanistic perspective on meaningful public participation and, secondly, the goal-oriented approach to meaningful community engagement.¹¹

This study endeavours to provide a nuanced understanding of 'meaningful' public participation in South Africa. To provide a nuanced understanding of a meaningful participatory mechanism, Hannah Arendt's views on the human condition and the potential to experience meaningfulness will be examined. Arendt is one of the most influential political thinkers of the 20th Century "as none of the political thinkers of the past fifty to sixty years have so deeply and provocatively plumbed the question, what is the political? as she did" (Villa, 2009:22).¹² Her understanding of politics is influenced by the classical tradition of civic republicanism that was practised in the Greek *polis* and republican city-states of Renaissance Italy and by philosophers like Socrates, Aristotle, Machiavelli, Montesquieu, Jefferson and Tocqueville (Betz, 2009:380; d'Entreves, 2019). The Arendtian understanding of politics is consequently rooted in the idea of an active

¹¹ A cultivating and humanistic approach is focused on nurturing and developing human beings and regards the implementation of public participation as a means to achieve this. Although the use of the term humanism does not refer to the rationalist school of thought in the strictest sense, there may be corresponding overarching themes. This study aims to explore this cultivating and humanistic approach on meaningful public participation.

¹² Hannah Arendt (1906-1975) was a political theorist, author and Holocaust survivor (Betz, 1992:380).

citizenry that values civic engagement and political deliberation on matters of political concern (d'Entreves, 2019). All of the works in the Arendtian corpus take a "self-conscious textual and historical" approach to the practice of political theory (Villa, 2009:20).¹³

Hannah Arendt's *The Human Condition* (1958) "analyses the structures proper to human action" and explores the "articulations of the human condition" (Vila-Chã, 1994:477) to elucidate a conceptualisation of 'meaningfulness' that is useful for addressing the question of citizen engagement in South Africa. The *Human Condition* distinguishes between three activities "labour, work and action" (Ricoeur, 1983:60) that typify the human condition and shape human reality (Vivier, 2012). In the modern era, however, the activities of labour and work have been elevated above action (Lenz, 2005:136) which results in human beings becoming "...the labouring society, the society of jobholders, [that] demands of its members a sheer automatic functioning..." (Arendt, 1985:322). The activity of action, which takes place within the public and political sphere, has been replaced with procedural compliance by civil servants and descended into mere bureaucratic red-tape (Arendt, 1985:314). This state of affairs, which Arendt finds disheartening, ensures a community that "... they no longer know of those other higher and more meaningful activities for the sake of which this freedom would deserve to be won" (Arendt, 1985:5). This glorification of work and labour and the under-emphasis of action impinges on society's ability to create reality and find meaning in life.

Arendt's views on action and attaining meaning provide a distinctive point of departure in the pursuit of a thorough understanding of meaningful as it relates to public participation within the South African context. Moreover, Arendt's perspective will be especially

¹³ In 1961, as a reporter for *The New Yorker* magazine, Arendt attended the trial of Adolf Eichmann in Jerusalem – Eichmann was one of the major organisers of the Holocaust and was put on trial for crimes against humanity (d'Entreves, 2019). Based on this experience Arendt published what was regarded as her most controversial work, *Eichmann in Jerusalem* (1963) (d'Entreves, 2019). Later that same year Arendt published *On Revolution*, in which she analyses the American and French revolutions (d'Entreves, 2019). In *On Revolution*, the influence of civic republicanism on Arendt's political thinking becomes even clearer as this work is described as "unabashedly republican" (Villa, 2009:30). During the 1960s and 1970s, Arendt published several significant essays including *Between Past and Future* (1961), that deals with topics in political thought such as freedom, education, authority, history and politics; *Men in Dark Times* (1968), discusses significant figures of the 20th Century; and *Crisis of the Republic* (1972), analyses contemporary American politics and the crisis it faced in the 1960s and 1970's (d'Entreves, 2019). In 1975, Arendt was busy completing what would be her last major philosophical work, *The Life of the Mind*, which ultimately remained incomplete and was published posthumously. In this work she examines the three mental activities of thinking, willing and judging (Villa, 2009:30, d'Entreves, 2019).

insightful in putting forth a view of 'meaningful' that will express more fully the cultivating and human-centred aim of public participation which this study promotes.

1.2 Problem statement

How can Hannah Arendt's views in *The Human Condition* inform the notion of 'meaningful public participation' in the South African context?

1.3 Hypothesis

Arendt contributes to the development of a more comprehensive understanding of 'meaningful public participation' because her views conceptualise participatory mechanisms by allowing South Africans to take an active stance with regard to such mechanisms, to capacitate citizens to act in such processes via words and deeds, to open a space for the recognition of all voices in a plural society, and to assist the government in establishing a protected and inclusive participatory space. Arendt's perspective further advances an approach centered on the cultivation of humanity and respect for their freedom that particularly resonates with the overall objective that public participation aims to achieve within South Africa.

1.4 Objectives

The objectives of this study are:

- 1.4.1 To shed light on the problematics of 'meaningful public participation' within South Africa.
- 1.4.2 To provide a nuanced understanding of Hannah Arendt's views on 'meaningful' by way of exploration and evaluation of particularly *The Human Condition*.¹⁴
- 1.4.3 To provide a comprehensive theoretical understanding of a meaningful participatory mechanism informed by Hannah Arendt's views.¹⁵

¹⁴ Arendt's theory on meaningfulness is developed and explored in this study to contribute to and provide insight into the notion of meaningfulness as it relates to public participation (that has not been studied in the South African context). This study thus provides a novel reading of Arendt as it develops and advances an Arendtian understanding of meaningfulness that is used to illuminate meaningful public participation. As this is a novel reading of Arendt's work and the first time an Arendtian understanding of meaningfulness is studied there is no critique available that could be integrated into this dissertation.

¹⁵ The aim to provide a comprehensive theoretical understanding of meaningful public participation may seem like an overly- ambitious claim. The claim however is valid since there is currently no theoretical understanding of meaningfulness as it relates public participation in South Africa and this research comprehensively deals with the theme.

1.4.4 To introduce a cultivating and humanistic approach to public participation to contribute to the development of a more comprehensive understanding of 'meaningful public participation' within the South African context.

1.5 Research Methodology

The particular constitutional requirement of meaningful public participation allows for a philosophically informed perspective and methodology to assist in defining what meaningful in relation to public participation entails, as well as to enlighten the cultivating and humanistic perspective of meaningful which this study endorses.

To provide a comprehensive theoretical understanding of a meaningful participatory mechanism and enlighten the cultivating and humanistic perspective of meaningful an interpretivist framework¹⁶ that engages with the historical, textual and contextual will be taken as a point of reference for this study. As this study engages with the historical and textual by exploring the legal framework that establishes public participation, it is vital to understand the historical context that necessitated sources of law and the content or text of those sources to provide a comprehensive theoretical understanding of a meaningful participatory mechanism. Moreover, it is appropriate for this study to engage with the contextual as a comprehensive theoretical understanding of a meaningful participatory mechanism within the South African context, which demands interpreting public participation as a social phenomenon and having due regard for people's lived experience and reflections.

To comprehensively understand the history, text and context of 'meaningful public participation' this study will be significantly informed by sources from other disciplines, such as law, politics, public administration and governance studies. This is necessary because sources of law regulate the implementation of participatory processes within South Africa. As such, this study includes a literature review of both primary and secondary sources from the field of law. Primary sources such as legislation and policy documents from the national, provincial and local government spheres will be consulted, as well as case law relating to the fields of administrative law, constitutional law,

¹⁶ This should not be confused with legal interpretivism research methodology advanced by philosopher and jurist Ronald Dworkin in his work on the nature of law.

fundamental and local government law. Secondary sources such as relevant books, journals, articles, reports and internet sources will also be used.

To provide a philosophically informed perspective of a meaningful participatory mechanism and illuminate a cultivating and humanistic perspective of meaningful, the study will explore Hannah Arendt's views expounded upon in *The Human Condition*. As such, the study performs a literature review, from an interpretivist perspective, of both primary and secondary sources of her work to obtain a thorough and nuanced understanding of the conception of meaningful. Secondary sources such as relevant books, journals, articles and internet sources will be used to aid in understanding her primary writings. *The Human Condition* explores humanity's relation to itself, others and the world. It further reflects on themes of creating a reality and finding meaning. For the purposes of this study, more focus will be placed on Hannah Arendt's views of action as they provide unique insights into the notion of 'meaningful public participation' as developed in this work.

1.6 Dissertation Outline

The current chapter aims to provide background to the study and set out the problem statement and hypothesis, as well as the objectives, research methodology and the dissertation outline.

Chapter Two sheds light on the problematics of 'meaningful public participation' within South Africa. This chapter reviews the legal framework of public participation in South Africa. The legal framework includes *The Constitution of the Republic of South Africa*, *The Local Government: Municipal Systems Act*, the *National Policy Framework for Public Participation*, the *Public Participation Framework for the South African Legislative Sector* and the Constitutional Court's views on meaningful public participation contained in *Doctors for Life International v Speaker of National Assembly* (2006) and *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* (2008). Furthermore, this chapter will analyse these various sources that form part of the framework of meaningful public participation in terms of two aspects: firstly, whether the particular source defines the term meaningful, and secondly, what approach to public participation the particular source promotes.

Chapter Three explores and evaluates Hannah Arendt's views on 'meaningful' in *The Human Condition*. This chapter looks specifically at the three activities of labour, work and action that inform the Arendtian concept of meaningfulness.

Chapter Four provides a comprehensive theoretical understanding of a meaningful participatory mechanism informed by Hannah Arendt's views. This chapter analyses how the South African perspective of meaningful public participation is transformed through engagement with the Arendtian perspective.

Chapter Five advances a cultivating and humanistic approach to public participation to contribute to the comprehensive understanding of 'meaningful public participation' within the South African context.

Chapter Six contains a summary of the discussion, limitations, contributions and a final reflection on the study.

CHAPTER 2: THE PROBLEMATICS OF MEANINGFUL PUBLIC PARTICIPATION WITHIN THE SOUTH AFRICAN CONTEXT

What is demanded of man is not, as some existential philosophers teach, to endure the meaninglessness of life, but rather to bear his incapacity to grasp its unconditional meaningfulness in rational terms.

Viktor E. Frankl

2.1 Introduction

The previous chapter introduced public participation as an important democratic and legal process that empowers citizens to deliberate on legislation and policy matters, and reaffirms the vital political-philosophical role that public participation plays in realising political freedom by protecting a citizen's right to be involved in government's decisions (Hoexter, 2017:80; De Vos *et al.*, 2014:93; Strauss, 1945:98; Strauss, 1949:30). Additionally, Chapter One contextualised and problematised meaningful public participation as wanting and put forth Arendt's understanding of meaningfulness, per *The Human Condition*, to supplement a cultivating and human-centred approach to public participation which this study promotes.

The meaningfulness criterion, despite the legal, democratic and political-philosophical significance, is inadequately defined and presents a challenge to a meaningful participatory mechanism. Two aspects make the current understanding of meaningful in relation to public participation inadequate and in need of further exploration. Firstly, the term meaningful is shrouded in ambiguity since neither the Constitution, legislation, national policy, the framework for public participation in the legislative sector nor case law attempt to comprehensively define or describe the notion of meaningfulness as it relates to citizen engagement. The lack of a proper definition makes the notion of meaningfulness ambiguous. Secondly, two polarising approaches to meaningfulness are simultaneously presented in public participation discourse, namely the cultivating and humanistic and goal-orientated approaches.

In light of the inadequate understanding of meaningful, this chapter discusses meaningful public participation in the South African context to determine why the currently formulated

and applied notion of meaningfulness is problematic. To thoroughly discuss the meaningful participatory mechanism, this chapter will firstly provide a more in-depth argument on the inadequacies of the current conceptualisation of meaningfulness related ambiguity, and the two competing approaches to meaningful public participation that South Africa encourages. Secondly, this chapter will analyse the legal framework that guides and governs public participation in South Africa. A literature review of the legal framework of public participation is necessary to exemplify the problems within the meaningful participatory mechanism. The legal framework includes *The Constitution of the Republic of South Africa*, *The Local Government: Municipal Systems Act*, *the National Policy Framework for Public Participation*, *the Public Participation Framework for the South African Legislative Sector* and the Constitutional Court's views on meaningful public participation contained in *Doctors for Life International v Speaker of National Assembly* (2006) and *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* (2008). Analysing several sources of law in this chapter is a daunting task, but it will demonstrate the simple truth of the inadequate conceptualisation of a meaningfulness criterion resulting in an ambiguous and inconsistent public participation process.

2.2 The inadequacies of the current conceptualisation of the meaningfulness criterion

Analysing the inadequacies of the current conceptualisation of meaningfulness - resulting from an ambiguous meaningfulness criterion and the legal framework promoting two competing approaches making a participatory programme susceptible to inconsistent and varied application - is vital to illuminate the problematics within the meaningful participatory mechanism. In light of this, this section discusses the ambiguity of the meaningfulness criterion and the cultivating and humanistic versus goal-orientated approaches to meaningfulness simultaneously promoted within the legal framework.

2.2.1 The ambiguity of the meaningfulness criterion

This lack of a definition is problematic because the phrase meaningful or meaningfully is used as an adverb aimed to describe the way in which participation should take place, which creates several difficulties. Firstly, using the concept of meaningfulness as a modifier, in my view, is precarious since the notion of meaningfulness is highly subjective

(what is understood as being meaningful may differ from person to person). This highly subjective understanding of meaningful public participation will also differ from government official to governmental official (carrying out public participation) as well as from citizen to citizen (partaking in public participation).

Secondly, when it concerns the notion of meaningful public participation, the question of meaningful in relation to specific role players arises. Which party, public or government, should be the determiner of meaningfulness? If the public is the determiner of meaningfulness, how should meaningfulness be determined or measured and how should government go about ascertaining the public experiences of the participatory process? Alternatively, it is also problematic if government is the determiner of meaningfulness, because this results in governmental institutions becoming judges in their own cases by evaluating the meaningfulness of their own participatory programmes. Being a judge in one's own case is strongly discouraged, as individuals find it difficult to remain objective in matters pertaining to themselves or when they have a vested interest in a matter. Being a judge in your own case results in judgments that tend to favour and place the individual in the most positive light. In the case of government having to judge their own meaningful participatory process, this risks an objective and impartial evaluation of the participation process in exchange for a partisan view that judges government's programmes in a favourable and positive light.

Thirdly, using the term meaningful or meaningfully in connection with public participation can result in the logical fallacy of misplaced concreteness, since the notion of meaningfulness is an abstract notion that is presumed to be a concrete concept within the term meaningful public participation (in other words, there exists in Marxist terms a question in terms of how such a concept is reified).¹⁷ This form of fallacious reasoning becomes problematic when an abstract concept must be applied in practice. Having government apply the abstract concept of meaningful public participation causes confusion and uncertainty when participatory programmes have to be implemented. This confusion and uncertainty when applying meaningful engagement in South Africa is

¹⁷ The fallacy of misplaced concreteness is defined by Albert North Whitehead (1925:52) as "...the accidental error of mistaking the abstract for the concrete." This fallacy is also referred to as the fallacy of reification, concretism or hypostatisation.

evidenced by several documents published by the government, as well as court cases that attempt to resolve the issues that spring from public involvement.

The second inadequacy within the meaningful public participation mechanism is the two approaches (i.e. cultivating and humanistic and goal-orientated) that are simultaneously furthered with the legal framework. This study takes a critical view of the goal-orientated approach, as it focuses on achieving certain goals and realising a meaningful participatory mechanism (as discussed in Section 2.2.3)

2.2.2 The cultivating and humanistic approach to meaningful public participation

A cultivating and humanistic¹⁸ perspective considers the participatory process to be meaningful if it empowers, develops and transforms South African communities while giving expression to fundamental human rights. Empowerment, in terms of the cultivating and humanistic approach to meaningful public participation, is viewed as involving and elevating the voices of all people (especially marginalised groups) in political and governmental decision-making processes (Rowlands, 1995:102). A cultivating and humanistic approach to meaningful participatory processes understands development from a social system viewpoint in which political development is the main function of a social system that facilitates public participation in governmental and political decision-making (Packenham, 1964:115). A cultivating and humanistic approach interprets transformation from a transformative constitutionalism perspective. Transformative constitutionalism rebels against social and economic inequalities in the fight for a new society with "opportunities for [all] people to realise their full human potential within positive social relationships" (Langa, 2006:352).¹⁹ This perspective is advanced and informed by the rights and norms proclaimed in the *Constitution of South Africa* (1996), and is confirmed in legislation and other sources within the legal framework on public engagement and court cases that address the question of citizen engagement within South Africa. In Chapter Five of this dissertation, I argue in favour of the cultivating and

¹⁸ Although, the use of the term humanism does not refer to the rationalist school of thought in the strictest sense, there may be corresponding overarching themes. This study aims to explore this cultivating and humanistic approach to meaningful public participation.

¹⁹ According to Albertyn & Goldblatt (1998: 248-249), to achieve a transformative constitutional society, South Africa require[s] a complete reconstruction of the state and society, including a redistribution of power and resources along egalitarian lines. The challenge of achieving equality within this transformation project involves the eradication of systemic forms of domination and material disadvantage based on race, gender, class and other grounds of inequality. It also entails the development of opportunities which allow people to realise their full human potential within positive social relationships.

humanistic approach to meaningful public participation, since it best complements the ethos of the South African rainbow nation founded upon the fundamental rights of human dignity, equality and freedom.²⁰

2.2.3 The goal-orientated approach to meaningful public participation

In contrast, the goal-oriented approach determines the meaningfulness of a participatory mechanism by judging the end result and is promoted within the South African context by the Judiciary and government departments. A goal-oriented approach is geared towards achieving certain objectives that government determines before carrying out a public participation process. These objectives are supposed to be in line with the government's national priorities as well as address the country's key issues.²¹

For example, when participatory procedures are undertaken, the government first publicises their positions, in the form of policies or legislation, and the community is then allowed to respond to those positions. After public comment, the government is then supposed to seriously consider the public's views, and when appropriate, amend or redraft policies or legislation. The government, however, has been criticised for utilising these participatory mechanisms to ensure that the public agrees with the government's positions (Tshoose, 2015:17). Such a goal-orientated view is criticised since it shifts the focus away from implementing processes that aim to empower communities to have a voice in how they are governed, to a procedure that aims to ensure that the public agrees with political positions and governmental decisions.

To be clear, I am not criticising the fact that the government and political parties, in general, have political agendas that they aim to advance with policy and legislation. I am critical of a goal-orientated approach to meaningfulness that defines meaningfulness in relation to reaching political outcomes instead of defining it in terms of achieving meaningful participation by the public. This goal-orientated view that tends to elevate consensus or agreement amongst citizens and government does not adequately reflect South Africa's commitment to diversity, as evidenced by the country's motto: "diverse

²⁰ Human dignity, equality and freedom are the founding provisions on which the Republic of South Africa is founded (Section 1 of the Constitution of South Africa, 1996). The term 'rainbow nation' was used by Archbishop Desmond Tutu to capture the multicultural and multiracial Post-Apartheid South African nation.

²¹ The national priorities and key issues are identified in the State of the Nation address by the President.

people unite",²² since a national commitment towards uniting a diverse citizenry paints a picture of a country that encourages the nation to come together in diversity, rather than uniting them in agreement or consensus. When attempting to delineate the appropriate understanding of meaningfulness as it concerns public involvement, the pendulum swings between these two distinct approaches with regard to meaningfulness. The coexistence of these two approaches makes the conceptualisation of meaningfulness as it concerns participatory decision-making inconsistent and open to varied application. Accordingly, this chapter aims to comprehensively explore the public participation crisis by examining its two causes, namely a lack of a proper definition of meaningfulness, as well as the two competing approaches to the concept of meaningful as is promoted in the South African milieu.

The next subsection will analyse the legal framework that governs public participation to further demonstrate that the current formulation and application of the meaningfulness criterion is problematic within a meaningful participatory mechanism.

2.3 The Legal Framework of meaningful Public Participation

The term legal framework encapsulates the sources of law that regulate public participation in the South African context. This includes legislation, national policy, guides and case law. Although, legally speaking these sources of law are viewed in terms of a hierarchy within a legal system, they do not carry equal persuasive power in a court of law. This dissertation, however, does not discuss these sources in terms of their legal or persuasive importance. The order of the sources is rather from broad or general to specific, i.e. the sources that broadly or generally deal or relate to public participation will be examined first, and then the study will proceed to sources that deal specifically with the notion of meaningful public participation. This sequence is followed because firstly, it is most suitable to highlight the problematic nature related to meaningful public participation linked to an imprecise and flawed understanding of meaningfulness as it relates to community engagement. Secondly, it is most apt to facilitate the cultivating and humanistic approach to *meaningful* that this dissertation aims to advance. The legal framework will be analysed in terms of two aspects: firstly, whether the particular source

²² The South African Coat of Arms endorses the motto "*!ke e: ǀxarra ǁke*" that translates to diverse people unite from the Khoisan language.

defines the term meaningful, and secondly, what approach the particular source promotes.

Again, I cannot but go into detail with regard to the legal framework of meaningful public participation, since it contextualises the crisis to which Arendt is positioned in response (in Chapter Three).

2.3.1 Legislation relating to Public Participation

This current subsection will explore legislation that either directly or indirectly concerns meaningful public participation in the South African context. Legislation that directly relates to citizen engagement deals specifically with the facilitation of public involvement and establishes instances that require participatory decision-making. Legislation that indirectly relates to citizen engagement, on the contrary, does not explicitly refer to or discuss the notion of meaningful public participation, but does establish certain principles or ideals that influence the conceptualisation of meaningfulness. This subsection will firstly discuss legislation that indirectly concerns community engagement, after which legislation directly applicable to public participation will be examined.

2.3.1.1 The Constitution of the Republic of South Africa

The investigation into the legal framework that regulates public participation within the South African context will begin with a study of the relevant parts of the Constitution. Since it is deemed the supreme law of South Africa - requiring all other legislation to comply with and fulfil the obligations established therein - the Constitution will necessarily inform a nuanced understanding of meaningful public participation in South Africa (Section 2 of the *Constitution of South Africa*, 1996). The South African Constitution has distinct chapters which are structured into sections that contain specific rights and responsibilities applicable to either South African citizens²³, human beings that find

²³ The right to vote for example is granted only to South African citizens (Section 19 of the *Constitution of South Africa*, 1996).

themselves within South Africa's geographical borders²⁴, or branches and spheres of the South African government.²⁵

In terms of the questions raised in the previous section regarding the meaningful public participation crisis, it is of importance to note that the South African Constitution does not contain the term meaningful public participation, nor does it elaborate on the correct understanding of meaningfulness in relation to community engagement. The fact that the Constitution does not use or expand upon the notion of meaningful affirms the first aspect of my argument that identifies a vague and incomprehensive understanding of meaningful that contributes to the problematic nature of public participation in the South African context. An examination of the Constitution is still needed, however, since as the supreme law of the South African legal system, the Constitution will innately establish certain values and standards that imbue the appropriate and expected approach to meaningfulness as it concerns public involvement in governmental decision-making.

This analysis of the relevant sections of the Constitution will focus on the approach that each section advances. A study of the relevant sections of the *Constitution of South Africa* (1996) will show that the Constitution promotes a cultivating and humanistic perspective of meaningfulness. The founding values of the Republic (Section 1) and the Supremacy of the Constitution (Section 2) will be studied first.

Section 1 and 2: The founding values of the Republic and the Supremacy of the Constitution in Chapter One of the Constitution

The founding values of South Africa, outlined in Section 1 of the *Constitution of South Africa* (1996), include a) human dignity, equality, and the furtherance of civil rights and liberties, b) anti-racism and anti-sexism, c) 'supremacy of the constitution'²⁶ and the 'rule

²⁴ Everyone that finds themselves within South Africa's geographical borders for example has the right to equality, human dignity, life and freedom (Sections 9, 10, 11 and 12 *Constitution of South Africa*, 1996).

²⁵ Chapter 3 for example applies to all spheres of government (Sections 40 and 41 of the *Constitution of South Africa*, 1996). See also Chapter 4 which concerns the composition, powers and responsibilities of the legislative branch of government, known as Parliament that consists of the National Assembly and the National Council of Provinces (Sections 42 - 82 of the *Constitution of South Africa*, 1996). See also Chapter 5 that applies to the President and the National Executive (Sections 83 – 102 of the *Constitution of South Africa*, 1996). See also Chapter 7 that pertains to Local Government, known as municipalities (Sections 151-164 of the Constitution of South Africa, 1996). See also Chapter 8 that relates to the Judicial branch of the South African government (Sections 165 - 180 of the *Constitution of South Africa*, 1996).

²⁶ The Supremacy of the Constitution establishes the Constitution as supreme law and requires all other legislation to comply with and fulfil the obligations established therein (De Vos *et al.*, 2014:26).

of law'²⁷, d) the right of all adult citizens to vote in regular elections, that are inclusive of a "multi-party system of democratic government", to ensure an accountable, responsive and transparent government (Section 1 of the *Constitution of South Africa*, 1996). Section 2 confirms the supreme status of the Constitution and 'the rule of law' grants the Constitution the highest status in the legal system; as a result, the Constitution demands that all other legislation comply with and fulfil the obligations established therein.

These sections are significant because they provide the normative lens through which the *Constitution of South Africa* (1996) and 'positive law'²⁸ must be observed (Venter, 1998:51). Moreover, the Constitutional Court holds that the founding provisions have to be respected when 'Common law'²⁹ or legislation is interpreted, advanced, applied or concretised³⁰ within South Africa (*Carmichele v Minister of Safety and Security*³¹, 2001; Currie & de Waal, 2016:31).

The approach to meaningful public participation

This relates to meaningful public participation because public involvement is proclaimed in both the Constitution and legislation. Sections 1 and 2 of the Constitution inform the cultivating and humanistic understanding of meaningfulness, specifically as it relates to public participation in South Africa in several ways; firstly, these sections provide insight into the methodology that should be used to interpret the Constitution and the sources of law recognised in South Africa. This requires an understanding of meaningfulness rooted in human dignity, equality and "rights and freedoms", anti-racism and anti-sexism, the "supremacy of the Constitution and rule of law", and the enfranchisement of all adult citizens, to ensure an accountable, responsive and transparent government (Section 1 of

²⁷ The Rule of Law obligates government to act and perform their duties within the scope of their legal authority (De Vos *et al.*, 2014:788). Moreover, it requires government to perform those functions in a rational and reasonable manner (De Vos *et al.*, 2014:788). In addition, in terms of this principle no citizen or government department is above the law and the law should further apply equally to both (Law, 2015:552).

²⁸ Positive law refers to all legal authority or sources enforced by the South African government, including: legislation, national policy, guides, case law and common law (Venter, 1998: 67; Law, 2015:411).

²⁹ Due to South Africa's colonial historical context the legal system is influenced by Seventeenth- and Eighteenth-Century Roman Dutch law as well as English law (Humby *et al.*, 2013:156). The term common law encapsulates Roman Dutch law and English law and is generally uncodified law, and as a result is generally contained and developed in case law as opposed to legislation or acts promulgated by Parliament (Law, 2015:122).

³⁰ Concretisation is a stage in the interpretation process performed by the courts (Du Plessis, 1986:149 as cited by Botha, 2012:167). Concretisation occurs when a specific act or section within legislation is applied to a specific set of facts placed before the court (Botha, 2012:167; Brugger, 1996:207).

³¹ Para 56.

the *Constitution of South Africa*, 1996). Moreover, participatory decision-making, which is a governmental obligation in terms of the Constitution and legislation, should be carried out in keeping with the values contained in Section 1 (a) - (d) of the *Constitution of South Africa* (1996) (*Sidumo v Rustenburg Platinum Mines Ltd*, 2008).³² Secondly, community engagement honours the constitutional commitment towards a responsive, accountable and transparent government (Section 1 (d) of the *Constitution of South Africa*, 1996). Community engagement that allows citizens to address and engage with the government, as well as allowing for the opportunity to impact decision-making, provides for responsibility, accountability and transparency.

The study will now look at the relevant sections in the Bill of Rights found in Chapter Two of the Constitution.

Section 7: Rights in the Bill of Rights in Chapter Two of the Constitution

Section 7 establishes the Bill of Rights as the foundation upon which the South African democracy is built (Section 7 (1) of the *Constitution of South Africa*, 1996). The Bill of Rights entrenches the most fundamental rights of all persons in South Africa, and this section further enshrines the founding values of "human dignity, equality and freedom" (Section 7 (1) of the *Constitution of South Africa*, 1996). In Section 7 (2) the government is tasked with respecting, protecting, promoting and fulfilling the rights contained in the Bill of Rights (Section 7 (2) of the *Constitution of South Africa*, 1996). Section 7 (3) details the instances in which the enforcement of the Bill of Rights may be limited (Section 7 (3) of the *Constitution of South Africa*, 1996). This section is important for several reasons; firstly, the section establishes the hierarchal situatedness of the Bill of Rights with regard to the interpretation of the Constitution and places an unequivocal duty on government to advance and perform the rights in the Bill of Rights. The duty placed on the state in Section 7(2), however, is not unqualified and does allow for instances in which the rights may be limited in terms of the limitation clause of the *Constitution of South Africa* (1996).

The approach promoted to meaningful public participation

³² Para 149. Chapter 5 of this dissertation will explore an understanding of meaningfulness rooted in the norms set out in Section 1 (a)–(d) of the Constitution of South Africa (1996).

Section 7 promotes the cultivating and humanistic approach to meaningful public participation in three ways. Firstly, since proclaiming the Bill of Rights as the "...cornerstone" of the South African democracy (Section 7 (1) of the *Constitution of South Africa*, 1996), a distinct emphasis is placed on human rights. Secondly, the reaffirmation of the values such as "human dignity, equality and freedom" (Section 7 (1) of the *Constitution of South Africa*, 1996) further indicates the significance of human beings in the South African context. Thirdly, the obligation of government to "... respect, protect, promote and fulfil the rights in the Bill of Rights" (Section 7 (2) of the *Constitution of South Africa*, 1996) demonstrates the importance of realising human rights and developing communities within South Africa.

Section 8: Application of the Bill of Rights in Chapter Two of the Constitution

The Bill of Rights applies to all sources of law in South Africa and is especially binding on the legislature, the executive, the judiciary and all organs of the state³³ (Section 8 (1) of the *Constitution of South Africa*, 1996). This section, when read along with Section 7 (2) as discussed above, unequivocally places a duty on the government to perform and advance the rights contained in Chapter Two of the *Constitution of South Africa* (1996). Contrary to the positive duty observed in the previous section, Section 8 (2) of the *Constitution of South Africa* (1996) further binds the Bill of Rights to private persons³⁴ to the extent that the nature of a right or duty allows it (Currie & de Waal, 2016:48).

The approach encouraged to meaningful public participation

Section 8 supports the cultivating and humanistic understanding of meaningfulness, as it concerns the question of public involvement in two ways, firstly, by making the entire Bill of Rights legally binding on all branches of government as well as organs of the state, it further confirms South Africa's commitment towards attaining human rights. Secondly,

³³ Section 239 of the *Constitution of South Africa* (1996) defines 'organ of state' as:

- (a) any department of state or administration in the national, provincial or local sphere of government, or
- (b) any other functionary or institution –
 - (i) exercising a power or performing a duty in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public duty in terms of any legislation, but does not include a court or a judicial officer.

³⁴ The term 'private persons' incorporates natural persons and juristic persons. Natural persons refers to human beings and South African citizens and is granted all the rights contained in the Bill of Rights. Contrary to this, juristic persons refers to business entities or corporations that is granted some of the rights in the Bill of Rights, for example, right to equality, right to privacy and right to freedom of expression (Law, 2015:349; Currie & de Waal, 2016:36).

the republic's dedication to human rights is further made explicit by making the Bill of Rights binding on private citizens in addition to the government. Binding the Bill of Rights to citizens introduces human rights into horizontal political relationships (i.e. the political relationship between government and citizens) and vertical relationships (i.e. political/power relationships between citizens).

This study will now delve into the relevant sections in Chapter Four of the Constitution.

Section 42, 59 and 72: The National Legislative sector in Chapter Four of the Constitution

Chapter Four (including Sections 42 to 82) of the *Constitution of South Africa* (1996) discusses the national legislative branch of the South African government. The two houses, namely the National Assembly (NA) and the National Council of Provinces (NCOP), work together to carry out the legislative process (Section 42 of the *Constitution of South Africa*, 1996). These legislative processes include drafting and enacting laws (Parliament of the Republic of South Africa, 2021). Both the National Assembly and the National Council of Provinces are compelled to "facilitate public involvement" within these legislative processes and other activities performed by Parliament (Section 59 (1) (a), 72 (1) (a) of the *Constitution of South Africa*, 1996). The *Constitution of South Africa* (1996) also expects Parliament to conduct business transparently and only allows for private meetings when it is "reasonable and justifiable in an open and democratic society" (Section 59 (2), 72 (2) of the *Constitution of South Africa*, 1996).

The national legislative sector's approach to meaningful public participation

Sections 59 and 72 of the *Constitution of South Africa* (1996) encourage a cultivating and humanistic perspective of meaningfulness in three ways. Firstly, Sections 59 and 72 fulfil the nation's fidelity to human rights, since public participation in the legislative process ensures that citizens have an informed say when laws that govern them are promulgated. An informed say in the law-making process allows individuals to collaborate on how they are governed, which in turn affirms the founding provisions and fundamental rights of human dignity and freedom (Section 1 (a), 10, 12 of the *Constitution of South Africa*, 1996; Currie & de Waal, 2016:253).

Secondly, the commitment towards human rights is further expressed by utilising the phrase "must facilitate public involvement" (Section 59 (1) (a), 72 (1) (a) of the

Constitution of South Africa, 1996), which establishes a mandatory provision (Botha, 2012:185) and consequently, an obligation that must be carried out by Parliament. Thirdly, by only allowing closed meetings if it is "reasonable and justifiable in an open and democratic society" (Section 59 (2), 72 (2) of the *Constitution of South Africa*, 1996), Sections 59 and 72 link to the founding provisions of the Constitution because these provisions establish South Africa as an open democratic society (Section 1 of the *Constitution of South Africa*, 1996). In terms of Chapter Four, specifically Sections 59 and 72 of the Constitution, the national legislative sector promotes a cultivating and humanistic approach that actively empowers and encourages citizens to take part in the legislative process and realise their rights to human dignity and freedom.

The relevant sections in Chapter Six that concern the provincial legislatures will now be explored.

Sections 104, 116 and 118: Provincial legislatures in Chapter Six of the Constitution

Chapter Six of the *Constitution of South Africa* (1996) relates to the provincial legislative authorities (Section 104 of the *Constitution of South Africa*, 1996). The provincial legislatures are responsible for promulgating legislation for their respective provinces (People's Assembly, 2021). Provincial legislatures are obliged to "facilitate public involvement" during these legislative processes (Section 118 (1) (a) of the *Constitution of South Africa*, 1996). Provincial legislatures may make orders and rules that regulate provincial legislative business if they are considerate of "participatory democracy, accountability, transparency and public involvement", and public access to legislative sittings may only be limited if it is "reasonable and justifiable to do so in an open democratic society" (Section 116 (1) (b), 118 (2) of the *Constitution of South Africa*, 1996). Section 118 does not describe what is 'reasonable and justifiable in an open and democratic society'.

Provincial legislatures' approach to meaningful public participation

A cultivating and humanistic approach to meaningful public participation, comparable to the perspective encouraged by Parliament during public involvement, is also advanced in Chapter Six of the *Constitution of South Africa* (1996). The above-mentioned sections reveal a commitment to human rights by advocating for citizens' views during the law-making process. In addition, by promoting values like "participatory democracy,

accountability, transparency and public involvement", as well as what is "reasonable and justifiable in an open and democratic society", it furthers the normative values on which South Africa was founded which is a core part of a cultivating and humanistic perspective of meaningfulness explored in this dissertation (Section 116 (1) (b), 118 (2) of the *Constitution of South Africa*, 1996).

Next, the study will look at Chapter Seven which focuses on local governance.

Sections 151, 152 and 153: Local government in Chapter Seven of the Constitution

Chapter Seven of the *Constitution of South Africa* (1996) elaborates on the rights and responsibilities of local government. Local government is comprised of several municipalities established throughout South Africa which govern the local affairs of their respective communities (Section 151 (1), (3) of the *Constitution of South Africa*, 1996). Local government is the nearest to the people, both hierarchically as the first sphere of the South African government, as well as contextually (since municipal employees live in the same communities as the community members whom they serve, municipal employees experience the same socio-economic and environmental conditions).

Local government strives for social and economic development, promoting community engagement in the affairs of the municipality and is obligated to "...structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community..." (Section 152 (1) (c), (e), 153 (a) of the *Constitution of South Africa*, 1996).

Local government's approach to meaningful public participation

Sections 152 and 153 signify an approach centred on achieving human rights and developing the South African citizenry, hence promoting a cultivating and humanistic approach to meaningfulness. Section 152 of the *Constitution of South Africa* (1996) gives expression to the fundamental rights and values of human dignity and freedom (Currie & de Waal, 2016:253) because by promoting public involvement in the matters of local government, individuals are allowed to have a say in how their community is governed. Moreover, Sections 152 and 153 convey a clear mission to develop and transform South African communities. Human dignity, freedom and the developmental mandate are key

aspects of the cultivating and humanistic approach to meaningful public participation that this dissertation aims to discuss.

Lastly, Section 195 on public administration will be considered.

Section 195: Basic values and principles governing public administration in South Africa in Chapter Ten of the Constitution

Chapter Ten of the *Constitution of South Africa* (1996) discusses the daily management and running of the country. Administrative officials work in "every sphere of government, organs of state and public enterprises" (Section 195 (2) of the *Constitution of South Africa*, 1996). Section 195 (1) of the *Constitution of South Africa* (1996) demands that the values and norms enshrined in the Constitution guide the functioning of the country and highlight principles that should direct the administration during these activities. Three principles are particularly relevant to the present study of meaningful community engagement. Firstly, administrative activities must be "developmentally-oriented." Secondly, public administration must respond to people's needs. Thirdly, public participation must be promoted in policy-making.

Administrative officials' approach to meaningful public participation

Returning to the question of what approach to meaningful public participation the public administrative sector advances, it is argued that Section 195 advances a cultivating and humanistic approach to meaningful public participation in three ways. Firstly, by accepting that the administration look to the Constitution for guidance when managing the country, values that specifically focus on human beings are emphasised. For example, the founding values of "human dignity, equality and freedom, anti-racism and anti-sexism" (Section 1 (a) and (b) of the *Constitution of South Africa*, 1996). Secondly, by demanding that administrative activities be "developmentally-oriented" as well as in response to people's needs, the administration is required to take steps that develop South African communities. Thirdly, Section 195 explicitly states that public participation should be encouraged in policy-making processes, which distinctly gives expression to the rights of human dignity and freedom (since citizens are given the right to choose how they are governed).

The next piece of legislation that influences the understanding of meaningful public participation is the *Local Government: Municipal Systems Act 32 of 2000*.

2.3.1.2 Local Government: Municipal Systems Act 32 of 2000

The *Local Government Municipal Systems Act* furthers public involvement by establishing that public participation must take place via:

(a) political structures for participation in terms of the Municipal Structures Act; (b) the mechanisms, processes and procedures for participation in municipal governance established in terms of this Act; (c) other appropriate mechanisms, processes and procedures established by the municipality; (d) councillors; and (e) generally applying the provisions for participation as provided for in this Act (Section 17 (1) of the Local Government Municipal Systems Act, 32 of 2000).

The *Local Government: Municipal Systems Act* thus demands involving local communities in the affairs of local government, and sets out clear instances in which public participation is mandated, as well as specifies mechanisms to achieve it by requiring municipalities to create processes that specifically address complaints by community members; and advertise and manage public comment procedures. The Act also provides for when apt "public meetings and hearings by the municipal council and other political structures and political office bearers of the municipality, consultative sessions with locally recognised community organisations and, where appropriate, traditional authorities;" as well as timeous feedback to local community members (Section 17 (2) the *Local Government Municipal Systems Act 32 of 2000*).

This Act builds on Chapter Seven of the *Constitution of South Africa* (1996), which discusses local government and was enacted by Parliament to lay down specific core values, procedures and processes that are necessary for municipalities to function, as well as ensure the social and economic betterment of local communities (Long title - *Local Government: Municipal Systems Act 32 of 2000*). An analysis of the *Local Government: Municipal Systems Act 32 of 2000* is necessary because this Act demands community engagement in specific instances, and in effect promotes a particular course of action when responding to public participation that shapes local government's conceptualisation and perspective of meaningfulness.

Section 16: Developing a culture of community participation in local government as in Chapter Four of the *Local Government Municipal Systems Act*

Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000 advocates for a culture of public participation in the hopes of collaborating with communities on most facets of governance including framing, implementing and evaluating the 'integrated development plan'³⁵ and the performance management system, as well as observing and assessing the preparation of the budget and strategic decisions.

Approaching meaningful public participation from a culture of community participation

Returning to the study of the problematic nature of meaningful public participation within the South African context, the *Local Government: Municipal Systems Act* 32 of 2000 does not use the phrase meaningful public participation, nor does this Act provide a definition of meaningfulness as it concerns community engagement. By endorsing a culture of community participation (Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000) however, local government gives expression to the cultivation and humanistic perspective of meaningful in several ways. Firstly, the fact that the community can participate in numerous affairs of the municipality, for example development, department performance, strategic decisions and the allocation of funds in the budget (Section 16 of the *Local Government Municipal Systems Act* 32 of 2000). In addition, they can make their voices heard through political structures and office bearers like councillors, as well as mechanisms such as public complaint and comment procedures, public hearings and consultation sessions. These allow citizens to have a say in how they are governed and to negate the need for simply having decisions made on their behalf (again, ensuring that their human dignity and freedom is respected) (Section 17 of the *Local Government Municipal Systems Act* 32 of 2000). Secondly, by allowing the community to participate in preparing the integrated development plan, it is possible for citizens to say where development should take place within their communities, and thus ensures that the municipality takes active steps to cultivate and respond to the needs of that particular community.

³⁵ An integrated development plan (IDP) is a strategic plan detailing how the municipality intends to develop its local community (Section 25 of the *Local Government: Municipal Systems Act* 32 of 2000).

2.3.1.3 Summary of Section 2.2.1.

This chapter (on the problematic nature of meaningful public participation within South Africa) has thus far analysed the relevant sections of the *Constitution of South Africa* (1996), which is the supreme law and requires all legislation and conduct of government to conform to it (Section 2 of the *Constitution of South Africa*, 1996). The *Local Government: Municipal Systems Act* 32 of 2000 provides instances when public participation is required and influences local government's overall approach to meaningfulness. This analysis has observed, firstly, that these two sources do not use or define the term meaningful and, secondly, that both sources promote a cultivation and humanistic approach to meaningfulness as it relates to public participation. Although the discussion thus far has only examined sources that relate to public participation in a general sense, they nonetheless inform the perspective of meaningfulness which will be discussed in this dissertation.

Subsequent subsections will analyse documents published by the government that discuss meaningful public participation and how to bring community engagement to fruition. These sources include the *National Policy Framework for Public Participation*, the *Public Participation Framework for the South African Legislative Sector* and relevant case law. This analysis will serve to highlight the two problematic aspects associated with meaningful public participation, that of ambiguity and inconsistency. The *National Policy Framework for Public Participation* that encourages meaningful public participation in local governance will be examined first in terms of the policy's attempt to comprehensively describe or outline the notion of meaningfulness and the approach to meaningfulness that this policy promotes.

2.3.2 National Policy Framework for Public Participation

The *National Policy Framework for Public Participation* was published to help the local government to implement a well-organised and properly resourced participatory programme (Department of Provincial and Local Government, 2007:7). This document promotes a participatory strategy that provides for public involvement during the decision-making process in compliance with the duties set out in Section 152 of the *Constitution of South Africa* (1996) and Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000.

In my view, the National Policy Framework is significant because it incorporates the abstract aspirational legal theory of public participation within executive decision-making (discussed in Sections 151, 152, 153 and 195 of the *Constitution of South Africa* (1996) and Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000) when implementing participatory mechanisms in South African communities. An analysis of a meaningful participatory mechanism in practice is necessary since public participation as part of participatory democracy is a constitutional right that must be realised by local, district and metropolitan municipalities. Moreover, the problems associated with meaningful public participation in South Africa impact South Africans theoretically (when government promotes a goal-orientated approach that does not accord with the initial aims of public participation established in the Constitution), as well as practically (by obstructing their right to have a say in how they are governed).

The National Policy Framework document describes the approach that local government should aspire to follow during participatory decision-making. I will subsequently analyse it to provide further insight into the meaningful public participation debate. The analysis of the National Policy Framework will attempt to answer two questions. Firstly, does the framework endeavour to define or conceptualise the notion of meaningfulness? Secondly, how does the source approach meaningful public participation?

2.3.2.1 Defining the concept of meaningfulness

The phrase meaningful in connection with public participation is used four times throughout the National Policy Framework. The first instance of use describes the approach to public participation advanced in the framework, while the second instance is found in discussing empowering ward committees.³⁶ Interestingly, this is the only instance in which the framework attempts to elaborate upon the notion of meaningful. The term meaningful is used in relation to public participation for the third time when discussing empowering Integrated Development Plan (hereafter IDP) forums and fourthly, when making recommendations for annual planning.³⁷ In Chapter One of the Policy Framework

³⁶ A ward committee is described by the framework as "...an independent advisory body which must be impartial and perform its functions without fear, favour or prejudice" (Department of Provincial and Local Government, 2007:54).

³⁷ The IDP Forum is held to ensure that the community is involved in the framing and reviewing of local government's integrated development plan (Department of Provincial and Local Government, 2007:61).

that establishes participatory decision-making in local governance the approach to public participation in the National Policy Framework document is described as:

...participatory institutions and practices that (i) aim at empowering citizens in meaningful ways whilst simultaneously taking into account (ii) real world conditions, including experience from elsewhere in the world, but especially the conditions of local governance in South Africa, and (iii) the broader legislative and policy context which frames institutional design. At its heart the challenge is one of balancing lofty ambitions with the real-world constraints (Department of Provincial and Local Government, 2007:11).

From the passage, it becomes clear that the national policy advances two contrasting approaches to meaningfulness from the outset. The first is aimed at empowering citizens in ways that speak to their unique lived experience and local contexts. In contrast, the national policy also promotes furthering political outcomes by requiring public participation to take into account 'broader legislative and policy context which frames institutional design'. Moreover, what precisely 'meaningful ways' to empower the citizenry entails is not communicated within the framework.

When discussing public participation via ward committees, the framework holds that the participation through ward committees is "...likely to be more enthusiastic and meaningful if it is empowered in respect of core municipal processes" (Department of Provincial and Local Government, 2007:54). According to the framework, activities of ward committees will be more meaningful if local government engages the committee in processes related to "...IDP, budget, performance management, performance and strategic decisions on services" (Department of Provincial and Local Government, 2007:55). To make the activities of ward committees meaningful in terms of local municipal processes, the framework requires three other instances of participation by ward committees. The first instance is in terms of the budget, where ward committees must be represented on municipal audit committees (Department of Provincial and Local Government, 2007:55). The second instance requires the Mayor to elect a ward committee representative to serve on the panel that evaluates and monitors the personal performance in terms of Section 27(4)(d)&(e) of the *Performance Management Regulations* (Department of Provincial and Local Government, 2007:55). In the third instance, each ward committee

must be allocated funds by their local municipality to spend on community projects (Department of Provincial and Local Government, 2007:55).

The National Policy Framework attempts to conceptualise the notion of meaningfulness as it relates to participation by ward committees, but remains silent on meaningfulness as it relates to IDP forums and annual planning which results in ambiguity when it comes to the concept of meaningfulness with regard to public participation throughout the rest of the national policy document. Moreover, the approach to meaningfulness in terms of ward committees in local governance cannot be used to provide insight into understanding meaningful IDP forums or annual planning. The approach to meaningfulness as it relates to participation by ward committees is specific to the function and role of ward committees in local governance and does not apply to all types of participatory programmes. The fact that the national policy document elaborates on what meaningfulness entails within ward committees in local governance but not in terms of IDP forums and annual planning results in the conceptualisation of meaningfulness being applied inconsistently throughout the framework. This incomprehensiveness and lack of consistency reiterates the problem of meaningful public participation in South Africa.

Approach to meaningfulness promoted by the National Policy Framework document

The *National Policy Framework for Public Participation* attempts to approach citizen engagement within South African communities from a cultivation and humanistic lens, where meaningful public participation aspires to empower South Africans in governmental decision-making and engage them in governance, while simultaneously incorporating aspects of the goal-orientated perspective. These aspects include implementing participatory mechanisms to achieve specific goals and encouraging consensus amongst community members. Attempting to merge these conflicting perspectives is problematic since the motivation of the cultivating and humanistic approach that aims to transform and develop is incompatible with the goal-orientated approach that hopes to reach agreement and harmony among South Africans. The goal-orientated approach is criticised in this study because it does not give expression to the aspirations of public participation that I argue correspond with the aspirations of a cultivation and humanistic approach to meaningful public participation. The local government's approach to public participation is rooted in empowering and developing local community members. The envisioned approach to community engagement was explained by Sydney Mufamadi

during a workshop on Community/Ward-Based Planning hosted by the Mangaung Local Municipality, Bloemfontein in 2002, wherein he stated that:

Government does not only view community participation as an end in itself. Rather the purpose of participation is the very essence of a people-centred approach to development. In this context communities should not be viewed as passive participants but as active agents of change and development. Participation processes should develop people to become more resourceful themselves in as much as it should be aimed at ensuring that service and infrastructure delivery is enhanced through community participation (Department of Provincial and Local Government, 2007:7).

The perspective of public participation advanced by local government, accordingly, reaffirms empowering and improving the lives of the citizenry, which represents two key principles of a cultivating and humanistic approach to meaningfulness.

The National Policy Framework sheds further light on the appropriate approach to meaningful public participation by elaborating on the key assumptions and principles that underline citizen engagement.

2.3.2.2 Key assumptions and principles that underline citizen engagement

The National Policy Framework (Department of Provincial and Local Government, 2007:15) identifies seven basic assumptions of public participation. These are as follows:

1) *It is assumed that public involvement is aimed at achieving good governance and human rights.* In my view, assuming that provincial and local government's public participation processes should achieve good governance and human rights conveys a cultivating and humanistic approach to meaningful public participation that recognises the primacy of human beings and their rights within a public participation process.

2) *Community participation reaffirms the fundamental right of all people to partake in governmental decision-making.* Affirming that all humans have a fundamental human right to participate in governmental decision-making indicates that public participation policy prioritises people within the public participation process. The

executive government's public participation policy shows a strategy that prioritises human beings within a participatory democracy. The executive government's emphasis on human beings, in my view, promotes a cultivating and humanistic approach to meaningful public participation.

3) *Citizen engagement intends to narrow the social gap between the electorate and elected institutions, essentially bringing the government to the people.* A public participation process that is intended to bring the government closer to the people takes on a cultivating and humanistic attitude towards public participation that aims to empower community members to close the status gap between elected officials and the community.

4) *Public participation acknowledges the intrinsic dignity of all human beings and aims to empower the community to take part in the matters of government.* A public participation process that firstly, assumes the inherent dignity of all human beings and aspires to empower citizens to participate in all matters of government considers public participation from a cultivating and humanistic perspective that empowers communities and recognises the participants' human dignity.

5) *The public can contribute either individually or in groups to governmental decision-making.* A public participation process that allows individuals and groups to engage in governmental decision-making makes the public participation process more accessible by making the process adaptable to each participant's level of confidence (i.e. wanting to participate as an individual or part of a group). An adaptable participatory mechanism empowers citizens because it gives them control over their participation within the public participation process. Giving participants more power within the participatory process is a cultivating and humanistic view of a public participation process that empowers participation and allows them to cultivate and adapt their participation.

(6 & 7) With regard to community participation; according to the National Policy Framework the term '*community*' should be interpreted as "*...as a ward, with elected ward committees*". These ward committees are considered essential to connect elected institutions with the people. Other forums like *izimbizo*, roadshows, the *makgotla* and so forth reinforce these connections and inspire communication

between government and smaller local communities (Provincial and Local Government, 2007:15). By dividing the community into smaller ward committees, public participation can happen in smaller groups or communities. In my view, this has several advantages for both the community members and the government. Participating in smaller groups allows for more interaction and building connections in the public participation process between the government and community members. Participating in smaller groups will allow each community member to express their views and enough time for the government to listen to those views. The government and community members will understand each other better if they participate in smaller groups because there will be time for community members to explain their positions on policies and executive decisions. By allocating government more time to explain their policies, political positions and decisions in depth they can be more transparent, accountable and responsive to their communities. Dividing the community into smaller wards approaches public participation in a cultivating and humanistic manner because it emphasises bringing and connecting the government closer to its people. This envisions a public participation process that cultivates communication channels between the government and communities and empowers community members to actively engage and participate in the public participation process, as well as build connections with government institutions.

Public participation is founded on the principles of: *Inclusivity, diversity, building community participation, transparency, flexibility, accessibility, accountability, trust, commitment, respect and integration*" (Department of Provincial and Local Government, 2007:21). These principles will be discussed individually starting with inclusivity.

- 1) *Inclusivity* is understood as open to and welcoming the opinions of those who are part of the participatory process (Department of Provincial and Local Government, 2007:21).
- 2) *Diversity* recognises that race, gender, religion, ethnicity, language, age, economic status and sexual orientation give rise to different lived experiences which should be respected during community participation.

I argue that including both of these principles of inclusivity and diversity shows that government wants to create a space where people are free and empowered to represent themselves and their views. Inclusivity and diversity are also concepts that tend to go hand in hand, since if one is inclusive of different opinions, diverse views will be a natural consequence of the practice or policy of welcoming all views. Diversity, on the other hand, cannot function without inclusivity since diversity requires being inclusive of people with diverse backgrounds and lived experiences. Inclusivity and diversity work together to create a 'safe space' where all South Africans can engage in governmental decision-making. Inclusivity and diversity in public participation however are tempered with consensus by requiring government to encourage consensus among participants (when appropriate) regardless of these diverse experiences (Department of Provincial and Local Government, 2007:21). I find the argument in favour of reaching consensus among community members problematic, since by encouraging consensus between participants a sort of uniformity is suggested, or some general agreement is striven for which seems to conflict with the principles of inclusivity and diversity that emphasise uniqueness and difference of opinion during participatory procedures.

3) '*Building community participation*'. According to the National Policy Framework, this principle entails "...the active empowerment of role players so that they clearly and fully understand the objective of community participation and may in turn take such actions or conduct themselves in ways that are calculated to achieve or lead to the delivery of the objectives" (Department of Provincial and Local Government, 2007:21). I similarly find the principle of 'building community participation' problematic since it simultaneously advances two conflicting perspectives of meaningfulness within the National Policy Framework. The conflict between these two approaches takes place because, on the one hand, the cultivating and humanistic view is expressed by encouraging active empowerment of participants in the participation process which develops and transforms South African communities. On the other hand, this principle also envisions a goal-orientated approach because the purpose of empowerment is aimed at comprehending the objectives of community participation and the participants conducting themselves "... in ways that are calculated to achieve or lead to the delivery of the objectives" (Department of Provincial and Local

Government, 2007:21). Building community participation by empowering community members to thoroughly understand the aims of community participation shifts the focus from development and transformation by empowering South African community members to reach specific goals by way of educating the community on the objectives of community participation and how to act in a way that is conducive to realising those objectives within the community.

- 4) *Transparency* is the fourth principle of public participation. According to the National Policy Framework, a transparent participatory process requires "...openness, sincerity and honesty among all the role players in a participation process" (Department of Provincial and Local Government, 2007:21).
- 5) *A flexible public participation mechanism* that allows for a change in time framework and methodology. A flexible public participation process will guarantee " ...adequate public involvement, realistic management of costs and better ability to manage the quality of the output" (Department of Provincial and Local Government, 2007:22). In my view, the principle of flexibility promotes a goal centred approach to meaningfulness because it places emphasis on the end result by proposing that flexibility in the process will allow for managing the 'quality of the output' instead of focusing on developing and transforming the participants of the participation process.
- 6) The principle of '*accessibility*' requires the public participation process to be accessible:

at both mental and physical levels - collectively aimed at ensuring that participants in a community participation process fully and clearly understand the aim, objectives, issues and the methodologies of the process, and are empowered to participate effectively. Accessibility ensures not only that the role players can relate to the process and the issues at hand, but also that they are, at the practical level, able to make their input into the process (Department of Provincial and Local Government, 2007:22).

According to the National Policy Framework, the public participation process must be intellectually and physically accessible. The principle of accessibility is aimed at educating the community on the public participation process, including its aims, purposes and methods. Moreover, an accessible public participation process must also empower community members to effectively engage in the participatory process. I argue that the principle of accessibility promotes both the cultivating and humanistic as well as the goal-orientated stances on public participation. Since government intends to completely inform the participants about the participation process and 'empower' them to participate in the process, it expresses a sentiment akin to the cultivating and humanistic perspective. Yet, by aiming to inform participants so that they will be able to understand the "the aim, objectives, issues and the methodologies of the process" and be enabled to "participate effectively" it also conveys a goal-orientated approach, since the emphasis is placed on reaching specific goals and end results. The goal-orientated approach is further articulated by making use of the notion of "effective participation", since a programme is usually considered effective if a desired outcome is reached. The principle of accessibility exemplifies the problematic nature of meaningful public participation in South Africa based on the two aspects of ambiguity and inconsistency. The notion of meaningful public participation is made ambiguous because this principle advances two contradictory views on public participation. Moreover, the National Policy Framework advances inconsistent approaches to meaningful public participation by advancing both a cultivating and humanistic and a goal-orientated approach.

- 7) The National Policy Framework identifies *accountability* as the seventh principle of public participation. The principle of accountability entails holding all of the participants of the participation process accountable for their actions during the process, as well as emphasising the responsibility of all partaking parties in participatory decision-making to comply with "all the measures and decisions in the course of the process" (Department of Provincial and Local Government, 2007:22). The principle of accountability presents the cultivating and humanistic approach to public participation in a unique way, since by making each participant accountable to the other participants as well as responsible for their conduct during the participatory process – it expresses a form of empowerment. Participants of the participatory process have power over themselves and the power to hold other participants accountable for their actions during the process.

- 8) The National Policy Framework values the principles of *trust, commitment and respect* and wants to implement participatory processes that South African communities can trust and by which they can instil confidence in the "*integrity, sincerity, honesty and ability of the process and those facilitating the process*" (Department of Provincial and Local Government, 2007:22). The National Policy Framework further argues that if community participation is only done as 'window dressing' or merely for legislative compliance, it will greatly stain the community's opinion of the process and of any participants involved therein. A negative perception of public participation will in the long run be to "...the detriment of any community participation processes" (Department of Provincial and Local Government, 2007:22). The principles of trust, commitment and respect emphasise the objectives that public participation aspires to achieve, requiring that participants involved in the process have faith in the participatory process. This indicates something more significant than simply achieving the aims of public participation. It shows that the National Policy Framework expects public participation facilitators to act in such a way that they are perceived as trustworthy, committed and respectful. Participatory mechanisms need to develop into a practice associated with values such as "integrity, sincerity, honesty and ability" (Department of Provincial and Local Government, 2007:22). The principles of trust, commitment and respect hold government officials to a higher standard and encourage a cultivation and humanistic approach (since this principle considers public participation overall to be to the benefit and betterment of society which closely links to the cultivating and humanistic approach principled on empowering, developing and transforming the South African communities).
- 9) The last principle of public participation requires *integrating public participation processes into "mainstream policies and services, such as the IDP process and service planning"* (Department of Provincial and Local Government, 2007:22). By integrating public participation processes into all policies and services, it enlarges the public participation platform, cultivates a culture of public participation between government and communities and empowers community members to engage in governmental decision-making.

2.3.2.3 Summary of Section 2.2.2

In summation by advancing the cultivating and humanistic, as well as the goal-orientated approach to meaningfulness, it contributes to the problematic nature of meaningful public participation in two ways. Firstly, if the pendulum swings from a cultivating and humanistic to a goal-orientated approach, it obscures the concept of meaningfulness as it relates to the question of public participation and contributes to the ambiguity of the phrase meaningful public participation. Secondly, if the approach to meaningfulness oscillates between the cultivating and humanistic perspective and the goal-orientated perspective, the notion of meaningfulness is inconsistently applied within the National Policy Framework.

The Public Participation Framework for the South African Legislative Sector promotes meaningful public participation within legislative processes and will be analysed in terms of the framework's framing and definition of meaningfulness and the legislative sector's approach to meaningful public participation.

2.3.3 Public Participation Framework for the South African Legislative Sector

The legislative sector, which consists broadly of Parliament and provincial legislatures, published a framework to provide for a "shared understanding, alignment and minimum requirements and guidelines for public participation that each individual institution can utilise, customise and use as a benchmark" (Legislative Sector, 2013:11). The *Public Participation Framework for the South African Legislative Sector* thus aims to guide the legislative sector in their participatory endeavours.

The Public Participation Framework for the Legislative Sector is notable because it integrates jurisprudence on public participation within the legislative process (discussed in Sections 59, 72, 104, 116 and 118 of the *Constitution of South Africa* (1996) into public engagement programmes when making the laws that govern South Africans. It is necessary to do a further study into the practical functioning of meaningful public participation in the legislative process, since all South Africans have a constitutional right to meaningfully engage in the local, provincial and national legislative processes. Moreover, the problems associated with meaningful public participation in South Africa also impact South Africans theoretically (when government promotes a goal-orientated approach that does not accord with the initial aims of public participation established in

the Constitution), as well as practically (by obstructing their right to participate in the laws that govern them).

An investigation into the *Public Participation Framework for the South African Legislative Sector* will enlighten the notion of meaningfulness in relation to public participation and will reveal the perspective that the South African legislative sector (as well as other government institutions) should utilise in their participatory pursuits. The *Public Participation Framework for the South African Legislative Sector* will be examined from two angles; firstly, does the framework attempt to outline the notion of meaningfulness? Secondly, what approach to meaningful public participation does this framework encourage?

The public participation framework does not define the notion of meaningfulness even though the words meaningful or meaningfully are used in conjunction with public participation to describe how participatory procedures should take place (Legislative Sector, 2013:31). The framework does, however, shed light on the notion of meaningful public participation and how to approach it. The notion of meaningfulness is illuminated by the framework's definition of "public participation" and "public involvement," as well as by the core values and principles of public participation embraced in the public participation framework (Legislative Sector, 2013:7, 31).

2.3.3.1 Defining "Public Participation" and "Public Involvement"

There is a debate about the appropriate usage and level of participation signified by the verbiage participation or involvement. Since the study is aimed at understanding the notion of meaningful, it falls beyond the scope of this study to discuss these concepts in detail. Moreover, I argue, that comparing and contrasting these concepts would ultimately result in a distinction without a difference, because whether one describes the participatory process as public participation or public involvement it comes down to the duty of the South African government to involve the public in their decisions (whether it is executive decisions, in terms of policy or administrative action, or legislative decisions, in terms of legislation) (Legislative Sector, 2013:7). In light of the above, public participation and public involvement will be used interchangeably in this dissertation.

Analysing the definitions of "public participation" and "public involvement" in the framework is necessary because it goes beyond merely defining these concepts. These

descriptions also elaborate on why these processes are necessary within the legislative sector. By examining why these participatory processes are deemed necessary within the legislative sector, it sheds light on the reasoning behind these processes and how to meaningfully approach them.

Public participation is defined as:

...the process by which Parliament and provincial legislatures consult with the people and interested or affected individuals, organisations and government entities before making a decision. Public participation is a two-way communication and collaborative problem-solving mechanism with the goal of achieving representative and more acceptable decisions (Legislative Sector, 2013:7).

Public participation in the legislative sector is thus a process whereby legislatures confer with South Africans and stakeholders (i.e. "interested or affected individuals, organisations and government entities") when making and promulgating legislation (Legislative Sector, 2013:7). When the legislative branch of government consults with people and interested stakeholders before making a decision, it approaches public participation with a cultivating and humanistic spirit because consultation beforehand empowers South Africans to express their views and influence within the legislative process.

The framework then proceeds to describe public participation as "a two-way communication and collaborative problem-solving mechanism with the goal of achieving representative and more acceptable decisions" (Legislative Sector, 2013:7). This understanding of public participation conveys a goal-orientated approach to meaningful public participation, since this definition emphasises reaching predetermined goals and focuses on the end result of the participatory procedure (i.e. the focus is on achieving representative and more acceptable decisions") (Legislative Sector, 2013:7). The understanding of public participation in the legislative sector thus incorporates both a cultivating and humanistic as well as a goal-orientated approach. It begins with a cultivating and humanistic approach and then shifts the pendulum to a goal-orientated perspective on meaningful public participation.

Contrary to this, the definition of public involvement moves the pendulum from a goal-orientated perspective back to a cultivating and humanistic approach to meaningful public

participation. A cultivating and humanistic approach aims to empower the community and have their voices heard. The public participation framework describes public involvement as:

... a process wherein people in South Africa exercise their collective and individual initiatives to promote their interests in decision-making and oversight. A public participation framework for Parliament and provincial legislatures takes into account the minimal considerations in facilitating public involvement. These considerations are based on what is appropriate in light of the specific process, content, importance and urgency, as well as the response from the public. The above is dependent on the nature of the process, i.e. whether it potentially affects an identifiable section of the population, and/or whether the potentially affected section of the population is given a proper opportunity to have a say. This also alludes to the provision of meaningful opportunities for the public to participate, whether written or oral. Submissions must then be considered and responded to (Legislative Sector, 2013:7).

The definition of public involvement demonstrates the legislative sector's commitment to empowering citizens. The legislative sector demonstrates their commitment to empowering citizens four times during the definition of public involvement:

- 1) By intending public involvement to be a process during which individuals or groups are able to "promote their interests in decision-making" it empowers community members to advocate for themselves and their best interests.
- 2) By using the public involvement process as community oversight, it further empowers the community since it makes the government accountable to the public.
- 3 & 4) By requiring citizens to be "...given a proper opportunity to have a say..." or ".... meaningful opportunities for the public to participate..." the public has a genuine opportunity to express their views and are resultantly empowered to act on behalf of themselves.

The consequence of two concepts that essentially describe the same participatory process but promote two distinct approaches to that participatory process is that the notion of a meaningful participatory process becomes ambiguous and inconsistent, since the framework furthers two perspectives of the participatory process without indicating which approach the legislative sector prefers. This makes the notion of meaningful public

participation open to more than one interpretation, and thus ambiguous. Moreover, different interpretations by branches of government will result in inconsistent applications of meaningful participatory decision-making.

The understanding of meaningful public participation and how to approach it is further elucidated by the eight core values and five principles championed in the public participation framework (Legislative Sector, 2013:31).

2.3.3.2 Core values and principles of public participation

Meaningful public engagement in the legislative process is rooted in eight core values and five principles embraced in the public participation framework (Legislative Sector, 2013:31). Studying these values and principles will help to understand the South African legislative sector's approach to meaningful public participation. The values and principles will firstly be analysed in terms of the approach (i.e. cultivating and humanistic or goal-orientated) which it promotes, after which we will look at how these values and principles relate to the public participation crisis in South Africa.

The eight core values advocated for in the public participation framework include (Legislative Sector, 2013:31):

- 1) *Affected parties' right to be involved in the decision-making process.* I argue that rooting the participatory process in stakeholders' right to be involved in the decision-making process shows that the legislative sector commits itself to empower South African communities by safeguarding citizens' views in the legislative process. By empowering citizens to participate in governmental decision-making the legislative sector embraces a cultivating and humanistic approach to meaningful public participation.
- 2) *The promise that the public views will influence the final decision.* When the legislative sector places a value on the contributions that the public makes during the participatory process it gives the participants certainty that their views will be integrated and influential within the participatory process. The certainty that the public views will be valued empowers citizens in line with the cultivating and humanistic approach to meaningful public participation.

- 3) *Encourage and facilitate stakeholders' involvement within the participatory process.* Calling upon the legislative sector to encourage and facilitate stakeholders' involvement ensures that the legislative authority is accountable and responsive to the public as well as transparent during the legislative process. This value conveys a cultivating and humanistic approach to meaningful public participation because it gives it expression to the founding values of the Constitution (i.e. a government that is accountable, responsive and transparent), as well as giving the stakeholders more power within the political relationship by requiring the government to be accountable, responsive and transparent to the public (Section 1 of the *Constitution of South Africa*, 1996).
- 4) *Collaborate with participants to design how they participate.* In my view, when the legislative authority works with participants to design their participation it gives community members more control over the participation process. When community members are allowed to design their participation they are empowered to play an active role in creating and cultivating a public participation space and not merely participants in a process determined by the government. The collaboration between legislatures and participants in developing a space for public participation also transforms the public participation process since it also engages the communities when designing a participatory process.
- 5) *Publish the information that the participants need to participate in a meaningful way.* What it means to "participate in a meaningful way" is not discussed or defined within the public participation framework. In my view, providing participants with information to participate within the participation process also expresses a cultivating and humanistic sentiment, since access to information values transparency and ensures constitutionality within the public participation process implemented by the legislative government (Section 1 *Constitution of South Africa*, 1996). Moreover, if participants have access to information it empowers citizens to give reasoned and well-informed input into legislative and policy decisions.
- 6) *Encourage sustainable decisions by acknowledging and communicating the needs and interests of participants engaging in the public participation process.* The legislative sector recognises that decisions made within the legislative process will be

more sustainable if it acknowledges and communicates the needs and interests of the participants in the participation process. By encouraging decisions that recognise and communicate the needs and interests of participants, the legislative sector follows a cultivating and humanistic approach because it values participants' views and recognises their needs and interests in the legislative process. Safeguarding participants' views and proper recognition of their needs and interests empowers citizens within the public participation process.

- 7) *Communicate to participants how their views influenced the decision.* Requiring proper feedback recognises that participants are entitled to know what the reasoning behind a legislative decision was. They are also entitled to know how their views were considered and integrated within the decision-making process. Proper feedback from the legislative sector thus ensures that the decisions made by the legislative sector are transparent, accountable and responsive. Demanding that the legislative sector be transparent, accountable and responsive to participants empowers participants within the legislative process. Valuing proper feedback promotes a cultivating and humanistic approach to meaningful public participation because it reaffirms that the legislative sector has to be transparent, accountable and responsive following the Constitution (Section 1 *Constitution of South Africa*, 1996). It also empowers participants in the public participation process because it demands transparency, accountability and responsiveness from the legislative sector.
- 8) *Include all relevant perspectives in the public participation process.* By demanding that "all relevant perspectives" be considered, it requires the legislative sector to equally consider the views of the participants involved in the participatory process. Requiring equal consideration of all of the participants' views in the legislative process values, protects and empowers participants' unique points of view in the legislative process. The cultivating and humanistic approach to public participation also values, protects and empowers citizens' views within the public participation process.

The core values further a cultivating and humanistic approach by confirming the legislative sector's commitment to empowering South African communities by safeguarding citizens' views in governmental decision-making, and by encouraging transformation by demanding that "all relevant perspectives" be considered. These

values ensure equal consideration of everyone involved in participatory decision-making (Legislative Sector, 2013:31).

The framework's approach to meaningful public participation however becomes uncertain from here on, since the prescribed principles further both a cultivating and humanistic as well as a goal-orientated understanding of meaningful public participation. The five principles of public participation include (Legislative Sector, 2013:31):

- 1) *Promoting active and representative participation enables community members to meaningfully influence the decisions that impact their lives.* The concept of "Meaningful(ly) influence" is not defined or outlined in the *Public Participation Framework for the South African Legislative Sector* (Legislative Sector, 2013:31). In my view, however, from my interpretation of this principle in the public participation framework, community members make a meaningful contribution when they engage deliberately in the public participation process and distinctly communicate their views to influence the final decision. By encouraging community members to actively participate and represent their views within the legislative process, the legislative sector also empowers community members to become actively involved in this process and to speak out against legislation or decisions that may negatively affect their lives. Empowering community voices is an essential theme within the cultivating and humanistic approach to meaningful public participation.
- 2) *Inform the community of local issues and the economic, social, environmental, political, psychological and other possible consequences associated with certain courses of action.* By teaching community members about community issues and the factors that affect the legislatures decision-making processes, legislatures have a cultivating and humanistic outlook on public participation, since by informing community members of their reasoning in the decision-making process, the legislative sector is being transparent, accountable and responsive to their local communities. Moreover, by informing community members of community issues and

possible consequences of certain courses of action, it empowers participants to provide rational and insightful responses to legislative and policy decisions.

- 3) *Integrate the diverse interests and cultures of the community into the law-making process and end legislative efforts that are likely to adversely impact the disadvantaged members of a community.* By incorporating diverse interests and cultures into the law-making process, I argue that it cultivates the unique views of the community within the law-making process and transforms the public participation process to reflect the entire community's views on legislation and legislative decisions. The legislative sector's commitment to stop pursuing efforts that would adversely affect the disadvantaged members of society shows a commitment towards empowering disadvantaged members by elevating marginalised voices within the public participation process, as well as a devotion to transformative legislative processes that provides equal opportunities for all members of society that participate in the law-making processes.
- 4) *Work actively to enhance the leadership skills of community members, leaders and groups within the community.* The legislative sector's work on improving the leadership skills of the community empowers the community economically, socially and politically within the legislative processes. Improving leadership skills will economically empower the community since leadership skills provide knowledge that can be used to enhance entrepreneurship and assist in closing the wealth gap between the rich and poor. Improving leadership skills within the country will also socially empower South African communities because it can provide confidence to claim the right of self-determination and pursue their interests. Enhanced leadership skills will give South Africans the confidence to take a stand in the law-making process and thus cultivate and use their political power within the legislative process. Strengthening leadership skills will also transform the South African society because it will encourage community members to act toward the goal of achieving "...their full human potential" (Langa, 2006:352). The legislative sector's work to build leadership skills furthers a cultivating and humanistic

approach to meaningful public participation because it empowers, develops and transforms South African communities.

- 5) *Use the community's diversity to deepen the understanding and ensure outcomes that have long-term benefits for the whole community or society.* Using the community's diversity to encourage understanding promotes a cultivating and humanistic approach to public participation since it transforms the legislative process by creating awareness of different and unequal social and economic realities within society and how different realities can influence the community's views on legislation. Ensuring outcomes that have long term benefits, however, promotes a goal-orientated approach to meaningful public participation because its focus is on reaching predetermined end goals and favourable results.

The five principles of public participation identified in the public participation framework thus favour a cultivating and humanistic approach to meaningfulness, since clear strides are made towards empowering members of the community in the first, second and fourth principles that "promotes active and representative participation", "engages community members in learning and understanding community issues" and "works actively to enhance the leadership capacity of community members" (Legislative Sector, 2013:31). Moreover, the third principle of public participation that "incorporates the diverse interests and cultures of the community in the development process, and disengages from the support of any effort that is likely to adversely affect the disadvantaged members of a community" is in line with the cultivation and humanistic approach's objective to develop South Africa communities (Legislative Sector, 2013:31).

Contrary to this description, however, a goal-centred approach focused on reaching predetermined goals and favourable results is encouraged in the fifth principle that wants public participation to take advantage of "community's diversity to deepen shared understanding and produces outcomes of long-term benefit to the whole community or society" (Legislative Sector, 2013:31) The fifth principle sways the pendulum of a

meaningful participatory mechanism from empowerment and development to that of successful outcomes and fulfilment of specific goals.

Again, the fact that two perspectives are simultaneously embraced when approaching meaningful public participation in South Africa results in ambiguity and inconsistency. The conceptualisation of meaningfulness becomes ambiguous when the same concept can be interpreted and evaluated from two completely different points of departure. Moreover, having different views of a meaningful participatory mechanism could bring about an inconsistent application by different branches of government. An inconsistent application of a meaningful participatory mechanism is likely to result in unequal opportunities for citizens to participate in governmental decision-making, which is definitely at odds with South Africa's fundamental rights of human dignity, equality and the national imperative of transformation. The argument can be made that since the core values and four of the five principles of the public participation framework favour a cultivating and humanistic approach, as opposed to a goal-orientated approach, the inference can be drawn that meaningful public participation should be approached from a cultivation and humanistic perspective. Requiring the government to infer an approach to meaningful public participation, however, serves as emphasis that the criticism of the notion of meaningful public participation is ambiguous (since if the intended meaning was clear, there would be no need for further deliberations).

It is further problematic that there is not a shared approach to meaningful public participation among branches of government, even though both the policy framework and framework for the legislative sector demand a meaningful participatory mechanism. The different principles of public participation promoted by the policy framework and framework for the legislative sector confirm these differing approaches (Department of Provincial and Local Government, 2007:15; Legislative Sector, 2013:31). Differing approaches contribute to an ambiguous and inconsistent meaningful participatory mechanism. To address the ambiguity and inconsistency when implementing meaningful public participation, the legislative sector calls for "...public participation to be mainstreamed" (Legislative Sector, 2013:32). I agree with this view and will show how the furthering of a cultivating and humanistic approach to meaningful public participation could be embraced by all branches of government.

2.3.3.3 Summary of Section 2.2.3

The public participation framework meant to guide the legislative sector in its public participation endeavours contributes to the meaningful public participation crisis by failing to properly define the concept of meaningful public participation (giving rise to ambiguity) and encouraging the two competing approaches of cultivating and humanistic and goal-orientated (engendering inconsistent and varied application).

The next subsection will analyse the Constitutional Court's views on meaningful public participation expressed in the court cases *Doctors for Life International v Speaker of National Assembly* (2006) and *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* (2008).

2.3.4 Case Law relating to 'meaningful' Public Participation

The *Doctors for Life International v Speaker of National Assembly* (2006) and *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* (2008) court cases will be analysed in terms of their definition of meaningfulness as it relates to meaningful public participation and the court's approach to meaningful public participation. The court cases accordingly will not be discussed in-depth, and the investigation will focus on the conceptualisation of meaningful public participation that is revealed in these proceedings.

2.3.4.1 *Doctors for Life International v Speaker of National Assembly* 2006 6 SA 416 (CC)³⁸

In the *Doctors for Life* case, the applicant argued that the National Council of Provinces (NCOP) and provincial legislatures did not fulfil their constitutional duty to facilitate public involvement when promulgating the Choice on Termination of Pregnancy Amendment Act 38 of 2004; the Sterilisation Amendment Act 3 of 2005; the Traditional Health Practitioners Act 35 of 2004; and the Dental Technicians Amendment Act 24 of 2004.

The court analysed the notion of public involvement to determine whether it was facilitated. On the notion of public involvement, the court held:

³⁸ Hereafter *Doctors for Life* case.

What is ultimately important is that the legislature has taken steps to afford the public a reasonable opportunity to participate effectively in the law-making process. Thus construed, there are at least two aspects of the duty to facilitate public involvement. The first is the duty to provide meaningful opportunities for public participation in the law-making process. The second is the duty to take measures to ensure that people have the ability to take advantage of the opportunities provided (*Doctors for Life International v Speaker of National Assembly*³⁹, 2006).

According to the Constitutional Court, the law-making process must give the public reasonable opportunities to effectively participate in legislative processes. The constitutional duty to facilitate public participation has two features; providing meaningful opportunities for public participation and the certainty that the public can take advantage of those participatory opportunities (*Doctors for Life International v Speaker of National Assembly*, 2006).

The Constitutional Court's reasoning on public involvement is flawed because the court seems to regard a "reasonable opportunity" and "meaningful opportunities" to be synonymous. Reasonableness, however, seems to refer to what is practicable and fair in present circumstances. Meaningfulness on the contrary seems to indicate that which is significant, worthwhile and valuable. In my view, the benchmark for meaningfulness is higher than that which is simply reasonable. Furthermore, the court held that the public must be able to "participate effectively in the law-making process", which is problematic since the notion of effectiveness signifies a successful or desired outcome, whereas the notion of meaningfulness demands more from the government than reaching desired and successful outcomes. It demands a participatory process that empowers, develops and transforms South African communities.

Returning to our analysis of the court's approach to meaningful public participation, this case does not define the notion of meaningfulness, even though the phrase meaningful or meaningfully is used in conjunction with public involvement to describe how participatory procedures should take place. Furthermore, the pendulum swings between a goal centred and a cultivating and humanistic approach with regard to meaningful public participation. By requiring public involvement to

³⁹ Ngcobo, J. in *Doctors for Life*, paragraph (hereafter para) 129.

ensure effective participation in the law-making process, it signals successful or desired outcomes, thus linking a goal centred approach to the participatory mechanism. A cultivating and humanistic approach, however, is also envisioned since "...the duty to take measures to ensure that people have the ability to take advantage of the opportunities provided" requires the government to actively provide opportunities to participate as well as empower communities so that they can seize those opportunities (*Doctors for Life International v Speaker of National Assembly*, 2006).

2.3.4.2 *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* 2008 (5) SA 171 (CC)⁴⁰

In the *Merafong Demarcation Forum* case the applicants challenged the validity of a constitutional amendment that allowed provincial boundaries to be redrawn and as a result, relocate the Merafong City Local Municipality from the Gauteng Province to North West Province (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*⁴¹, 2008).

To determine whether the public was involved in the legislative process, the court needed to expound upon the notion of involvement as it relates to meaningful public involvement. The court held that:

...being involved does not mean that one's views must necessarily prevail. There is no authority for the proposition that the views expressed by the public are binding on the legislature if they are in direct conflict with the policies of government. Government certainly can be expected to be responsive to the needs and wishes of minorities or interest groups, but our constitutional system of government would not be able to function if the legislature were bound by these views. The public participation in the legislative process, which the Constitution envisages, is supposed to supplement and enhance the democratic nature of general elections and majority rule, not to conflict with or even overrule or veto them [public involvement] does not require ongoing dialogue. In fact, continuing discussion which does not result in a changed outcome, could strengthen possible perceptions that the consultation was not meaningful

⁴⁰ Hereafter the Merafong Demarcation Forum case.

⁴¹ Para 1.

*(Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*⁴², 2008).

The Constitutional Court's views on public involvement provide insight into the court's perspective of a meaningful participatory mechanism. Requiring government "to be responsive to the needs and wishes of minorities or interest groups" makes the government accountable to South African communities although government remains the governing authority (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008). Accountability to the community empowers "minorities or interest groups" and transforms South Africa into a more equal society which essentially embraces a cultivating and humanistic approach to meaningfulness. Contrary to this, however, by describing what is not considered meaningful, the court inadvertently provides insight into what is meaningful. The court holds that a meaningful public consultation must be final and decisive, and only considers further discussions necessary if it will change the original outcome. This attempt to explain the notion of meaningfulness encourages a goal-orientated approach since it evaluates a participatory mechanism in terms of the outcome of the first public meeting.

2.3.4.3 Summary of Section 2.2.4

The court's approach to meaningfulness in the *Doctors for Life* and the *Merafong Demarcation Forum* cases contributes to an ambiguous and inconsistent participatory mechanism in several ways by failing to define the notion of meaningful public involvement, along with using terms such as reasonable and meaningful, that convey completely different ideas, interchangeably, and prevent a clear and precise understanding of meaningfulness. Furthermore, if the court simultaneously encourages two approaches to meaningful public involvement there is the possibility that different branches of government will inconsistently apply a meaningful participation mechanism. Approaching meaningful public participation from a cultivation and humanistic angle and then proceeding to a goal-orientated perspective of meaningfulness is also telling of inconsistent reasoning.

⁴² Para 50, 59.

2.4 Conclusion

This chapter aimed to shed light on the 'meaningful public participation' crisis within South Africa. This aim was achieved by comprehensively analysing and reviewing the legal framework of public participation in South Africa in terms of two aspects: firstly, whether the particular source defines the term meaningful, and secondly, what approach the particular source promotes. The legal framework of public participation included the *Constitution of the Republic of South Africa*, the *Local Government: Municipal Systems Act*, the *National Policy Framework for Public Participation*, the *Public Participation Framework for the South African Legislative Sector* and the Constitutional Court's views on meaningful public participation contained in *Doctors for Life International v Speaker of National Assembly* (2006) and *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* (2008).

By analysing the legal framework of public participation this chapter has shown firstly, that the failure of the executive, legislative and judicial government to properly define the notion of meaningfulness within the legislation, the policy, the public participation framework and case law gives rise to ambiguity. Secondly, the legal frameworks' encouragement of the two competing and irreconcilable approaches (i.e. cultivating and humanistic and goal-orientated) engenders inconsistent and varied applications of meaningful public participation within administrative, legislative and judicial decision-making.

In response to the meaningful public participation crisis within South Africa, the next chapter will explore the three activities: labour, work and action, that inform Arendt's understanding of meaningfulness. A comprehensive understanding of Arendt's unique approach to meaningfulness will enlighten the notion of meaningful public participation.

CHAPTER 3 HANNAH ARENDT'S UNDERSTANDING OF THE NOTION OF MEANINGFULNESS

I cannot 'make my mark' for all time - those concepts are mutually exclusive. 'Lasting effect' is a self-contradictory term. Meaning does not exist in the future and neither do I. Nothing will have meaning 'ultimately.' Nothing will even mean tomorrow what it did today. Meaning changes with the context. My meaningfulness is here. It is enough that I am of value to someone today. It is enough that I make a difference now.

Hugh Prather

3.1 Introduction

The previous chapter analysed the meaningful public participation crisis in South Africa occasioned by the failure of the legislation, policy, public participation frameworks and case law to properly define the abstract concept of 'meaningfulness'. The failure of properly defining this concept results in ambiguity; in particular the legal frameworks' promotion of two competing and irreconcilable approaches (cultivating and humanistic versus goal-orientated) results in inconsistent and varied applications of meaningful public participation by the various political actors within South Africa's political arena.⁴³ These political actors are expected to support and apply public participation in our society. However, this duty renders the meaningful public participation crisis even more salient due to the fact that political decisions made by political actors establish the political

⁴³ The various political actors include the Cabinet, Premiers, Members of the Executive Councils (MECs), civil servants or public functionaries, legislatures and the Courts. The *Cabinet of South Africa* is at the top of the executive branch within the national sphere of government. The Cabinet consists of the President, Deputy President and the Ministers (there are currently 28 Ministers within the Cabinet). *Premiers* are the head of the executive branch at the provincial level (South Africa has 9 Premiers because there are 9 provinces). The *Members of the Executive Councils* can be described as provincial ministers. The Premier appoints between 5 and 10 MEC's. *Civil servants or public functionaries* are government officials that are involved in the public administration of government and provide services such as (Schedule 4 B of the *Constitution of South Africa*, 1996): air pollution; building regulations; child care facilities; electricity and gas reticulation; firefighting services; local tourism; municipal airports; municipal planning; municipal health services; municipal public transport; municipal public works only in respect of the needs of municipalities in the discharge of their responsibilities to administer functions specifically assigned to them under this Constitution or any other law; pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matters related thereto; stormwater management systems in built-up areas; trading regulations; water and sanitation services limited to potable water supply systems and domestic waste-water and sewage disposal systems. The *Legislature of South Africa* makes laws that govern the country on a local (i.e by way of by-laws), provincial and national level. The *Courts of South Africa*, also known as the Judiciary, are responsible for administering justice (The South African Judiciary, 2021).

structures that control, regulate and guide governance within the political arena and public life. In this sense the executive, legislative and judicial branches of the South African government are examples of political actors that shape every South African's lived political experience, as citizens habitually enter into public life and inhabit their communities. Such decisions, undertaken by political actors, shape an individual's lived experience and a community's shared political experience through, for example, the socio-economic policies furthered by the executive government that may stimulate and foster social prosperity and economic growth (or, contrarily, inhibit such prosperity and growth) within local communities. The reason for such a broad influence is that socio-economic policy guides governmental decision on matters such as spending and budgeting, community development and growth, and the establishment of infrastructure within the community.

Legislation promulgated by legislatures locally, provincially and nationally can protect the rights of South Africans and communities (or oppress them) by expanding (or limiting) citizens' legal protection in terms of labour relations, a clean and safe environment, property, proper housing, health care, food, water and social security, children, education, access to information, courts and just administrative action (Sections 23, 24, 25, 26, 27, 28, 29, 32, 34, 33 of the *Constitution of South Africa*, 1996). The legislature can also enact legislation that would fortify a dignified life through the promotion of equality, freedom and security in terms of religion, belief, opinion, expression, assembly, association, movement and residence, and also in terms of trade, occupation and profession (Sections 9, 12, 15, 16, 17, 18, 22, of the *Constitution of South Africa*, 1996).

In the case of the Judiciary, court judgments can publicly administer justice (or avert it) by either holding (or failing to hold) the South African government accountable for political actions and decisions. A salient example of the public administration of justice includes the Constitutional Court's conviction of the former South African President Jacob Zuma for contempt of court due to his failure to appear before the Judicial Commission of Inquiry into Allegations of State Capture (also known as the Zondo Commission) on 29 June 2021 (Maughan & Morais, 2021). Moreover, the judiciary also publicly holds South Africans accountable to their communities in the case of criminal cases, as well as accountable to each other in case of civil cases.

Due to the considerable power political actors hold in the political arena and the functioning of a participatory mechanism, the failure to define the concept of meaningfulness becomes an even more pressing concern. To address the government's failure to define the concept of meaningfulness that contributes to the public participation crisis within the political arena and South African communities (as discussed in the previous chapter), the current chapter endeavours to elucidate said notion of 'meaningful' through the examination of Hannah Arendt's views in *The Human Condition* (1958). Arendt distinguishes between three activities, those of labour, work and action, that both privately and publicly shape an active life (Arendt, 1958:7; Ricoeur, 1983:60), that typifies the human condition, and that moulds human reality (Vivier, 2012). To provide a nuanced understanding of Hannah Arendt's views on 'meaningfulness' in relation to this study's central inquiry into public participation in South Africa, this chapter will set out to explore the three activities (labour, work and action) that inform the Arendtian concept of meaningfulness. I argue that Arendt's postulation of the centrality of action in society provides a unique perspective on public participation in our context, and that this perspective may be applied to the political arena and to political philosophy in relation to the question at hand. In other words, Arendt's views on action (as a human activity) bring together political action, freedom, and the condition of plurality in a manner that allows for a unique resonance with public participation in the South African context, refiguring it as a political process for the reaching of collective decisions while heralding diversity and uniting the diverse views of the rainbow nation.⁴⁴ Therefore, further analysis of the Arendtian concept of meaningfulness (inspired by her discussions of labour, work and action) and her unique interpretation of action within the political sphere will enlighten the notion of meaningful public participation within South Africa.

3.2 Hannah Arendt and the Human Condition

In subsequent sections I will firstly provide a biographical sketch of Hannah Arendt to indicate her philosophical situatedness within the history of political philosophy, also highlighting the influences on her political thought, to shed light on Arendt's understanding of the three activities that condition an active life (Arendt, 1958:xix). Secondly, to provide

⁴⁴ The term 'rainbow nation' was used by Archbishop Desmond Tutu to capture the multicultural and multiracial Post-Apartheid South African nation. The South African Coat of Arms reflects the government's aim of "Ike e: Ixarra Ike" that translates to diverse people unite from the Khoisan language.

a nuanced understanding of Arendt's notion of meaningfulness, I will conduct a literature review of Arendt's *The Human Condition* (1958) to explore the three activities that influence the Arendtian concept of meaningfulness. Lastly, this chapter will discuss the Arendtian conception of meaningfulness as informed by the human activities of labour, work and action, which are examined in *The Human Condition* (1958).

3.2.1 Biographical sketch

Hannah Arendt was born on 14 October in Hanover, Germany in 1906 to secular Jewish parents, Paul and Martha, who raised her in Königsberg, East Prussia (Betz, 1992:379). From a young age, Hannah showed great intellectual promise through learning ancient Greek as a child and reading the philosophical works of Kant and Kierkegaard during her teenage years (Villa, 2009: 22). Between 1922 and 1923 she audited classes on the classics and Christian theology at the University of Berlin (Villa, 2009:22). In the period between 1924 and 1926, she studied philosophy at the University of Marburg (Villa, 2009: 22). She left Marburg to study a semester under the tutelage of Edmund Husserl before moving to Heidelberg in 1927 to complete her doctorate on the concept of love in Saint Augustine under the supervision of Karl Jaspers during 1927 - 1928 (Villa, 2009:22; Betz, 1992: 379). In 1933, when the Nazi party came into power, Arendt and her mother (since they were Jewish) were forced to flee Germany and settle in Paris (d'Entreves, 2019). Having to seek refuge in another country left Arendt feeling stateless because she was Jewish, and her experience of "Jewishness and statelessness" had a profound impact on her political thought (Villa, 2009: 24). While in Paris, Arendt worked for several Jewish refugee organisations (d'Entreves, 2019) and, in 1940, she was sent to Gurs as a result of the French government's decision to intern German nationals during the war (Betz, 1992: 380). In May 1941, with the aid of the Emergency Rescue Committee, Arendt, her husband Heinrich Blücher, and her mother relocated to New York in the United States of America (Betz, 1992:380; d'Entreves, 2019).

While living in New York, Arendt wrote a column for the German-language newspaper *Aufbau*, published in *Jewish Social Studies*, *Partisan Review*, and became a senior editor at Schocken Books (Betz, 1992:380). In 1951, she published *The Origins of Totalitarianism*, an exploration of how the Nazi and Stalinist regimes came to be in power (d'Entreves, 2019). The publication of the *Origins of Totalitarianism* launched Arendt's academic career, ensuring her a professorship of political philosophy at the University of

Chicago and the New School for Social Research, which allowed her to lecture at several other universities including Columbia, Northwestern, Stanford, Princeton and Berkeley, until her death in 1975 (Betz, 2009:380; d'Entreves, 2019).

Arendt published what is regarded as her most significant philosophical work in 1958, entitled *The Human Condition*, in which she explores not only the three activities that exemplify the human condition, but also several other philosophical themes including natality, immortality, the public and the private space, plurality and freedom (d'Entreves, 2019). *The Human Condition* is regarded as her most "Heideggerian" work due to the clear influence of his phenomenology (Arendt, 1958:x).⁴⁵ Other prominent works in Arendt's oeuvre similarly develop her political thought, and all of the works in the Arendtian corpus take a "self-conscious textual and historical" approach to the practice of political theory (Villa, 2009: 20).⁴⁶

Arendt's understanding of politics is illuminated and influenced by, firstly, the classical tradition of civic republicanism that was practised in the Greek *polis* and republican city-states of Renaissance Italy and, secondly, the ideas explored in the work of Aristotle, Machiavelli, Montesquieu, Jefferson and Tocqueville (Betz, 2009:380; d'Entreves, 2019). The Arendtian understanding of politics is consequently rooted in the idea of an active citizenry that values civic engagement and political deliberation on matters of political concern (d'Entreves, 2019).

⁴⁵ Arendt, however, is critical of philosophical traditions such as phenomenology because it reduces all human action to "utility functions, or to an accounting of consequences and a toting up of costs and benefits, or to algorithms that depend on mechanical application of deductive rules to action" (Arendt, 1958:x). Arendt considers these reductionist treatments as unnatural and unnecessary and a disregard of the human ability to begin something new and unpredictable (Arendt, 1958:x; Arendt, 1958:xix).

⁴⁶ In 1961, as a reporter for *The New Yorker* magazine, Arendt attended the trial of Adolf Eichmann in Jerusalem – Eichmann was one of the major organisers of the Holocaust and was put on trial for crimes against humanity (d'Entreves, 2019). Based on this experience Arendt published what was regarded as her most controversial work, *Eichmann in Jerusalem* (1963) (d'Entreves, 2019). Later that same year Arendt published *On Revolution*, in which she analyses the American and French revolutions (d'Entreves, 2019). In *On Revolution*, the influence of civic republicanism on Arendt's political thinking becomes even clearer as this work is described as "unabashedly republican" (Villa, 2009:30). During the 1960s and 1970s, Arendt published several significant essays including *Between Past and Future* (1961), that deals with topics in political thought such as freedom, education, authority, history and politics; *Men in Dark Times* (1968) which discusses significant figures of the 20th Century; and *Crisis of the Republic* (1972), which analyses contemporary American politics and the crisis it faced in the 1960s and 1970's (d'Entreves, 2019). In 1975, Arendt was busy completing what would be her last major philosophical work, *The Life of the Mind*, which ultimately remained incomplete and was published posthumously. In this work she examined the three mental activities of thinking, willing and judging (Villa, 2009:30, d'Entreves, 2019).

Hannah Arendt was a unique thinker in the sense that it is difficult to classify her thought within the history of political philosophy, primarily because her views and ideas cannot be encapsulated within traditional political theories of conservatism, liberalism, socialism, or communitarianism (d'Entreves, 2019).⁴⁷ Arendt's conceptualisation of politics is critical of some aspects of the liberal tradition, such as for example representative democracy and her praise for the revolutionary tradition. In contrast, however, Arendt champions liberal ideas such as constitutionalism, rule of law, fundamental human rights and freedom. Arendt's endorsement of an active citizenry and the importance of "civic engagement and collective deliberation about all matters affecting the political community" could also resonate with ideals of communitarianism and the classical tradition of civic republicanism practised by the ancient Greeks and Romans (Betz, 2009:381; d'Entreves, 2019).

A clearer understanding of Hannah Arendt's life and her place in the canon of Western political philosophy (as well as the lasting influence which having had to flee Nazi Germany due to her Jewish status had on her writing) is necessary to elucidate the central goals of her political thought. These are to re-examine history, to revitalise the politics of civic republicanism, and to highlight the importance of the human ability to embark on something new and unexpected (Arendt, 1958:xix). These goals are informed by Arendt's understanding of the three activities (labour, work and action) that condition the human experience.

3.2.2 The Human Condition

3.2.2.1 Introduction

Appropriately, for a book entitled *The Human Condition*, Arendt takes the human condition, as opposed to human nature, as her point of departure. She argues:

Men are conditioned beings because everything they come into contact with turns immediately into a condition of their existence. The world in which the *vita activa* (active life) spends itself consists of things produced by human activities; but the

⁴⁷ Hannah Arendt preferred the title 'political thinker' or 'theorist' above that of 'political philosopher' (Arendt, 1958:xx). She is critical of the idea of a "political philosopher" because, since Plato, (she argues) that political philosophers have merely engaged theoretically and individually with the notion of politics, and have failed to engage with others in sketching the philosophical (Arendt, 1958:xx). A proper political philosophy (she argues) requires engaging with others on political questions since "matters of political concern are subject to the agreement of many; they can never lie in theoretical consideration or opinion of one person" (Arendt, 1958:xxi).

things that owe their existence to men nevertheless constantly condition their human makers (Arendt, 1958:9).

Thus Arendt suggests that humans are in a perpetual 'conditioning cycle' in which all the things that they create continually become a condition for their existence. Within this cycle there is a supplementary and mutually exclusive relationship between things and the human condition; things as conditioning lead to a conditioned existence and, contrarily, "things would be a heap of unrelated articles, a non-world, if they were not the conditioners of human existence" (Arendt, 1958:9). In *The Human Condition*, Arendt sets out to explore only the human condition and the fundamental activities of an active life, she does not set out to elaborate on man's so-called human nature (Arendt, 1958:10).⁴⁸ Indeed, Arendt is of the view that man cannot study their own nature in isolation (Arendt, 1958:10).⁴⁹

3.2.2.2 Three activities - Labour, work, action

In *The Human Condition*, Arendt expands on this initial conceptualisation of the human condition to explore the *vita activa* (active life) and practical side of human existence, "the living world [or the living within the world] through doing" (Bowring, 2011:12). Arendt argues that an active life encompasses three fundamental human activities: labour, work and action (Arendt, 1958:7).⁵⁰ These activities correspond to the basic conditions of

⁴⁸ I recognise that using the male pronoun 'man' to encapsulate humanity is extremely outdated. I still elected to include this direct quote from her book as it sets out the aim of *The Human Condition*. From the reading of the entire quote as well as the book it becomes clear that she does not refer to men to the exclusion of women and non-binary genders. I would suggest it was rather due to convention at the time that this book was written.

⁴⁹ Humans cannot remove their nature from within themselves to study it under a proverbial microscope, this she argues would be like attempting "to jump over your own shadow" (Arendt, 1958:10). It is only possible for a god to know or define human nature (Arendt, 1958:10).

⁵⁰ *The Human Condition* Arendt (1958:12-14) contrasts the notion of the *vita activa* (active life) with the *vita contemplativa* (contemplative life). A life of contemplation, or a life within a person's mind, is another aspect of human existence that Arendt explores (Bowring, 2011:12). The activities of contemplation include thinking, willing and judging and were historically predominately reflected upon by philosophers (Bowring, 2011:12). Arendt's distinction between an active life and a contemplative life is influenced by Aristotle's understanding of the *bios politikos* and *bios theoretikos* (Arendt, 1958:13-14); see also Bowring, 2011:12). The distinction between an active life and a contemplative life was inspired by the trial of Socrates, which initiated the separation between the philosopher and the *polis* (city) (Arendt, 1958:12). After the trial of Socrates, the contemplative life is first seen to be elevated within the political philosophy of Plato (Arendt, 1958:14). Plato's political philosophy elevates the insight of the philosopher and the philosopher's way of life to a superior position which ultimately restructured the understanding of *polis* life of that time (Arendt, 1958:14). Building on this understanding, Aristotle distinguishes three ways of life: a life concerned with earthly/bodily pleasures (this type life consumes that which is beautiful); a life devoted to "matters of the *polis*" (a life in which greatness produces beautiful deeds); and the life of the philosopher

human life on earth (Arendt, 1958:7)⁵¹, and thus: Labour, corresponds to the basic condition of life (understood in terms of the cyclical biological processes), work corresponds to the condition of worldliness (examined in terms of the 'artificial world' that humanity creates via the activity of work), and action corresponds to the basic condition of plurality and natality (which she regarded as the source of all political life, because all humans are unique and live among other unique human beings; they also have the human potential to start something new after they are born) (Arendt, 1958:7, 246). Arendt argues that labour, work and action form an ontological hierarchy; each activity presenting the solution for the former's predicaments (Bowring, 2011:12). The difficulties experienced within the activity of labour can be resolved by the activity of work, and – in turn – the predicaments of work are resolved through action (Bowring, 2011:12). Action, as the highest human activity (as part of an active life), resolves its difficulties internally meaning the predicaments of action are remedied through action, specifically the "act of forgiving and the act of making and keeping promises" (Bowring, 2011:12; Arendt, 1958:237). Arendt (as cited by Bowring, 2011:12) regards action as the activity that "gives meaning to the human condition and vindicates the passing interval that is each human life" – the human condition becomes meaningful through action within the *vita activa* (Bowring, 2011:12). Action gives meaning to the labour activity by ensuring the reproduction of life and simultaneously "vindicates the passing interval" that is human life (Bowring, 2011:12-13, Arendt, 2011:97). Thus, through action, people become equal and distinct among their peers, appearing and representing themselves to the world and

("life devoted to inquiry into, and contemplation of, eternal things, whose everlasting beauty cannot be produced by man nor changed through the consumption of them") (Arendt, 1958:13). People who either "voluntarily/involuntarily" gave up their freedom and lives chiefly to keep themselves alive like slaves, craftsmen or merchants are not considered of "sufficient dignity to constitute a life at all, an autonomous and authentically human way of life" (Arendt, 1958:12-13). With the fall of the ancient city state the notion of an active life has lost its specifically political meaning and it is now rather understood as all kinds of active engagement within the world and the contemplative life has been elevated to the "only truly free way of life" and the type of life that gives an active life meaning (Arendt, 1958:14:16). Within the Christian worldview, especially within the work of Augustine, true freedom is obtained when man (sic) removes themselves from the world and "free from the entanglement of worldly affairs, from all the business of the world" (Arendt, 1958:13-14). In *The Human Condition* the notion of an active life is explored since Arendt discusses activities that take place within the world and are fundamental to the human condition as opposed to a life of contemplating the eternal things. Her philosophical work, *The Life of the Mind*, explores these views on a life of contemplation.

⁵¹ Arendt acknowledges in the prologue of *The Human Condition* (1958:2, 10) that she wrote the book from her vantage point on earth, and the conditions under which humans exist on earth, and in the future it may be possible for man (sic) to live on another planet where the conditions under which humans exist may be different.

fortifying their presence in the world after their passing (Bowring, 2011:12; Arendt, 1958:175, 197, 179).⁵²

3.2.2.3 Two realms – Public and Private

The activities of labour, work and action take place in either the public or private realms. *The Human Condition* distinguishes between two realms: the private and the public realm (Arendt, 1958:28; Salikov, 2018:92). The private realm is comparable to a household and is a space, firstly, for activities that are vital to the survival of the human species, and secondly, that allows for the mastery of the necessities of life (Arendt, 1958:7). Activities that are necessary for the survival of the species include biological processes like defecation, ingestion, sleep, relaxation and procreation (Arendt, 1958:7, 110). Mastering the necessities of life include the use of food to master hunger and the use of a shelter or a home to master the harsh elements of nature (Arendt, 1958:30). Arendt locates the finances and wealth necessary to sustain the human species, and to master the necessities of life, within the private realm (Arendt, 1958:68). The private realm also circumscribes activities that are conducted in private, activities that are hidden (like defecation and procreation), or activities that need to be done in secret (like sleep and relaxation) (Arendt, 1985:73). Governance or rule within the household is absolute and uncontested since the entire household was dominated in the past by the *paterfamilias*; family politics is thus an unequal distribution of power because all the members of the household are subject to the rule of the family head (Arendt, 1958:27-28).

In contrast, the public realm is the common world of man-made things that all humans are born into and share; this is a space where people are free to appear and represent themselves to each other (Arendt, 1958: 22, 28; Salikov, 2018:92).⁵³ According to Arendt, and based on Aristotle's views, action and speech are the main activities that take place in a public space; therefore, action and speech are also regarded as political activities (Arendt, 1958:25). Public politics (as opposed to family politics) means deciding everything "through words (via speech) and persuasion (via action) and not through force

⁵² Similarly, work draws meaning from action as it creates the objects of a permanent world and as it engenders a permanent world for humans to live and die in, thereby "vindicat[ing] each human life" (Arendt, 1958:97; Bowring, 2011:12).

⁵³ Arendt does not use "reveal" or "appear" in the phenomenological sense but rather in an existential sense as people enter, act and exist in the world to reveal their true and unique identity and experience meaningfulness.

and violence" (as was historically the case within the household whereby all family members were subject to the *paterfamilias's* might) (Arendt, 1958: 26). Since the public realm is a space where people appear and represent themselves to each other, as well as a space to speak and act within, it is a space that needs to be "displayed publicly in order to exist" (Arendt, 1958:73; Vila-Chã, 1994:478). In other words, the public realm is a space in which other people are needed to allow people to appear and represent themselves to each other, as well as to speak to and persuade each other.

Arendt (1958:40) is critical of contemporary conceptualisations of the private and public realms since they are rooted in families being absorbed into social groups in order to enter the public realm. Social groups are understood as a grouping of people that regard themselves as belonging within a group of people with whom they share "an identity and feelings of affinity" (Kuchem, 2020:741). Examples of social groups include social clubs, civil society organisations (like the Organisation Undoing Tax Abuse in the South African context) and religious congregations or churches. Arendt observes that political spaces are, in traditional conceptualisations, run like a household and that people are being "taken care of by a gigantic, nation-wide administration of housekeeping" – this blurs the dividing lines between those distinct spaces (Arendt, 1958:28). Society is significant for modern public spaces because modern society has become subject to the rule of the "no-man"; this no-man rule is "the assumed one [singular] interest of society as a whole in economics and assumed opinion of society" (Arendt, 1958:40).

Thus Arendt (1958:40) argues that contemporary societies have absorbed all human beings into one 'overarching' or 'all-encompassing' society and that all human actions and decisions are guided by the presumed "one interest of society". This "one interest of society" ultimately becomes the idea that governs all societies, and requires that all of its members act in the interest of the assumed one society (Arendt, 1958:40). The concept of a "one interest of society" results in a situation wherein "nobody rule[s]" since societies are no longer subject to the rule of a monarchy or an actual person, but rather to an idea of the interest of society (Arendt, 1958: 40). Societies that function under the concept that "nobody rule[s]" expect each of their members to behave in a specific way and to follow the innumerable and various rules established by the society. Spontaneous action and exceptional achievements by its members are discouraged (Arendt, 1958:40). In

response to the idea that "nobody rule[s]", Arendt (1985:73) argues that "each human activity points to its proper location [either private or public] in the world".

The subsequent paragraphs will critically examine, using a textual and historical approach, Arendt's understanding of labour, work and action. This analysis will take an interest in the Arendtian understanding of action, because her views directly relate to public participatory processes that enable citizens to take part in governmental decision-making and to come to a collective agreement on political matters. It is argued that a better understanding of Arendt's views on labour, work and action will provide insight into the Arendtian notion of meaningfulness and elucidate the notion of meaningful public participation in response to South Africa's meaningful public participation crisis.

3.2.2.4 Labour

The discussion of labour will focus on three aspects: Arendt's understanding of the labouring activity; the fundamental human condition that Arendt relates to labour; and the proper space for humans to labour.

3.2.2.2.1. The Arendtian understanding of labour

Like all living beings, humans have basic needs that need to be fulfilled for the species to survive and thrive which include sustenance, shelter, rest, recreation and procreation (Arendt, 1958:7; Veltman, 2010:61). For Arendt, labour refers to those activities performed to satisfy basic needs and to ensure the survival of the human species (Arendt, 1958:7).

Labour performs two functions. Firstly, to satisfy primal human physiological needs which Arendt argues, based on John Locke's theory of property, are satisfied in the two phases of "labour and consumption" (Arendt, 1958:100). The first phase includes the physical effort or struggle undertaken to satisfy a basic need through, for example, "seeking food, preparing it, devouring it, cleaning, bathing, exercising, resting, bearing children, feeding them, and so forth" (Arendt, 1958:7; Veltman, 2010:61) and the second phase entails consuming and enjoying the fruits of one's labour, either as nourishment or to abide (Arendt, 1958:7, 100; Veltman, 2010:61). The second function of labour entails activities that are performed to counteract the effects that nature has on the world to further guarantee the survival of the species (Arendt, 1958:100). Arendt describes these

activities as those daily toils that combat the effects of nature which "threaten the durability of the world and its fitness for human use" (Arendt, 1958:100). These activities entail, for example, tilling and ploughing soil to add nutrients into the ground to aid in root growth, pulling out weeds to allow the other plants enough nutrients and water, or applying an alloy of iron or paint to metal to prevent rust.

Labour thus requires intervening in nature or interfering with "the things provided by nature" (Arendt, 1958:100; Betz, 1992:382). To secure their daily nourishment, humans intervene in nature by grinding grain into flour to make bread for them to eat and laying a pipeline or building a well to have water to drink. To sew clothing to shield them from the harsh elements of nature, they weave cotton into thread for them to have clothes to wear (Betz, 1992:382; Bowring, 2011:13). Just like nature, to which labour is inevitably connected, labour is inherently cyclical, repetitive and monotonous – labour needs to be performed "over and over as long as life persists" because humans will be hungry, thirsty and tired again and again, in turn requiring food, drink and sleep (Arendt, 1958:98, 100; Bowring, 2011:13; Veltman, 2010:61; Betz, 1992:382). Additionally, the weeds need to be pulled out constantly and fields tilled, ploughed, sowed and harvested once a year.

Labour therefore requires constant doing, since it is conditioned on the "insurmountable demands of biological life" (Bowring, 2011:13; Veltman, 2010:61). Thus, Arendt (1958:7) argues that this clear correlation between labour and biological life further connects labour to the fundamental human condition of life (Arendt, 1958:7).

3.2.2.2.2 The fundamental condition of labour: Life

Labouring activities that preserve human life by satisfying their biological needs and safeguarding the durability and livability of their world (by neutralising the effects of natural forces) bind labour to life (Arendt, 1958:98; Bowring, 2011:13; Veltman, 2010:61). Labour will thus remain necessary as long as humans are alive to experience physiological needs and to inhabit the world – labour is "endlessly repetitive", only coming to an end when a person dies (Arendt, 1958:98). Furthermore, besides being a never-ending task, labour is also ephemeral (Arendt, 1958:87; Veltman, 2010:61). The products of labour are generally perishable things that last only for a short duration of time, are produced to be consumed to "sustain and replenish the body" or are to be used up and exhausted (Bowring, 2011:13; Veltman, 2010:61). The ephemeral nature of labour makes the

labouring activity futile (Arendt, 1958:87) – not in terms of labour's usefulness (since labour is essential to life), but rather because labour is not final, needs continual and perpetual repetition, and results in nothing of worldly permanence (Veltman, 2010:61). Arendt therefore argues:

It is indeed the mark of all labouring that it leaves nothing behind, that the result of its effort is almost as quickly consumed as the effort is spent. And yet this effort, despite its futility, is born of a great urgency and motivated by a more powerful drive than anything else, because life itself depends upon it (Arendt, 1958:87).

Labour consequently depletes and exhausts the products of labour, leaving nothing enduring behind in the world (Arendt, 1958:58). From this standpoint, labour is considered "worldless" since the products of labour last only a short amount of time and are perishable goods, soon to be consumed by humans (Bowring, 2011:13; Veltman, 2010:61; Betz, 1992:382; Arendt, 1958:100).

Arendt suggests that humans consume and devour the products of their labour in a way that is quite ferocious and destructive to the world, because these products leave nothing behind in the world (Arendt, 1958:100). Once the products of labour are consumed and absorbed into the human body to feed the life processes of the human-animal, such products disappear from the world and return to nature (Veltman, 2010:61; Arendt, 1958:100). Arendt acknowledges therefore that, despite being futile and due to their essential character with regard to life, labour is also a joyous celebration of life and she argues that through labour we experience:

the sheer bliss of being alive which we share with all living creatures, and it is even the only way men, too, can remain and swing contentedly in nature's prescribed cycle, toiling and resting, labouring and consuming, with the same happy and purposeless regularity with which day and night and life and death follow each other (Arendt, 1958:106).

Through labour, we thus delight in life (Arendt, 1958:106). Arendt furthermore considers labour to be constructive within nature (and work destructive), since labour returns some part of nature's goods to nature "in the swift course of the natural metabolism of the living body" (Arendt, 1958:100). The activity of work, on the other hand, is a process that "takes

matter out of nature's hands without giving it back to her, "but rather gifts it to the world as the durable product that helps shape the world" (Arendt, 1958:100).

It is the concept of labour that motivates Arendt's attack on Marx's political economy (which argues for the liberation of the labouring classes through emancipating humanity from labour), as Arendt recognises an interdependence between labour and life (Arendt, 1958:130; Bowring, 2011:13). She launches a two-pronged attack against Marx's aspiration to liberate the labouring class. Firstly, she argues that emancipation from labour would have to entail an emancipation from necessity, which would inevitably become a rebellion against life. Thus, she says:

Emancipation from labour, in Marx's own terms, is emancipation from necessity, and this would ultimately mean emancipation from consumption as well, that is, from the metabolism with nature which is the very condition of human life (Arendt, 1958:131).

Arendt thus describes how improbable it would be to emancipate the labouring class, as there exists a primary connection between labour and life. I suggest that humanity can never be emancipated or freed from labour and remain alive since (as Arendt argues) labour is essential to maintain life.

Secondly, she argues that the liberation of the labouring class would not unburden humanity from labour and raise people above the exigencies of necessity – rather, such liberation would only free them up to labour to specifically consume (Arendt, 1958:132). Arendt suggests that the more free time humanity has, the more time they would spend consuming and the "greedier and more craving their appetites" would become (Arendt, 1958:132,133; Bowring, 2011:13). I see a correlation here, with regard to her work, in terms of contemporary forms of consumerism.

The interdependence between labour and life, because labour produces the necessities of life, is the basis for Arendt's argument on the proper realm for labouring: the household.

3.2.2.2.3 Labour within the household

Arendt argues the *vita activa* consists of both a private and public realm (Arendt, 1958:28; Abdousa & Amjad, 2020:69). Activities that are done in the private realm are unseen, unheard, unnoticed by others and conducted in secret (Arendt, 1958:58; Betz, 1992:384) and they also deprive people of the "possibility of achieving something more permanent

than life itself "(Arendt, 1958:58). The private realm thus refers to a state of "privation or deprivation [and it] is basically the deprivation of light or visibility" (Betz, 1992:384). The private realm thus refers to spaces that are hidden and unseen by other people.

If humans only live a private existence they go unrecognised by others, and if a person is not recognised by others "it is as though he did not exist" (Arendt, 1958:58). The private realm, Arendt maintains, is thus the domain of the family and the household; it is the private space where humans perform the daily tasks necessary to sustain life and to ensure the survival of the species (Abdousa & Amjad, 2020:69). A family or a household, Arendt argues, is a 'natural community necessary for human survival':

The distinctive trait of the household sphere was that in it men lived together because they were driven by their wants and needs. The driving force was life itself—the penates, the household gods, were, according to Plutarch, "the gods who make us live and nourish our body"—which, for its individual maintenance and its survival as the life of the species needs the company of others (Arendt, 1958:30).

The private realm, the sphere of the family and the household, is thus the space where humans labour to ensure their survival and the survival of the entire species (Arendt, 1958:30). This is a crucial point for Arendt and for this study, because (as Arendt argues) labouring within a "natural community" (or among others) is what differentiates humans from animals, since labouring in complete isolation or remoteness would make someone an *animal laborans*. She argues that:

The activity of labour does not need the presence of others, though a being labouring in complete solitude would not be human but an *animal laborans* in the word's most literal significance (Arendt, 1958:22).

Human beings consequently live among their peers to master the necessities of life. Contrarily, if humans thus live and labour by themselves in the private realm, they would never be able to master necessity and would be reduced to an animal-like existence (Arendt, 1958:118).

A note should be made here on Arendt's description of the constitution of the household, whereby she argues that providing for a family is the task of men and women alike, with men labouring to provide sustenance and women labouring as they give birth (Arendt,

1958:30). On this point, it is critical to note that Arendt's understanding of family and gender roles is problematic in the contemporary context – her account of a family or household only incorporates heterosexual couples, leaving out homosexual and transgender couples. Further points of critique include that Arendt fails to recognise "the gendered subtext of her categories of labor, work and action" (Veltman, 2010:61), and that she also fails to acknowledge how the activity of childbearing and housework (that has historically been the purview of women) has historically both shaped women's existence and justified female subordination (Dietz, 2002:111; Veltman, 2010: 62). These failures within Arendt's understanding of labour and the family warrant and invite further critical explication of labour and the family within the private realm (particularly from feminist and queer perspectives to include the experiences of women and LGBTQ+ individuals).

Returning to Arendt's considerations of the private and the public realms, she holds that once a person has mastered the necessities of life (which are all the labouring activities necessary to remain alive), they leave the private realm to enter into the common world, the *polis* and the sphere of freedom (Arendt, 1958:30-31). Thus, upon mastering the necessity of labour, humans proceed to "work upon" nature to create the durable things necessary for a human world (Arendt, 1958:136; Betz, 1992:383).

3.2.2.5 Work

The analysis of work will focus on three aspects: Arendt's understanding of the activity of work and instrumentality; work's relationship to worldliness; and the connection between work, the public realm and the exchange market.

3.2.2.3.1 The Arendtian understanding of work and instrumentality

In contrast to the activity of labouring that sustains the human species and all living things, the activity of work (done only by humans) fabricates the variety of durable artefacts that make up the world (Abdousa & Amjad, 2020:63). Arendt argues:

The work of our hands, as distinguished from the labour of our bodies—*homo faber* who makes and literally "works upon" as distinguished from the *animal laborans* which labour and "mix with"—fabricates the sheer unending variety of things whose sum total constitutes the human artifice (Arendt, 1958:136).

A worker thus "works upon" nature to produce the variety of things that make up human artifice or the human world (Arendt, 1958:136; Veltman, 2010:62). The worker further aims to rectify the futility of labour (which only produces temporal and durable goods) by creating artefacts that can "withstand or stand against" the forces of nature (Arendt, 1958: 136- 137; Betz, 2011:382). Arendt acknowledges, however, that human artefacts cannot exist forever and are not absolute – over time the products of work will also decay or be used up (Arendt, 1958:136). For example, a table as artefact will, after some time that it is used, splinter and fall to pieces to become wood and, in turn, the wood would (after time) decompose and return to the earth from which "the tree sprang before it was cut off to become the material from which to work and with which to build" (Arendt, 1958:137; Betz, 2011:382).

The fact that human artefacts only decay or wear out after being used for a time makes human artefacts more durable than the products of labour, which are almost immediately consumed after the labour process is completed (Arendt, 1958:137, 100). Porcelain plates, for instance, are durable human artefacts fabricated by an artisan that shapes the human world – the plates are washed, dried and reused daily. The dinner served on porcelain plates, on the other hand, is a product of the labour, since dinner is almost immediately consumed after being cooked and is incapable of being re-eaten or ruminated (quite in contrast to products of work). It may be suggested that the porcelain will eventually chip and splinter, but the decay or destruction of the porcelain is only an aspect of the use of the plates, while the destruction of dinner is inherent within the act of consuming it (Arendt, 1958:138).

The fact that destruction is incidental to the artefacts of work, but inherent to the products of labour, remains true even if the artefact is affordable or expensive (Arendt, 1958:138). Thus, both the cheap porcelain and expensive bone China plates can be washed and reused several times (Arendt, 1958:138). Admittedly, cheap porcelain will start to decay a lot quicker than bone China, but nonetheless the cheap porcelain plates still retain "an independence of their own, however modest, which enables them to survive even for a considerable time after the changing moods of their owner"; in contrast, the products of labour can never be conserved after consumption, irrespective of the price (Arendt, 1958:138).

Thus the architect, builder, engineer, artisan and blacksmith are all *homo faber* collaborators that "fabricate the sheer unending variety of things whose sum total constitutes the human artifice" (Arendt, 1958:136). The worker, Arendt argues, is *homo faber* because they control and manage the forces and influx of nature and their environments by using tools and instruments (Arendt, 1958:138, 139; Bowring, 2011:18; Betz; 1992:382). The example of a house illustrates Arendt's views on the *homo faber* collaborators that fabricate the human world well: An architect designs the home and draws up the plans for the builder – a process which utilises drawing tools, measuring tools, cutting tools and computer software to design a durable building that can "withstand or stand against" the forces of nature (Arendt, 1958:136- 137). In turn, the builder builds a durable home structure according to the architects' plans using several tools to construct the building, such as a hammer, nails, a chisel, a concrete mixer, a ladder, a spade and a tile cutter. The construction of the home is supervised by a civil engineer to ensure that the infrastructure is secure, and the tools which a civil engineer uses include compasses, cinometers, transits, theodolites, levels, chains, tapes, prisms and reflectors. Once the home structure is complete, it is time for the artisan and the blacksmith to manufacture the smaller durable items that decorate the home within – such as, for example, furniture, sculptures and doors.

Fabricating the things that constitute the human world, we can see that the activity of the *homo faber* is made up of acts of reification (Arendt, 1958:139). Thus Arendt argues that fabrication would be impossible without an initial conceptualisation or idea of the specific human artefact before fabrication commences (Arendt, 1958:141). Arendt maintains that, for example, to fabricate a bed, humans need "some image, some 'idea' of a bed before our inner eye" (Arendt, 1958:141). An architect, for example, cannot design a home without first having a mental idea of the home. In turn, the builder cannot build a home without forming a conceptualisation of the home they are expected to build (the mental image that the builder constructs is influenced by the two-dimensional plans drawn up by the architect). The civil engineer that supervises the erection of the infrastructure also envisions the home being built. The same goes for the artisan and blacksmith; before they can craft the furnishings for the home they must have an idea of what they are going to craft before they begin the crafting process. Arendt contends that this mental image being reified through the activity of work externally guides the fabrication activity when she writes:

The actual work of fabrication is performed under the guidance of a model in accordance with which the object is constructed. This model can be an image beheld by the eye of the mind or a blueprint in which the image has already found a tentative materialisation through work. In either case, what guides the work of fabrication is outside the fabricator and precedes the actual work process in much the same way that the urgencies of the life process within the labourer precede the actual labour process (Arendt, 1958:140-141).

The mental conceptualisation that is reified through the activity of work is therefore also the paradigm that externally directs the activity of work (Arendt, 1958:140-141). The mental images that precede the fabrication process are removed from and arise separately from the actual fabrication process (Arendt, 1958:140-141). These mental images also remain separate from the human artefact and do not disappear in the fabricated product; the image survives unblemished and "lends itself to an infinite continuation of fabrication" (Arendt, 1958:141).

For Arendt the fabrication process is completely regulated by the "categories of means and end" (Arendt, 1958:143). The fabricated artefact is an end product as such since "the process disappears in the product" and the fabrication process is the only means to "produce this end" (Marx as cited by Arendt, 1958:134; Arendt, 1958:143). Moreover, the means and end categories also justify the violence being done to nature to procure the material to build with, for example, "as wood justifies killing the tree and the table justifies killing the wood" (Arendt, 1958:153). Arendt further argues that these "categories of means and end" are indicative of the *homo faber's* strictly utilitarian approach to fabrication, since "all ends are bound to be of short duration and to be transformed into means for some further ends" (Arendt, 1958:154; Bowring, 2011:22). Thus chopping down the tree for wood to make a chair can only be justified for a brief instant because, soon after destroying the tree, the wood will be destroyed to make a chair, and the chair will, after some time, also splinter, decay and return to the earth (Arendt, 1958: 153, 137). Arendt is critical of the utilitarian approach to fabrication since:

it gets caught in the unending chain of means and ends without ever arriving at some principle which could justify the category of means and end, that is, of utility itself. The 'in order to' has become the content of the 'for the sake of'; in other words, utility established as meaning generates meaninglessness (Arendt, 1958:154).

Thus Arendt criticises the ideal of utility that imbues a society of workers and has become their *raison d'être*, since it is incapable to justify the means and end category itself (Arendt, 1958:154). Moreover, the utilitarian approach has replaced the meaning of (i.e. "the for the sake of") a product or thing in a society with the usefulness (i.e. "the in order to") of a product or thing in the world; usefulness, she asserts, can never provide meaning since meaning cannot be fabricated or made – it is only revealed (Arendt, 1958:154, 192; Ricoeur, 1983:70).

A feature of the fabrication process is "a definite beginning and a definite, predictable end" (Arendt, 1958:143). The working process comes to a "predictable end" when enough "durability to remain in the world" is added to the human artefact (Arendt, 1958:143). Per our earlier example, the fabrication process comes to an end when the architect has finished drawing up the plans for the home, when the builder is done with the construction of the home, when the engineer is done supervising the construction, and when the artisan and blacksmith have finished manufacturing the furnishings for the home. The fabrication process has been completed by the architect, builder, engineer, artisan and blacksmith, and thus durable artefacts have been added to the human world. Arendt thereby relates the activity of work to the fundamental condition of worldliness, because the fabrication process aims to fabricate products that shape the "artificial" human world (Arendt, 1958:7).

3.2.2.3.2 The fundamental condition of work: Worldliness

According to Arendt, the activity of work provides the artefacts that constitute the human world. She states:

Work provides an "artificial" world of things, distinctly different from all natural surroundings. Within its borders each individual life is housed, while this world itself is meant to outlast and transcend them all (Arendt, 1958:7).

The activity of work consequently creates a safe artificial space wherein humans carry on their lives (Arendt, 1958:7; Veltman, 2010:62). Moreover, the human world is "a dwelling place more permanent and more stable" than humans themselves (Arendt, 1958:152; Ricoeur, 1983:65) and the fabrication process also provides some stability to a world that has to stand against the forces of nature (Arendt, 1958:137). These durable artefacts

provide objectivity within the world, objectivity in the way humans relate to the things that shape the world, and she argues that:

From this viewpoint, the things of the world have the function of stabilising human life, and their objectivity lies in the fact that—in contradiction to the Heraclitean saying that the same man can never enter the same stream—men, their ever-changing nature notwithstanding, can retrieve their sameness, that is, their identity, by being related to the same chair and the same table (Arendt, 1958:137).

Hence, the things that are fabricated by the activity of work safeguard the world against the influx of nature (Arendt, 1958:137). Moreover, through the interaction between humans and the things of the world, humans become equal since they can "relate to the same chair and same table" (Arendt, 1958:137). The fundamental condition of worldliness requires more than mere fabrication for Arendt; it requires humanity to admire and carry a fondness for stable and lasting things for without such an attachment, fabricated things would "be a heap of unrelated articles" (Bowring, 2011:18; Arendt, 1958:9).

3.2.2.3.3 The proper realm for work

Homo faber works within both the private and public realms (Arendt, 1958:160). The production process takes place within the private realm first since "products themselves are always produced in isolation," and production thus goes unseen and unobserved by others (Arendt, 1958:161, 58). After products have been fabricated they must thereafter enter the public realm to be seen by others to be sold publically on the exchange market (Arendt, 1958:50). On the exchange market "the builder of the world and the producer of things, can find his proper relationship to other people only by exchanging his products with theirs" (Arendt, 1958:160). It is on the exchange market where products become valuable, argues Arendt:

it is only in the exchange market, where everything can be exchanged for something else, that all things, whether they are products of labour or work, consumer goods or use objects, necessary for the life of the body or the convenience of living or the life of the mind, become "values." This value consists solely in the esteem of the public realm where the things appear as commodities, and it is neither labour, nor work, nor capital, nor profit, nor material, which bestows such value upon an object, but only and exclusively the public realm where it appears to be esteemed, demanded, or neglected (Arendt, 1958:163-164).

The exchange market, therefore, assigns value to products in accordance with factors that relate to the supply and to demand by others in the public realm (Arendt, 1958:163-164). Once humans have mastered the necessities of life through labour, and have overcome their transient nature by fabricating a durable world-structure consisting of durable things, humans are finally free to take action, to start something new and to be seen and heard within the common world (Arendt, 1958:28, 30, 50).

3.2.2.6 Action

It is especially significant for this study of a meaningful participatory mechanism to explore Arendt's understanding of action because public participation constitutes political action (in the Arendtian sense). Moreover, Arendt's conceptualisation of action that unifies political action, freedom and the condition of plurality within society enhances a participatory process pertinent to the South African context that can achieve both collective decision-making (by bringing together the citizenry and government) and celebrate South Africa's diversity.

This analysis of action will attempt to answer two questions: Firstly, how does Arendt understand action? To answer this question, I will investigate Arendt's definition of action, as well as the modes of and the fundamental categories for the condition of action. Secondly, how does Arendt understand the realm of action? To shed light on the realm of action I will discuss the web of human relationships and the stories enacted by humans in relation to the character of action, resolving actions' internal predicaments, the Greek solution, and the power and space of appearance.

3.2.2.4.1. The Arendtian understanding of action

Humans are free to act and insert themselves within the world once the *animal laborans* has mastered necessity within the private realm and the *homo faber* has constructed a stable world in which humans can live (Arendt, 1958:177; Abdous & Amjad, 2020:63). Arendt equates this human insertion into the world to a "second birth" that initiates "the beginning of something new" (Arendt, 1958:177, Bowring, 2011:22). A "second birth" is different from one's actual birth in that a "second birth" is set in motion when a person appears within and reveals themselves to the world (Arendt, 1958:176). To act, Arendt asserts:

in its most general sense, means to take an initiative, to begin (as the Greek word *archein*, "to begin," "to lead," and eventually "to rule," indicates), to set something into motion (which is the original meaning of the Latin *agere*) (Arendt, 1958:177).

A person who acts is thus a person who initiates, begins, leads, rules and sets in motion changes within the world (Arendt, 1958:177; Ricoeur, 1983:65). The faculty to act is conditioned on natality, because to act, to take initiative, to begin something new or "to set something in motion" is only possible in the sense that humans represent a new beginning (Arendt, 1958:177). Each birth brings someone utterly new into the world, someone who did not exist before, and this ultimate new beginning propels humans into action (Arendt, 1958:9, 177, Bowring, 2011:22; Beltrán, 2009: 601). Moreover, when a person takes initiative or starts something new they go against the grain, overturning statistical laws and entropy, to do something extremely unpredictable and unlikely, or to "perform what is infinitely improbable" (Arendt, 1958:178; Bowring, 2011:23; Abdous & Amjad, 2020:64).

Humans act in the world through words and deeds, (Arendt, 1958:178) to reveal who they truly are, since their "qualities, gifts, talents and shortcomings" underlie "everything somebody says and does" (Arendt, 1958:179; Abdous & Amjad, 2020:63; Ricoeur, 1983:65). Revealing, through words and deeds, who an actor truly is implies that a person has to be seen and heard by others (Arendt, 1958:176; Ricoeur, 1983:65). Being in the company of others is thus necessary for speaking and acting, because to be seen and heard requires others to see and hear (Arendt, 1958:176; Ricoeur, 1983:66).

Requiring the presence of others to act leads Arendt to the second condition for action: plurality (Arendt, 1958:175:8; Beltrán, 2009:601). Arendt argues that humanity is perpetually plural because "nobody is ever the same as anyone else who ever lived, lives, or will live" (Arendt, 1958:8). When a person, in the presence of others, reveals themselves to the world, they consequently speak to and act before an assemblage of other unique persons (Arendt, 1958:8).

The fundamental condition of human plurality has two attributes: equality and distinction (Arendt, 1958:175; Bickford, 1995:316; Bowring, 2011:23). Equality allows people to understand the other person who "lives, lived or will live", providing for the future and anticipating the needs of future generations (Arendt, 1958:175). Correspondingly,

humans are also distinct – which requires them to speak and act to be understood within the world (Arendt, 1958:176). Arendt distinguishes the characteristic of distinctness from that of otherness (Arendt, 1958:176). Otherness, which she understands as alterity, is an aspect of plurality since all classifications are made by way of distinguishing one thing from another and this attribute, she asserts, is intrinsic to all living organisms since all "organic life shows variations and distinctions" between members of its species (Arendt, 1958:176). The human species, however, is the only species that can convey this distinction and distinguish themselves, and only they can express themselves as opposed to other living things that can only communicate "something like a thirst or hunger, affection or hostility or fear" (Arendt, 1958:176). In humans, otherness, which they have in common with "everything that is", and distinctness, which they share with all organic life, is transformed into uniqueness (Arendt, 1958:176).

Arendt therefore describes human plurality as "the paradoxical plurality of unique beings" (Arendt, 1958:176). Humans express their unique distinctness through words and deeds; in speaking and acting. Humans distinguish themselves in opposition to merely being distinct (Arendt, 1958:176). Revealing oneself to the world, however, requires humans to take the initiative to speak and act in the presence of others (Arendt, 1958:176). Taking the initiative to reveal oneself to others within the world, Arendt avers, is therefore essential to a human life lived among others (Arendt, 1958:176).

Arendt cautions that speech and action can become "meaningless" if they fail to reveal who someone truly is (Arendt, 1958:181). If an action does not disclose the actor, the faculty of action loses its specific character and "becomes one form of achievement among others" (Arendt, 1958:180). Action that fails to reveal the actor is compared to the fabrication process as "no less a means to an end than making is a means to produce an object" (Arendt, 1958:180). The failure of an action to reveal the actor behind the act results from a loss of "human togetherness " – that is, when people are only proponents or opponents of people and act by violent means only to "achieve certain objectives for their own side and against the enemy" (Arendt, 1958:180). During such violent actions, words are only a means to an end that intend to "deceive the enemy or to dazzle everybody with propaganda; here words reveal nothing, disclosure comes only from the deed itself" and such violent achievements are incapable of revealing the "the unique and distinct identity of the agent" (Arendt, 1958:180).

I next turn to the realm wherein action takes place, the "web of human relationships" that connects everyone within society (Arendt, 1958:184)

3.2.2.4.2. The realm of action

Action and speech do not only happen in the presence of other people, but also between them (Arendt, 1958:182). These actions and speeches can involve "objective matters of the world of things" also known as matters of "material concern," or may concern the "subjective in-between" or the "web of relations" between people (Arendt, 1958:182, 183; Adams, 2002:14). Words and deeds involving the "objective matters of the world of things" are concerned with the physical things that lie between people and emanate from their "objective, worldly interests" (Arendt, 1958:182). These "objective, worldly interests" that lie between people connect and unite people (Arendt, 1958:182; Adams, 2002:14). Arendt regards most speech and action as involving this worldly in-between, stating that "most words and deeds are about some worldly objective reality," as well as revealing the "acting and speaking agent" (Arendt, 1958:182). In contrast, action and speech involving the "subjective in-between" is intangible, since there are no physical objects in which these words and deeds could solidify, nor are there any results or end products left behind (Arendt, 1958:183; Adams, 2002:14).

This "subjective in-between" notwithstanding, the intangibility is no less real than the "objective world of things" that visibly lies between people (Arendt, 1958:183; Adams, 2002:14). Arendt calls this subjective reality the "web of human relationships" (Arendt, 1958:183; Adams, 2002:14). This "web of human relationships" connects people wherever they live together and find themselves in a "state of togetherness" (Arendt, 1958:184; Adams, 2002:14). Revealing who someone truly is, through speech, and beginning something new through action, is always incorporated into an established "web" (Arendt, 1958:184). Each word and deed causes a ripple effect that is felt by everybody within this "state of togetherness" (Arendt, 1958:184; Adams, 2002:14). Through action and speech, everyone writes a "unique life story" that causes ripples that spread out and affect the "life stories" of all the other people within their "web of relations" (Arendt, 1958:184; Adams, 2002:14, Ricoeur, 1983:67). The established "web or relationships" into which each person is born and lives together with others connects the "innumerable, conflicting wills and intentions" of all the people within the "web", making it highly unlikely that actions will ever achieve their purposes (Arendt, 1958:184; Adams,

2002:14). Initiating actions within the "web of human relationships" however, is essential to write authentic stories that tell us about "their subjects, the 'hero'" in the centre of each story" (Arendt, 1958:184).

Arendt also suggests that, although a person writes their life story through words and deeds, and is the subject or the hero of their life story, they are never the "author or producer" of their own life story due to the "innumerable, conflicting wills and intentions" that impact everyone else within the "web" (Arendt, 1958:184; Ricoeur, 1983:67). Life stories reveal to the world who the subject or the hero of the story is, but because all subjects are interconnected within a "web of human relationships" and constantly have to suffer the consequences of their own and others' words and deeds, the subject can never be considered the author of their story since several 'chapters' are written by the deeds and words of others (Arendt, 1958:184; Ricoeur, 1983, 67).

Next, I will discuss the boundless, unpredictable and uncertain character of action.

3.2.2.4.1.1. The character of action

The "web of human relationships" that consequently surrounds our words and deeds can more appropriately be described as a "web of acts and words of other men" (Arendt, 1958:188; Beltrán, 2009:601). The consequences of each word and deed within a "web of acts and words" are boundless, since all actions within this "web" are caught up in a chain where every action causes a reaction, and every process sets in motion a new process (Arendt, 1958:190).

The boundless nature of action makes the outcome or repercussions of words and deeds unpredictable and uncertain, often far beyond the original intent of the doer or speaker (Abdous & Amjad, 2020:64). Therefore, the unpredictability and uncertainty of action are considered one of action's predicaments (Arendt, 1958:237). According to Arendt, action is unpredictable and uncertain because each action "simply has no end" and can continue initiating reactions and starting new processes until literally the end of all humankind (Arendt, 1958:233). With each action and consequent reaction, and with each process that sets in motion a new process, the force of the original action or process only becomes more and more forceful, multiplying the consequences of the original act or process (Arendt, 1958:233).

According to Pitkin (1994:275), trying to predict the outcome of an action entails approaching action from a utilitarian point of view wherein the action is undertaken for "specific, practical results". Thus, approaching action "in utilitarian, expedient terms" loses sight of action's "free nature" (Pitkin, 1994:275). The fact that action "simply has no end" resulting from perpetual reactions and new processes also makes it impossible to "undo a deed or prevent its consequences" (Arendt, 1958:233), and the irreversibility of an act is a further predicament resulting from the boundless and free nature of action (Arendt, 1958:237).

3.2.2.4.1.2. Resolving actions' internal predicaments

To this end, the boundless and free nature of action is often critically evaluated since the outcome of an act cannot be predicted and the act itself cannot be reversed or undone once completed (Arendt, 1958:220; Bowring, 2011:33). Arendt addresses such criticism by saying that the condition *sine qua non* for appearing in the public realm is exactly the consequences of actions that are boundless since acts are caught up in a "web of human relationships" and humanity is perpetually plural (Arendt, 1958:220, 8).⁵⁴ For a person to reveal themselves to the world, they have to be seen and heard by other people, each of which sees and hears them from their unique perspective (Arendt, 1958:8). Arendt does acknowledge that this predetermined "web of human relationships" into which all humans are born has been condemned for limiting the autonomy of a person because our actions are not solely determined by ourselves, but are also guided and influenced by the actions of others in our "web" (Arendt, 1958:234). Limiting autonomy, she remarks however, cannot be equated to a limitation of human freedom, since complete human autonomy is impossible ("not one man, but men, inhabit the earth"); thus all actions will inevitably be caught up in a web because humans live in a plurality (Arendt, 1958:234). Arendt regards the loss of human autonomy and the unpredictable outcomes of our actions as the price we have to pay to experience "the joy of inhabiting together with others a world whose reality is guaranteed for each by the presence of all" (Arendt, 1958:244).

The price of unpredictability, however, can be reduced by making and honouring promises, which is a faculty intrinsic to action (Arendt, 1958:237; Bowring, 2011:38;

⁵⁴ *Sine qua non* refers to a condition that is absolutely necessary or essential. According to Arendt the condition of plurality is an essential condition for appearing in the public realm.

Ricoeur, 1983:71). When people make and honour promises they dispel the unpredictability of human action in two ways: firstly, making and honouring promises counteracts the "basic unreliability of men who never can guarantee today who they will be tomorrow" because, by making a promise, a person binds their present self to an action that will be fulfilled in the future (Arendt, 1958:244). Secondly, making and honouring promises counteracts the unpredictable outcomes of action within a "web of human relationships" because it can foretell the actions of people who pledged to do something in the future (Arendt, 1958:244).

Arendt cautions, however, that the power to make and keep promises should not be used in an attempt to control the future, for if promises are made to control the future, they lose the power to bind separate individuals (Arendt, 1958:244; Bowring, 2011:38). Without being bound to keep promises, humans would lose their identities; they would be doomed to suffer the consequences of only unpredictable actions or, according to Arendt, be "condemned to wander helplessly and without direction in the darkness of each man's lonely heart, caught in its contradictions and equivocalities" (Arendt, 1958:237). Arendt therefore regards promises as "islands of predictability" or "guideposts of reliability" in a sea of uncertainty (Arendt, 1958:244; Bowring, 2011:38). However, the faculty to make and keep promises does not give humanity the power to exchange the sea of uncertainty for an ocean of predictability, for Arendt avers that this inability to predict with certainty how people will act within the present or the future is the price humanity has to pay for freedom (Arendt, 1958:244).

Freedom is a prerequisite for authentic action since freedom enables people to spontaneously begin something new or "change their minds and start again" (Arendt, 1958:234, 240). People would not be free to take initiative and start something new if the outcome of an action were predetermined (Arendt, 1958:234). For Arendt, the meaning of an action lies in its "performance and neither in its motivation nor its achievement" (Arendt, 1958:206). Meaningful action must always represent "the possibility of new, unpredictable events in history and politics" (Abdous & Amjad, 2020:69). An authentic act is thus open to an unpredictable outcome.

In turn, action's openness to unpredictability inevitably leads to action's second predicament: the irreversibility of action (in other words, being unable to undo what one has done, although one did not and could not foresee the consequences) (Arendt,

1958:237). A person cannot foresee the consequences of their actions because every action causes a reaction and every process causes a new process within the "web of human relationships", making it impossible for every person to foretell the overall consequences of their single act. Moreover, the fact that every action leads to a reaction, and every process the start of a new one, makes it also impossible to reverse or undo a single act (Arendt, 1958:237). For humans to be free to take initiative and start something new, they must be released from the irreversibility of actions. Releasing someone from the inability to foresee and reverse the consequences of their action can only be achieved through the faculty of forgiveness (Arendt, 1958:237, Bowring, 2011:33; Ricoeur, 1983:71). Without forgiveness humans' ability to take action would be restricted to a single deed from which they would never be able to recover and they would "remain the victims of its consequences forever"(Arendt, 1958:237). Only through the reciprocal release from the consequences of people's actions can they remain free agents, and only the constant forgiveness of people's actions gives people the freedom to take initiative and start something new (Arendt, 1958:240).

Arendt sees Jesus of Nazareth as the pinnacle and pioneer of forgiveness in the realm of human affairs (Arendt, 1958:238). The Biblical books of Matthew 18:35 and Mark 11:25 (as cited by Arendt, 1958:239) see Jesus as preserving the faculty of forgiveness by requiring people to forgive each other "before they can hope to be forgiven by God" (Arendt, 1958:239). The obligation to forgive "for they know not what they do" confirms the irreversibility – the inability to foresee or undo – human action (Luke 23:24, as cited by Arendt, 1958:239). Through forgiveness, humans release people from the consequences of their deeds because they have come to the understanding that humans are unable to predict the outcome of their actions. Through forgiveness, humans forgive the "what [that] was done for the sake of who did it" (Arendt, 1958:241). The deed is consequently forgiven because we feel empathy and compassion. After all, the doer could not foretell or reverse the consequences of her actions. Thus, to show empathy and compassion, humans have to act with love since only love has the "unequalled power of self-revelation and an unequalled clarity of vision for the disclosure of who" (Arendt, 1958:242). Thus only through love can someone else truly reveal themselves to others, and only through love are we empowered to truly see them. Love, therefore "destroys the in-between which relates us to and separates us from others" (Arendt, 1958:242).

According to Arendt (1958:237), no-one can forgive themselves for the effects that their acts had on others and no-one can dispel their human fickleness (i.e. "basic unreliability of men who never can guarantee today who they will be tomorrow" (Arendt, 1958:244) by pledging to themselves that they will do something in the future. The acts of making promises and forgiving others can only be significant if they are done in the company of others. The faculties of honouring promises and forgiveness thus rely on plurality, since "forgiving and promising enacted in solitude or isolation remain without reality and can signify no more than a role played before one's self" (Arendt, 1958:237).

The *polis* space wherein people reveal and insert themselves within the world is the most suitable space for action.

3.2.2.4.1.3. The Greek solution, and the power and space of appearance.

In the Arendtian framework, the Ancient Greek city-state or Athenian *polis* provides the foremost historical model for the act of making and honouring promises, and for the act of forgiveness. She considers this ancient *agora* the pre-eminent space for free action and the sharing of words and deeds (Beltrán, 2009:601; Bowring, 2011:30; Arendt, 1958:197).⁵⁵ The *agora* served two functions: firstly, it provided more opportunities for people to distinguish themselves from others, to reveal through word and deed their "unique distinctness" (Arendt, 1958:197; Bowring, 2011:30). Secondly, sharing words and deeds within a public space like the *agora* ensured that action and speech survive the present moment, since it allowed distinguished words and deeds to become immortal (Arendt, 1958:197).

Actions within a public space become immortal, because if distinguished actions are seen and heard by others, they are less likely to be forgotten as they are retold by more people (Arendt, 1958:197; Bowring, 2011:30). If a distinguished deed is done in private, or only seen by members of a family, it can only be remembered and retold by a few people, whereas a distinguished deed within public space (that is seen and recollected by many people) increases the overall remembrances of that word or deed (Arendt, 1958:197). The *agora* provided an "everlasting remembrance of good and bad deeds" to be recounted to present and future generations and to "inspire admiration" (Arendt,

⁵⁵ The term *Agora* refers to an open and public space that was used for gatherings and markets in Ancient Greece.

1958:197). Moreover, sharing words and deeds in the *polis* allowed the "most futile of human activities" – since it did not produce tangible products but only "deeds and stories" – to endure for longer than the amount of time it took to enact them (Arendt, 1958:198; Bowring, 2011:30).

Arendt (1958:198) understands the notion of the *polis* as "the organisation of the people as it arises out of acting and speaking together". Her concept of the *polis* not only incorporates the traditional understanding of *polis* as a city or town, it also encapsulates any space where people act and speak together (Arendt, 1958:198; Beltrán, 2009:601). Arendt calls this space where people act and speak together "the space of appearance," since within this space people also explicitly reveal themselves to each other (Arendt, 1958:199). "The space of appearance" is thus not a physical space, but rather a metaphorical space that comes into being whenever people reciprocally reveal themselves through their words and deeds (Arendt, 1958:199). Arendt (1958:199) states that whenever people come together the space "always is potentially there" (Arendt, 1958:199). Because an organisation of people that reciprocally reveal themselves through their words and deeds are necessary to call into being the "space of appearance", this space does not automatically exist when and wherever people are gathered together, but only where people reveal themselves through acting and speaking (Arendt, 1958:199). Moreover, the "space of appearance" only exists as long as people are gathered to reveal themselves through action and speech, and as soon as this crowd of people disperse, the space evaporates (Arendt, 1958:199). Therefore, power is necessary to keep this "space of appearance" in existence (Arendt, 1958:200). According to Arendt, power is actualised through acting and speaking within this metaphorical space. She states that:

Power is actualised only where word and deed have not parted company, where words are not empty and deeds not brutal, where words are not used to veil intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities (Arendt, 1958:200).

Power is thus realised if a person reveals, through their words and deeds, who they are to others within their "web". Through these revelations people not only actualise the power to create and maintain a new shared reality or space, but also inaugurate others into it. This power to create a new reality can only be tapped into when people act and speak

together, and disappears as soon as they part company (Arendt, 1958:200; Abdousa & Amjad, 2020:69). Moreover, power is limitless and can be tapped into wherever and whenever people act together (Arendt, 1958:201). To this end, the only limitation on power is that it can only be actualised in the company of others and is therefore conditioned plurality (Arendt, 1958:201).

A comprehensive understanding of the three activities (labour, work and action) that condition the *vita activa* and imbue *The Human Condition* (1958) sheds light on the Arendtian understanding of meaningfulness.

In the next section, I examine Arendt's understanding of meaningfulness to elucidate the notion of meaningfulness within a meaningful participatory mechanism in reaction to the meaningful public participation crisis addressed within this study.

3.2.3 The concept of meaningfulness

This section aims to provide a nuanced understanding of the concept of meaningfulness by exploring Hannah Arendt's views on said concept, which hinges on certain key arguments made throughout *The Human Condition* (1958), as she discusses her perspective on labour, work and action (in relation to meaningfulness). Subsequent paragraphs will explore those key arguments made (in terms of labour, work and action) to illuminate the Arendtian understanding of meaningfulness.

3.2.3.1 Arendt's view on labour as it relates to meaningfulness

In *The Human Condition* (1958), Arendt admonishes society for absolutising the activity of labour by becoming, what she deems, a "society of labourers" in the fight for liberation "from the fetters of labour" (Arendt, 1958:4-5). To be clear, Arendt does not consider labour as an unnecessary and unimportant activity, nor an activity to be done away with, as she unequivocally states in her critique of Marx's political economy that labour is indispensable to all human life (Arendt, 1958:130; Bowring, 2011:13). On the contrary, in the prologue to *The Human Condition* (1958), Arendt is critical of humanity's attempt to free itself from this vital activity, as this fight results in a society that:

no longer knows of those other higher and more meaningful activities for the sake of which this freedom would deserve to be won. Within this society, which is egalitarian because this is labour's way of making men live together, there is no class left, no aristocracy of

either a political or spiritual nature from which a restoration of the other capacities of man could start anew (Arendt, 1958:5).

Arendt is thus critical of a labouring society since in labourers' strife to free themselves from the fetters of labour they become indifferent to the other "more meaningful activities" for which freedom should rather be won (Arendt, 1958:5). Moreover, a "society of labourers" has also lost those individuals that could rekindle those "other capacities of man" (Arendt, 1958:5).

This observation reveals three essential features of the Arendtian understanding of meaningfulness as it is informed by her views on labour. Firstly, it confirms Arendt's view on the necessity of labour, as she remarks there to be "more meaningful activities" than that of labour and that society should be freed up to complete those activities rather than being liberated from the toils of labour (Arendt, 1958:5; Lenz, 2005:136). Arendt reiterates that there are "more meaningful activities" than that of labour in Chapter Three of *The Human Condition* (1958) when she unequivocally asserts that labour falls outside the "range of wilful decisions or humanly meaningful purposes" (Arendt, 1958:106). Secondly, Arendt reveals an admiration for exceptionalism or greatness that can be found in higher political or spiritual classes, or in the aristocracy; such an exceptionalism or greatness is needed to revitalise the "other capacities of man" (Arendt, 1958:5). Thirdly, by requiring that an exceptional group or class "start anew" the other more meaningful human activities, Arendt refers to human action which she considers as initiating, beginning or setting in motion something new within the world (Arendt, 1958:177; Ricoeur, 1983:65).

From these passages, we can surmise that meaningful activities can only take place once society has finished labouring, since only the activity of labour can master the necessity of life which is a "condition for freedom," but is not the end of freedom (Arendt, 1958:5, 30-31). Moreover, Arendt requires decisive action from exceptional or great people to reignite or "start anew" the "capacities of man" that are necessary for meaningful activities (Arendt, 1958:5). Work and action are consequently the only remaining activities that could be meaningful. An analysis concerning the former is prudent since Arendt's critique of utilitarianism's (which is *homo faber par excellence*) inability to generate meaningfulness will shed more light on the Arendtian understanding of meaningfulness as it concerns the activity of work (Arendt, 1958:154).

3.2.3.2 Arendt's views on work as it relates to meaningfulness

Within a society of workers, utilitarianism (i.e. "the ideal of usefulness") becomes the guiding principle of all activities (Arendt, 1958:154; Bowring, 2011:21). Arendt is critical of the glorification of usefulness because if "utility [is] established as meaning, [it] generates meaninglessness" (Arendt, 1958:154). Arendt attributes utilitarianism's inability to provide meaning within the world to "an innate incapacity to understand the distinction between utility and meaningfulness" (Arendt, 1958:154). Arendt distinguishes between the notion of usefulness and meaningfulness by linguistically expressing utility as "in order to" and meaningfulness as "for the sake of" (Arendt, 1958:154). For example, the carpenter cuts down the tree 'in order to' realise her goal of making a chair; but carpentry, as a vocational choice, is pursued 'for the sake of contributing to society and erecting the human artifice' (Arendt, 1958:154; Bowring, 2011:21). Within a society of workers, the notion of meaningfulness is replaced with the notion of utility and it becomes "*for the sake of* usefulness in general that homo faber judges and does everything in terms of *in order to*" (Arendt, 1958:154). Within a society of workers, the carpenter thus cuts down the tree for the sake of realising her goal of making a chair, and carpentry, as a vocational choice, is pursued in order to contribute to society and to erect human artifice (Bowring, 2011:21).

The evaluative criterion of usefulness (i.e. the "in order to") therefore engulfs any underlying ideal, making it impossible to think in terms of "for the sake of", and meaning deteriorates into mere usefulness (Bowring, 2011:21). Arendt is further critical of utilitarianism because "it gets caught in the unending chain of means and ends without ever arriving at some principle which could justify the category of means and end, that is, of utility itself" (Arendt, 1958:154). Utilitarianism consequently presupposes the ideal of usefulness without ever justifying the supremacy of the notion of utility itself. Moreover, the 'means and ends' category inherent in utilitarianism is incapable of providing any finality or conclusiveness, since once an end is accomplished it "ceases to be an end and loses its capacity to guide and justify the choice of means, to organise and produce" an end (Arendt, 1958:154-155).

The ideal of meaningfulness (i.e. the idea of "for the sake of"), on the contrary, must provide an end or finality; meaning "must be permanent and lose nothing of its character, whether it is achieved or, rather, found by man or fails man and is missed by him" (Arendt, 1958:155). Arendt's critique of utilitarianism describes the Arendtian understanding of

meaningfulness as a higher ideal that must provide the final or decisive guiding force that transcends the end, even after it has been accomplished (Arendt, 1958:155; Bowring, 2011:21). To resolve the predicament of meaninglessness and overcome the "sheer utility of objects produced [only] for use" humanity must turn to action (Arendt, 1958:173; Bowring, 2011:12; Betz, 1992:383). Through action, the world becomes what it was "always meant to be", a home for our life on earth, "a place fit for action and speech" (Arendt, 1958:173).

3.2.3.3 Arendt's views on action as it relates to meaningfulness

Through action, humans can conquer sheer labour and meaninglessness generated by the glorification of utility through work to experience meaningfulness within the world (Arendt, 1958:5, 173, 4; Lenz, 2005:136). As Arendt (1958:4) remarks, humans "experience meaningfulness only because they can talk with and make sense to each other and to themselves". Through acting and speaking within the world, people cultivate the self-awareness (i.e. the ability to understand yourself) and social intelligence (i.e. the capacity to understand others) essential to comprehend meaningfulness. Self-awareness and social intelligence, however, do not develop naturally, rather they evolve from words and deeds that initiate and engender change within the world (Arendt, 1958:177; Ricoeur, 1983:65). Through conversation and social endeavours, people reveal their "unique personal identities" to others in the world; because they are both equal and distinct they can understand each other, "make themselves understood" and distinguish themselves within society (Arendt, 1958:175). As people talk to and engage others in the world, people disclose their true and unique identity, crucial for self and social understanding (Arendt, 1958:179; Abdous & Amjad, 2020:63; Ricoeur, 1983:65).

Through their stories, humans create narratives about meaning within the world, and through their actions they actively collaborate on shaping the world (Lenz, 2005:136). Human action that is evaluated by the "criterion of greatness" – as it breaks through the common, predictable and mediocre of everyday life to reach into the extraordinary and "perform what is infinitely improbable" – allows humans to break the unending cycle of sheer labour and become those higher political or spiritual classes, or aristocracy, that can "start anew" the "other capacities of man" (Arendt, 1958:205, 5, 178; Bowring, 2011:23; Abdous & Amjad, 2020:64). This human potential to act, to initiate and to "start anew" within the world is the permanent and conclusive guiding force that enables

humanity to defeat the meaninglessness created by the glorification of usefulness and surpasses the end, even after it is attained since the "innermost meaning of the acted deed and the spoken word is independent of victory and defeat and must remain untouched by any eventual outcome, by their consequences for better or worse" (Arendt, 1958:155, 205). The acted deed and spoken word are thus meaningful since the act "remains untouched by any eventual outcome, by their consequences" and transcends the end or outcome to remain undiluted by the results or consequences, ensuring that the act loses "nothing of its character" regardless of the outcome (Arendt, 1958:155, 205).

In summation, meaningful actions are those great words and deeds that spark humanity's potential for appearing within and being extraordinary within the world. As action remains untainted by its outcomes or consequences, it provides the permanence and finality that enables humanity to experience meaningfulness.

3.3 Conclusion

The goal of this chapter was to provide a nuanced understanding of Hannah Arendt's views on the concept of 'meaningful' in the hopes of elucidating the notion of meaningfulness in response to South Africa's meaningful public participation crisis discussed in Chapter Two. To elucidate the Arendtian understanding of meaningfulness this chapter firstly explored Arendt's philosophical situatedness within the history of political philosophy, as well as the influences on her political thought to shed light on the three activities that engender an active life. Secondly, this chapter performed a literature review, from a textual and historical perspective, of Arendt's *The Human Condition* (1958). This analysis explored the three activities of labour, work and action that imbue the Arendtian concept of meaningfulness, and especially elaborated on the Arendtian understanding of action (because her views relate to the South African public participatory mechanism that will be discussed in the next chapter). Lastly, this chapter discussed the Arendtian conception of meaningfulness informed by the human activities of labour, work and action discussed within *The Human Condition* (1958).

Analysing labour, work and action elucidated the Arendtian conception of meaningfulness in several ways. Firstly, meaningful action should involve great words and deeds that empower people to do the extraordinary and reveal themselves to the world. Secondly,

action can be deemed meaningful as all actions are considered decisive, permanent and uncontaminated by the consequences or outcomes of the initial action that was taken.

In response to the South African meaningful public participation crisis, the next chapter aims to provide a comprehensive theoretical understanding of a meaningful participatory mechanism by examining how Hannah Arendt's views on meaningful action contribute to a more complete understanding of meaningful public participation in the South African context.

CHAPTER 4 THE SIGNIFICANCE OF THE ARENDTIAN CONCEPTION OF MEANINGFULNESS TO A MEANINGFUL PARTICIPATORY MECHANISM WITHIN SOUTH AFRICA

Speak your truth quietly and clearly; and listen to others, even to the dull and the ignorant, they too have their story.

Max Ehrmann, *Desiderata*

4.1 Introduction

The previous chapter explored the Arendtian understanding of meaningfulness to shed light on the notion of meaningfulness in response to South Africa's meaningful public participation crisis (this crisis was examined in Chapter Two). South Africa's meaningful public participation crisis is caused by the lack of a proper definition of meaningfulness as it concerns participatory processes, and the legal frameworks' endorsement of competing and irreconcilable approaches. These approaches focus either on cultivating and humanistic outcomes, or achieving specific predetermined goals. In response to this meaningful public participation crisis, the current chapter will show how Hannah Arendt's views on meaningful action (which encapsulate the Arendtian understanding of meaningfulness) relate to the South African participatory mechanism. In particular, this chapter will relate Arendt's understanding of meaningful action to legislation, national policy, the *Public Participation Framework for the South African Legislative Sector*, and Case Law relating to 'meaningful' public participation (as discussed in Chapter Two, these frameworks govern public participation in South Africa). By showing how Arendt's views on meaningfulness relate to a meaningful participatory process, this chapter will provide a comprehensive theoretical understanding of a South African meaningful participatory mechanism informed by Hannah Arendt's views.

To further such a comprehensive theoretical understanding, this chapter brings the current South African understanding of meaningful public participation (Chapter Two) and Arendt's ideas on meaningful action (Chapter Three) into a dialogue (having them talk to each other) by comparing, contrasting and integrating these insights to further a meaningful participatory mechanism. The dialogue between Chapters Two and Three thus serves to contextualise the Arendtian understanding of meaningfulness within the

South African context. I argue that Arendt's views on meaningful action should be incorporated into a comprehensive theoretical understanding of meaningful public participation, as it provides insight into the public participation crisis (as is presented in the current chapter). Moreover, by relating Arendt's thought to the South African context, the stage will be set for the next chapter which outlines a cultivating and humanistic approach to meaningful public participation.

4.2 The relevance of the Arendtian perspective of meaningfulness to legislation that governs public participation

This section compares and contrasts legislation that governs public participation with the Arendtian perspective of meaningfulness, to determine how Arendt informs the South African understanding of meaningful public participation. To achieve this end, the sections relevant to public participation within the *Constitution of the Republic of South Africa* and the *Local Government: Municipal Systems Act* 32 of 2000 will be related to Arendt's views on meaningful action.

4.2.1 The significance of the Arendtian understanding of meaningful action in terms of the Constitution of the Republic of South Africa

This subsection presents a dialogue between the sections of the *Constitution of the Republic of South Africa* applicable to the meaningful participatory mechanism (including Sections 1, 59, 72, 118, 152 and 195) and the Arendtian perspective on meaningful action.

4.2.1.1 The founding values of the Constitution in Section 1

As discussed in Chapter Two, South Africa is founded on the values of human dignity, equality, civil liberty, anti-racism, anti-sexism, the supremacy of the Constitution, the rule of law and the right of all adult citizens to vote in regular elections that are inclusive of a "multi-party system of democratic government" in order to ensure an accountable, responsive and transparent government (Section 1 of the *Constitution of South Africa*, 1996). I argue that the founding values of human dignity, equality and civil liberty and Arendt's insights on meaningful action should enter into a dialogue to illuminate the conceptualisation of a meaningful participatory mechanism. Arendt's views on meaningful action illuminate a participatory mechanism that empowers South Africans to act and

reveal themselves within South African communities in a manner consistent with Arendt's description (Section 1 of *the Constitution of South Africa*, 1996; Arendt, 1958:177). Arendt's appreciation of every individual's "unique distinctness" enriches a meaningful participatory mechanism that safeguards human dignity and recognises the "intrinsic worth of human beings" and their right to be treated as "worthy of respect and concern" in line with the founding values in Section 1 of the Constitution (Arendt, 1958:176; *S v Makwanyane*, 1995).

Arendt's keen awareness of every person's equality and "unique distinctness" that enable people to understand each other and demand that we make ourselves understood because we are all distinct; sheds light a participatory process that recognises the distinctness of every South African and demands that they be seen and heard by others during the process when they collaborate and comment on prospective policy and legislation for example (Arendt, 1958:175, 176).

If we were to conceptualise a meaningful participatory mechanism that is founded on equality, it is necessary to look at the historical context. As the understanding of equality, both in the South African context and in Arendt's work, it is understood within distinct historical contexts. The understanding of equality sketched by the Constitution responds to the gross inequality that was ingrained in the former Apartheid political and legal systems of South Africa (Currie & de Waal, 2016:211). As such, equality is understood formally (requiring the law to treat everyone the same) and substantively (in aiming to achieve equal outcome), which therefore allows "disparity of treatment to achieve this goal" (Currie & de Waal, 2016:213). The schooling of children in South Africa will be used to illustrate the difference between formal and substantive approaches to equality (Loenen, 1997:401, 405).

Formal equality is achieved if all children are taught the same school curriculum, whereas substantive equality requires that children with disabilities (blind children, for example) receive an education that makes provision for their special needs and to ensure an equal outcome in terms of educating the youth (Loenen, 1997:401, 405). The Arendtian approach to equality views it in terms of past, current and future lives that enable present generations to understand or relate to people that lived before them, with them and provide for people who will live after them (Arendt, 1958:175-176). Differently put, the fact

that people are all equal allows us to essentially recognise, or in an Arendtian sense, "see" and/or "hear" our ancestors, neighbours and make provision for our descendants.

I will use the example of literature to illustrate Arendt's understanding of equality (Arendt, 1958:176). As we are all equal, humans today are still able to relate to (emphatically or emotionally) the works of Shakespeare, although our lives and speech are very different. Moreover, as we are equal, we "see" and "hear" or at least attempt to recognise our neighbours and provide some form of a legacy (which can include finances, knowledge or a planet that is inhabitable with clean air and water) that humanity should be able to use after we are gone.

The Arendtian understanding of equality (as embracing lived, living or future experiences) and the conception of substantive equality needs to be integrated into a meaningful participatory mechanism, since I argue that it provides the framework to analyse the 'equal' opportunities that all South Africans should receive to be able to participate meaningfully in a participatory process, and also to be used to evaluate and justify unequal treatment that needs to be tolerated to ensure that every person is equal within a meaningful participatory mechanism.

A meaningful participatory mechanism that values liberty can be enhanced by Arendt's perspective of meaningful action. Through the Arendtian perspective, every South African should be free to take initiative, to begin, to lead and set in motion something new within meaningful participatory processes (Arendt, 1958:177). Citizens should also be free to distinguish themselves and to go against the grain, to overturn statistical laws and to do something utterly unpredictable during the participatory process (Arendt, 1958:178).

In the South African context, a meaningful participatory mechanism should also be anti-racist and anti-sexist in order to be broadly inclusive. Concurrently, it may be stated (and is reflected in law) that racism and sexism are unacceptable within a society established upon dignity, equality and freedom. The founding values of anti-racism and anti-sexism that flow from human dignity, equality and freedom are in response to the racism and sexism engendered by the former Apartheid regime (Venter, 1998:51). The conceptualisation of the "unique distinctness" that Arendt considers every person to have is supplementary to establish a public participation process that is anti-racist and anti-sexist. Such a participatory process should echo Arendt's thought of "unique

distinctness," as it provides a framework that can encapsulate both our equality and uniqueness which resonates particularly with the ideal of the rainbow nation that appreciates the differences among South Africans, but still treats them all as equal. The "unique distinctness" framework further enables South Africans to understand and relate to each other through equality, as well as create an opportunity to celebrate their uniqueness by distinguishing themselves during participatory decision-making as they work together to reach collective decisions (Arendt, 1958:175-176).

Meaningful public participation in South Africa should also value the right of all adult citizens to vote in regular elections (inclusive of a "multi-party system of democratic government" to ensure an accountable, responsive and transparent government). The Arendtian understanding of meaningful action elucidates such a conceptualisation of meaningful public participation in several ways. Firstly, the requirement for regular elections empowers South Africans to take action, since through casting their vote; they act through both their words (i.e. they 'write' or make their mark on the ballot) and deeds (i.e. as they go to the voting station and physically cast their vote after they have voted), which Arendt sees as crucial for political action (Section 1 of the *Constitution of South Africa*, 1996; Arendt, 1958:178). Secondly, considering South Africa's historical context which only gave the white minority the right to vote, the requirement for regular elections in the current dispensation gives all South Africans the opportunity to take meaningful action (regardless of the outcome of the election, citizens have been allowed to have a say in how they are governed). Thirdly, Arendt's understanding of meaningful action that recognises the importance of seeing and hearing other people can illuminate a meaningful participatory mechanism that values an accountable, responsive and transparent government through regular elections (Arendt, 1958:176). As government has a duty to recognise (or put differently see and hear) their constituents' views which, I argue, is essential to any meaningful public participatory process, since only true recognition of a participant's views enables them to influence or have a voice in the said processes (Arendt, 1958:176). Therefore, interpreting regular elections from an Arendtian perspective sheds new light on the significance of the right to vote, as well as the act of voting, within any working democracy: a right that was only granted to all South Africans in 1994 (Currie & de Waal, 2016:421; Arendt, 1958:205).

4.2.1.2 *The national legislative sector in Sections 59 and 72*

As established in Chapter Two, the national legislative sector is required to facilitate public involvement in legislative processes, as well as to conduct business in a transparent manner (Sections 59 and 72 of the *Constitution of South Africa*, 1996). Meaningful public participation also values public engagement and transparency in legislative processes. If Arendt's views on meaningful action in public (*polis*) spaces are integrated into a conceptualisation of meaningful public participation, they will enlighten meaningful public participation in the legislative sector. Arendt's views on meaningful action in a *polis* space "where people can act and speak together" provide insight to the national legislative sector, on how to go about facilitating a public space wherein South Africans are empowered to act, speak and collaborate on legislation that shapes the South African public landscape, as well as create narratives about the meaning of the legislation (Sections 59 and 72 of the *Constitution of South Africa*, 1996; Arendt, 1958:199, 175; Lenz, 2005:136).

4.2.1.3 *The provincial legislative sector in Section 118*

As is the case with the national legislative sector, the provincial legislative sector must also facilitate public involvement in legislative processes and must conduct their business in a transparent manner (Section 118 of the *Constitution of South Africa*, 1996). Section 118 of the Constitution remarks that provincial legislatures should be considerate of "participatory democracy, accountability, transparency and public involvement" during legislative sittings (Section 118 of the *Constitution of South Africa*, 1996).

The provincial legislatures are required to create a space where community members can speak and act together on legislation that impacts their respective provinces, and Arendt's views on meaningful action inform the notion of meaningful public participation within legislative processes by suggesting that the *polis* space should be a space where people can act and speak together as they appear and reveal their views on legislation to other community members and government. Moreover, Arendt's views on the *polis* space further suggest that through acting and speaking together within a *polis* space, power is actualised which provides insight to the provincial government as they are expected to empower citizens within a participatory process (Section 118 of the *Constitution of South Africa*, 1996; Arendt, 1958:199, 201).

A meaningful public participatory mechanism in the legislative process where legislatures are expected to be cognisant of "participatory democracy, accountability, transparency and public involvement" is enhanced by Arendt's thought in two ways. Firstly, Arendt's views on the *polis* space where people act together provides insight to the legislative sector as they are expected to create a space where South Africans can create narratives about provincial legislation, as well as collaborate on the legislation that shapes their respective province (Arendt, 1958:175; Lenz, 2005:136). Secondly, Arendt's views on meaningful action that requires that people be seen and heard by others around them to be able to reveal to the world who they truly are, sheds light on how legislatures can be cognisant of "participatory democracy, accountability, transparency and public involvement" and fulfil their (governments') duty to recognise and listen to the views of the participants in the participatory process (Arendt, 1958:175; Sections 118 and 1 of the *Constitution of South Africa*, 1996).

4.2.1.4 *The local government in Section 152*

A meaningful participatory mechanism should reaffirm the constitutional expectation that local government has to develop and promote community engagement in their affairs. The Arendtian understanding of meaningful action can supplement such a conceptualisation of a meaningful participatory process in three ways (Section 152 of the *Constitution of South Africa*, 1996). Firstly, I argue that her views on meaningful action that promote taking the initiative to start something new illuminate community participation within local government. Arendt provides a framework that should be integrated to foster meaningful action among the community members, and how local government can create the conditions that will empower the community to take an initiative during the participatory processes – Arendt notes the importance of action in this regard (Arendt, 1958:178). Secondly, as local governments seek to cultivate and promote community participation they will have to create and safeguard public spaces where meaningful public participation can take place. Arendt's views on a *polis* space (where people can act together) are especially insightful to municipalities in this regard, as community participation also entails community members coming together to reveal themselves (very much in line with Arendt's thinking), as well as act and speak together on matters relating to their local communities (Arendt, 1958:180, 181, 200). Thirdly, and closely related to the previous point, I suggest that Arendt's views on the *polis* space enhance a meaningful

participatory mechanism that conserves public spaces where community members can come together to collaborate on shaping their local community (Arendt, 1958:200; Lenz, 2005:136).

4.2.1.5 The administration in Section 195

The constitutional requirement to promote public participation during policy-making conceptualises a meaningful participatory mechanism that requires the South African administration to encourage South Africans to participate in policies that impact their lives (Section 152 of the *Constitution of South Africa*, 1996). The Arendtian understanding of meaningful action that requires people to take initiative and start something new in the world informs a meaningful participatory mechanism that encourages public participation in policy-making (Arendt, 1958:177; Ricoeur, 1983:65). Such encouragement by the administration within a meaningful participatory mechanism can happen in close relation with the Arendtian understanding of meaningful action; as the administration must motivate South Africans to take initiative and to set in motion something new in terms of South African policies.

Moreover, meaningful public participation during the policy-making process can also be illuminated by Arendt's views on the *polis* space where people unite to act and speak together (Arendt, 1958:200, 180; Lenz, 2005:136), as a meaningful participatory mechanism requires the administration to establish a public space for South Africans to come together through action and speech to meaningfully collaborate on policies. Arendt emphasises the role of speech and action in this regard as well (Arendt, 1958:200, 180). Furthermore, the administration must take firm steps to maintain this space (a space that has strong links to Arendt's own description) where South Africans act and speak together as they collaborate on future policies during the policy-making process (Arendt, 1958:200, 180; Lenz, 2005:136).

4.2.2 The significance of the Arendtian understanding of meaningful action in terms of public participation within local communities

This subsection presents a dialogue between Sections 16 and 17 of the *Local Government: Municipal Systems Act* 32 of 2000 that regulate public participation between municipalities and local communities (Sections 16 and 17 of the *Local Government Municipal Systems Act*, 32 of 2000) and Arendt's views of meaningful action.

4.2.2.1 *Section 16 and 17: Developing a culture of community participation in local government as in Chapter Four of the Local Government: Municipal Systems Act*

The *Local Government: Municipal Systems Act* strongly encourages a culture of collaboration within communities in terms of framing, implementing and evaluating matters of local governance (i.e. the framing, implementing and evaluating of the integrated development plan and the performance management system, as well as observing and assessing the preparation of the budget and strategic decisions) (Section 16 of the *Local Government Municipal Systems Act*, 32 of 2000). Community participation within local governance is also vital to a meaningful participatory mechanism. The Arendtian understanding of meaningful action by using words and deeds to take initiative and start something new illuminates community participation with a conceptualisation of meaningful public participation (Arendt, 1958:177, 178). A meaningful participatory mechanism that encourages a culture of public participation in local government engages very directly with the Arendtian understanding of meaningful action, since local government will in effect foster and safeguard a culture of taking action when community members become actively involved in creating and setting in motion the systems that govern local communities. Moreover, community members will be encouraged by municipalities to act through words (as they participate in framing and evaluating the integrated development plan, the performance management system, the local budget and strategic decisions) and deeds (as the community forms part of implementing the integrated development plan and the performance management system) (Arendt, 1958:178).

The *Local Government Municipal Systems Act* 32 of 2000 further mandates that municipalities establish participatory mechanisms that respond to the complaints lodged by community members, manage public comment procedures, as well as respond timeously to those complaints and comments (Section 17 of the *Local Government Municipal Systems Act*, 32 of 2000). Additionally, the Act requires local government, when appropriate, to provide for consultation sessions with local community organisations and traditional leaders, as well as to have municipal councils, political structures and political office bearers host public meetings and hearings (Section 17 of the *Local Government Municipal Systems Act*, 32 of 2000). I argue that meaningful public participation within

local government requires municipalities to establish several mechanisms through which the public can participate in matters of local government. I argue that Arendt's views on people revealing or inserting themselves (as their meaningful action is seen and heard by others around them) into the *polis* space where people jointly act elucidates local government's duty to create a participation process where community members can come together to collaborate and take initiative on local matters, and be a space where the community can reveal themselves to government (Arendt, 1958:177, 176). Simultaneously, meaningful public participation in local government requires municipalities to recognise (i.e. 'see and hear') the local community views in all matters relating to local government (Arendt, 1958:177, 176, 200).

4.3 The relevance of Arendt's views on meaningfulness to national policy that governs public participation

This section analyses the national policy on public participation and the Arendtian perspective of meaningfulness to illuminate the conceptualisation of a meaningful participatory mechanism in the South African context. In Subsection 4.3 the sections relevant to meaningful public participation within the *National Policy Framework for Public Participation* enters into a dialogue with Arendt's views on meaningful action to illuminate a meaningful participatory mechanism.

4.3.1 The approach to meaningful public participation with national policy

The national policy, which governs public participation, aims to assist local governments with implementing their participatory programmes. This policy describes their approach to public participation as:

...participatory institutions and practices that (i) aim to empower citizens in meaningful ways whilst simultaneously taking into account (ii) real-world conditions, including experience from elsewhere in the world, but especially the conditions of local governance in South Africa, and (iii) the broader legislative and policy context which frames institutional design. At its heart, the challenge is one of balancing lofty ambitions with the real-world constraints (Department of Provincial and Local Government, 2007:11).

A meaningful participatory mechanism also values the approach outlined in national policy, which is an approach that seeks the empowerment of citizens while taking into consideration "real-world conditions" and broader legislative and policy frameworks in South Africa. The approach to public participation outlined in national policy should be integrated into a meaningful public participation process. I argue that the Arendtian perspective on meaningful action realised as people take initiative and start something new in the world through their words and deeds, and her views on *polis* spaces where people act in concert enhance a comprehensive understanding of a meaningful participatory mechanism in the following ways (Arendt, 1958:178, 200). Firstly, by requiring local government to empower citizens in meaningful ways; municipalities are called upon to encourage their community members to act within "participatory institutions and practices" (Department of Provincial and Local Government, 2007:11).

Secondly, Arendt's views on meaningful action, elucidate the participatory processes of local government, as these processes take place via words (i.e. as community members participate in public comment procedures) and deeds (i.e. as the community member lodges a complaint with the municipality, or takes part in public meetings, hearings and consultative sessions hosted by the municipality) (Department of Provincial and Local Government, 2007:11; Section 17 of the *Local Government Municipal Systems Act*, 32 of 2000; Arendt, 1958:178).

Thirdly, beyond merely encouraging citizens to take action within participatory programmes, I suggest that local government empowers citizens in meaningful ways by creating a public space (in the Arendtian sense) wherein public participation can be facilitated meaningfully (Department of Provincial and Local Government, 2007:11). Arendt's views on the Greek notion of the *polis* and "the space of appearance" wherein people reveal themselves to the world provide constructive insight that can assist municipalities with conceptualising the notion of a participatory space within the South African milieu (Arendt, 1958: 197,199, 200). From an Arendtian perspective, such a participatory space should be a space where community members feel empowered to act and speak together in local participatory processes (Arendt, 1958:200). Moreover, within this space citizens should be encouraged to reveal themselves in terms of their views and perspectives, as they partake in governmental decision-making that impacts their lives (Arendt, 1958:199, 181). Moreover, to make this form of revelation possible within

participatory spaces, the government should be duty-bound to recognise citizens' views and perspectives on their prospective decisions, meaning they are required to "see and hear" the participants as Arendt's view suggests (Arendt, 1958:176).

Fourthly, the approach to public participation promoted within national policy presents an obstacle to achieving meaningful engagement which I suggest the Arendtian perspective on freedom and meaningful action (which requires the outcome of an act to be undetermined, leaving people free to take initiative and to spontaneously begin something new) would overcome (Arendt, 1958:234, 240, 244). When national policy requires local government to take into account "real-world conditions, including experience from elsewhere in the world, but especially the conditions of local governance in South Africa, and the broader legislative and policy context which frames institutional design" it in fact hinders meaningful empowerment by requiring public participation to reflect the legislative and policy framework (Department of Provincial and Local Government, 2007:11; Arendt, 1958:244). From an Arendtian perspective, meaningful empowerment that is vital for meaningful public participation can be hindered when political organisations (such as municipalities) are only allowed to empower communities in so far as it corresponds with "real-world conditions and the broader legislative and policy context which frames institutional design"(Department of Provincial and Local Government, 2007:11; Arendt, 1958:244). Empowering communities only to the extent that it correlates with such "real-world conditions" is problematic because it can inhibit citizen empowerment; such linear empowerment places conditions on empowerment and negates the freedom of empowered citizens to meaningfully engage in participatory processes (Department of Provincial and Local Government, 2007:11; Arendt, 1958:244).

This quote by Sydney Mufamadi presented during a workshop on Community/Ward-Based Planning hosted by the Mangaung Local Municipality, Bloemfontein in 2002, elaborates on local government's approach to meaningful public participation wherein he argues:

Government does not only view community participation as an end in itself. Rather the purpose of participation is the very essence of a people-centred approach to development. In this context communities should not be viewed as passive participants but as active agents of change and development. Participation processes should develop people to become more resourceful

themselves in as much as it should be aimed at ensuring that service and infrastructure delivery is enhanced through community participation (Department of Provincial and Local Government, 2007:7).

This quote reaffirms the human development focus that deeply resonates with the cultivating and humanistic approach to public participation that this dissertation advances and develops in the next chapter. This understanding of public participation that compels the government to facilitate action within local participatory processes by requiring municipalities to recognise participants "as active agents of change and development" is enriched by Arendt's ideas on action, as taking "initiative to begin, to lead and to set in motion" something new within the world (Department of Provincial and Local Government, 2007:7; Arendt, 1958:177). Being an "active agent of change and development" within a local community would involve taking initiative, leading and setting in motion change within local communities across South Africa (Department of Provincial and Local Government, 2007:7; Arendt, 1958:177).

The assumptions and principles that underline public participation within national policy also form part of the meaningful participatory mechanism. In what follows, I will explore the basic assumptions and principles of citizen engagement and how Arendt's views on meaningful action can illuminate them as part of the meaningful participatory mechanism.

4.3.2 Key assumptions that underline citizen engagement

The national policy recognises seven assumptions of public participation which individually can be informed by a particular aspect of the Arendtian theory of meaningful action (Department of Provincial and Local Government, 2007:15). These assumptions are as follows:

1) *It is assumed that public involvement is aimed at achieving good governance and human rights* (Department of Provincial and Local Government, 2007:15). Assuming the importance of human rights within public participation reaffirms government's duty to recognise, or in the Arendtian sense, to "see and hear", community members as equal participants within governmental decision-making (Arendt, 1958:176).

2) *Community participation reaffirms the fundamental right of all people to partake in governmental decision-making* (Department of Provincial and Local Government,

2007:15). The right to participate in governmental decision-making engages with the Arendtian understanding of action as it reaffirms that community members are free to act and insert themselves within their local governments' decision-making processes (Arendt, 1958:177).

3) *Citizen engagement intends to narrow the social gap between the electorate and elected institutions, essentially bringing the government to the people* (Department of Provincial and Local Government, 2007:15). Understanding public participation as a process that brings government closer to the community relates to Arendt's understanding of the Greek *polis* (Arendt, 1958:200). This understanding recognises citizen engagement as the creation of a public space where the electorate can act and speak together, as well as delineate a space where citizens can go to be seen and heard by their elected officials (Arendt, 1958:200, 176).

4) *Public participation acknowledges the intrinsic dignity of all human beings and aims to empower the community to take part in the matters of government* (Department of Provincial and Local Government, 2007:15). By acknowledging human dignity and the objective to empower the community to participate in matters of government, it engages with the Arendtian understanding of action and every person's "unique distinctness" (Arendt, 1958:177, 176). As the community is encouraged to actively participate within the local government, it further recognises the "unique distinctness" of the participants within the participatory processes (Arendt, 1958:177, 176).

5) *The public can contribute either individually or in groups to governmental decision-making* (Department of Provincial and Local Government, 2007:15). By allowing the community to participate in governmental decision-making, either individually or in groups, it engages with the Arendtian understanding of action in two ways. Firstly, by allowing individual or group contributions within governmental decision-making processes, it encourages action in the Arendtian sense, because it encourages the public to take initiative or the lead as they actively contribute within governmental decision-making practices (Arendt, 1958:177; Department of Provincial and Local Government, 2007:15). Secondly, by recognising either an individual or group contribution within participatory processes, it acknowledges the significance of public spaces where citizens are empowered to act and speak together in shaping their local community (Department of Provincial and Local Government, 2007:15; Arendt, 1958:200, Lenz, 2005:136).

6 & 7) *With regard to community participation according to the National Policy Framework the term 'community' should be interpreted as "...a ward, with elected ward committees". These ward committees are considered essential to connect elected institutions with the people. Other forums like izimbizo, roadshows, the makgotla and so forth reinforce these connections and inspire communication between government and smaller local communities* (Department of Provincial and Local Government, 2007:15). By establishing smaller communities for public participation, the local government recognises the significance of smaller Arendtian public spaces that increase the opportunities for community members to reveal themselves within participatory forums and in turn increases the government's opportunities to build rapport as they see and hear the community members whom they serve (Department of Provincial and Local Government, 2007:15; Arendt, 1958:177, 176).

4.3.3 Principles that underline citizen engagement

The principles of *inclusivity, diversity, building community participation, accessibility, and integration of public participation processes* that underline public participation in terms of national policy are supplemented by Arendt's theory of meaningful action (Department of Provincial and Local Government, 2007:21-22). This integration promoted in this dissertation will be discussed in the following points.

1) The principle of *inclusivity*, understood as being open to the opinions of the other participants in the participation process, links with the Arendtian understanding of a public space where people are empowered to reveal themselves to the world (Department of Provincial and Local Government, 2007:21; Arendt, 1958:177). Moreover, a public participation process inclusive of all opinions further recognises, in the Arendtian sense, the "unique distinctness" of each of the community member's opinions (Department of Provincial and Local Government, 2007:21; Arendt, 1958:176).

2) The principle of *diversity* or the recognition of other citizens' lived experiences engages with the Arendtian conceptualisation of each person's "unique distinctness" by making provision for unique and distinct views within the participation processes (Department of Provincial and Local Government, 2007:21; Arendt, 1958:176).

3) The principle of *building community participation* is interpreted as "...the active empowerment of role players so that they clearly and fully understand the objective of

community participation and may, in turn, take such actions or conduct themselves in ways that are calculated to achieve or lead to the delivery of the objectives" and presents an impediment to meaningful public participation that the Arendtian perspective on freedom illuminates (Department of Provincial and Local Government, 2007:11; Arendt, 1958:244). Building community participation by empowering participants to "clearly and fully understand the objective of community participation" ensures that their actions are conducive to reaching the objectives of community participation. However, such stipulations may hinder meaningful public participation within local communities as this principle aims to guide or control citizens' behaviour during the process (Department of Provincial and Local Government, 2007:21). From an Arendtian perspective, this principle impedes meaningful public participation as citizens are encouraged to act in a calculated or directed manner to achieve certain objectives. As a result, citizens give up the freedom to act spontaneously, to take initiative, to lead or to set something new in motion during the participatory process (Department of Provincial and Local Government, 2007:21; Arendt, 1958:244, 177). Moreover, the loss of free and spontaneous action precludes meaningful action – as the meaningfulness of an act lies in its performance and not the "motivation or achievement" – because this principle suggests a specific course of action conducive to achieving the objectives of community participation (Arendt, 1958:206; Department of Provincial and Local Government, 2007:21).

4) According to national policy, public participation processes must be *accessible* (Department of Provincial and Local Government, 2007:22). Accessibility is understood as:

at both mental and physical levels - collectively aimed at ensuring that participants in a community participation process fully and clearly understand the aim, objectives, issues and the methodologies of the process, and are empowered to participate effectively. Accessibility ensures not only that the role players can relate to the process and the issues at hand, but also that they are, at the practical level, able to make their input into the process (Department of Provincial and Local Government, 2007:22).

Requiring public participation processes to be both mentally and physically accessible links to the Arendtian understanding of a public space where individuals are empowered to act and speak within the world (Department of Provincial and Local Government,

2007:22, Arendt, 1958:200). The Arendtian understanding of a *polis* space provides insight to local government on how to create accessible participatory mechanisms (Department of Provincial and Local Government, 2007:22, Arendt, 1958:200). In the Arendtian sense, local government is encouraged to create an accessible space where citizens are empowered to participate in governmental decision-making, as well as engage with community members as they collaborate (or "act and speak together") on the affairs of local government (Department of Provincial and Local Government, 2007:22, Arendt, 1958:200).

5) National policy further requires local government to *integrate public participation processes into "mainstream policies and services, such as the IDP process and service planning"* (Department of Provincial and Local Government, 2007:22). By encouraging the integration of participatory processes, this principle encourages local government to establish several participatory spaces wherein community members, in the Arendtian sense, are empowered to participate (or act through words or deeds) on matters relating to policy, services or development within their communities (Department of Provincial and Local Government, 2007:22; Arendt, 1958:176 – 178).

4.4 The significance of the Arendtian understanding of meaningfulness to the public participation that governs the South African legislative sector

The legislative sector has published a public participation framework to guide governmental institutions in their participatory endeavours (Legislative Sector, 2013:11). This section of the study reveals a link between the framework for public participation and the Arendtian understanding of meaningfulness to shed light on the South African understanding of a meaningful public participation mechanism. To achieve this end, the definitions of "public participation" and "public involvement" (the core values and principles of public participation as described in the framework) engages with Arendt's theory of meaningful action.

4.4.1 Defining "public participation" and "public involvement"

As the framework for public participation promotes both "public participation" and "public involvement" within the legislative sector, these two concepts are clearly defined within the framework (Legislative Sector, 2013:7). Public participation is defined as:

...the process by which Parliament and provincial legislatures consult with the people and interested or affected individuals, organisations and government entities before making a decision. Public participation is a two-way communication and collaborative problem-solving mechanism with the goal of achieving representative and more acceptable decisions (Legislative Sector, 2013:7).

The definition of a public participatory process engages with Arendt's views on the *polis* space and meaningful action (Arendt, 1958:200, 4, 175; Lenz, 2005:136). As legislatures consult with community members during the legislative process, they essentially establish an Arendtian public space whereby legislatures and affected parties come together, in action and speech, to collaborate on legislation and decision-making (Arendt, 1958:200; Legislative Sector, 2013:7). From the Arendtian perspective, the participatory process is furthermore also a space for meaningful action, because when legislatures and "interested or affected individuals, organisations and government entities" communicate and collaborate to solve problems, they also communicate to make sense of the problem, make sense of "themselves and each other", and collaborate on legislation that shapes their communities and South Africa (Legislative Sector, 2013:7; Arendt, 1958:4; Lenz, 2005:136).

Contrary to this, the framework defines public involvement as:

... a process wherein people in South Africa exercise their collective and individual initiatives to promote their interests in decision-making and oversight. A public participation framework for Parliament and provincial legislatures takes into account the minimal considerations in facilitating public involvement. These considerations are based on what is appropriate in light of the specific process, content, importance and urgency, as well as the response from the public. The above is dependent on the nature of the process, i.e. whether it potentially affects an identifiable section of the population, and/or whether the potentially affected section of the population is given a proper opportunity to have a say. This also alludes to the provision of meaningful opportunities for the public to participate, whether written or oral. Submissions must then be considered and responded to (Legislative Sector, 2013:7).

Describing public involvement as a process where the public takes initiative to represent their individual and collective interests, and can exercise oversight, gives the public the

proper opportunity to have their say by providing meaningful opportunities for oral and written submissions. The government is duly required to consider and respond to the public in a manner that echoes the Arendtian understanding of action and public spaces (Legislative Sector, 2013:7; Arendt, 1958:177, 200). Involving the public in the legislative process reveals aspects of the Arendtian understanding of action through the encouragement of the public to "exercise their collective and individual initiatives to promote their interests in decision-making and oversight"; Arendt's understanding of action as taking initiative, leading and setting in motion something new in the world can strongly enhance public involvement in this manner (Legislative Sector, 2013:7; Arendt, 1958:177). Moreover, requiring that the public be given the proper opportunity to have their say through oral and written submissions further encourages the public to act, through their words and deeds within the legislative process (Legislative Sector, 2013:7; Arendt, 1958:178). Furthermore, encouraging South Africans to exercise collective as well as individual initiatives to represent their interests in decision-making and oversight speaks to the Arendtian understanding of the *polis* as it necessitates a public space where citizens can "act and speak together" during governmental decision-making and oversight (Legislative Sector, 2013:7; Arendt, 1958:200). Finally, compelling government to consider and respond to the public's views requires them to recognise community members or, in the Arendtian sense, "see and hear" them as they represent their individual and collective interests during the legislative process (Legislative Sector, 2013:7; Arendt, 1958:176).

4.4.2 Core values of public participation

The public participation framework advocates core values of the public participation process (Legislative Sector, 2013:31). The Arendtian understanding of meaningful action enhances the core values of public participation that are part and parcel of a meaningful participatory mechanism in the following ways:

- 1) *Affected parties' right to be involved in the decision-making process* (Legislative Sector, 2013:31). Valuing the right to participate in the public participation process relates to the Arendtian understanding of action (Legislative Sector, 2013:31, Arendt, 1958:177). By valuing the affected parties' right to be involved in the legislative process, it encourages community members to play an active role in the legislative process (Legislative Sector, 2013:31). In the Arendtian sense, it

encourages affected parties to take action or initiative as they exercise their right within the legislative process (Arendt, 1958:177).

- 2) *The promise that the public views will influence the final decision* (Legislative Sector, 2013:31). By promising that the public views will carry influence, the legislative sector simultaneously vows to recognise the public views during the legislative process (Legislative Sector, 2013:31). The promise of recognition engages with the Arendtian understanding of plurality (Arendt, 1958:176). To maintain plurality within society, people are required to be recognised or "seen and heard by others" (Arendt, 1958:176). From an Arendtian perspective, the legislatures' promise that the public's views "will influence the final decision" compels the government to recognise (i.e. "see and hear") the public during the legislative process (Legislative Sector, 2013:31; Arendt, 1958:176).
- 3) *Encourage and facilitate stakeholders' involvement within the participatory process* (Legislative Sector, 2013:31). Encouraging and facilitating stakeholder participation during the participatory process links to the Arendtian understanding of action, as well as the *polis* space (Legislative Sector, 2013:31; Arendt, 1958:177, 200). By encouraging stakeholder involvement during the legislative process, legislatures simultaneously encourage active stakeholder participation which relates closely to the Arendtian understanding of action (Legislative Sector, 2013:31; Arendt, 1958:177). By also compelling legislatures to facilitate stakeholder involvement, it necessitates establishing a public space wherein involvement can be facilitated (Legislative Sector, 2013). Arendt's view of a public space sheds light on such a participatory space wherein citizens can meet with legislatures to participate during the participatory process (Legislative Sector, 2013:31; Arendt, 1958:200).
- 4) *Collaborate with participants to design how they participate* (Legislative Sector, 2013:31). Arendt's understanding of meaningful action enriches participants' collaboration with the government in designing their participation (Legislative Sector, 2013:31; Arendt, 1958:177, 205; Lenz, 2005:136). In the Arendtian sense, participants that collaborate with the government to design their participation are given the opportunity to take initiative as they actively create new participatory

protocols (Legislative Sector, 2013:31; Arendt, 1958:177, 200). By giving participants the opportunity to design participatory protocols, it further allows them to break through the common and established participatory practices and reach into the extraordinary as they collaborate with the government to develop a new and appropriate participatory programme (Legislative Sector, 2013:31; Arendt, 1958:177, 205).

- 5) *Encourage sustainable decisions by acknowledging and communicating the needs and interests of participants engaging in the public participation process* (Legislative Sector, 2013:31). As the government encourages sustainable decisions through recognising the needs and interests of the participants, it engages with the Arendtian perspective of plurality (Legislative Sector, 2013:31; Arendt, 1958:176). From an Arendtian perspective, acknowledging the needs and interests of the participants of the participatory process ensures that government recognises citizen's plurality, as they have to see and hear their community (Legislative Sector, 2013:31; Arendt, 1958:176).

4.4.3 Principles of public participation

The public participation framework prescribes principles of public participation which Arendt's understanding of meaningfulness enhances (Legislative Sector, 2013:31). This section analyses how Arendt's views of meaningful action can enhance the principles of a meaningful participatory mechanism in the legislative sector.

- 1) *Promoting active and representative participation to enable community members to meaningfully influence the decisions that impact their lives* (Legislative Sector, 2013:31). Encouraging active and representative participation within the participatory process links to the Arendtian understanding of action (Legislative Sector, 2013:31; Arendt, 1958:177). Encouraging community members to actively engage and represent themselves within the participatory process allows community members to act in the Arendtian sense, because they are free to participate and represent themselves during the participatory process (Legislative Sector, 2013:31; Arendt, 1958:177).

- 2) *Work actively to enhance the leadership skills of community members, leaders and groups within the community* (Legislative Sector, 2013:31). Working to actively enhance the leadership skills within the community also links to the Arendtian understanding of action (Legislative Sector, 2013:31; Arendt, 1958:177). Enhancing the leadership skills of the community members will give community members the courage to take initiative, to lead and to set in motion something new within the participation and legislative process (Legislative Sector, 2013:31; Arendt, 1958:177).
- 3) *Use the community's diversity to deepen the understanding and ensure outcomes that have long-term benefits for the whole community or society* (Legislative Sector, 2013:31). Incorporating the "community's diversity to deepen understanding and ensure the long-term benefits of the community or society" engages with Arendt's perspective of plurality (Legislative Sector, 2013:31; Arendt, 1958:175- 176). Integrating the "community's diversity to ensure long-term benefits for the whole community or society" encourages the community to recognise or, in the Arendtian sense, to see and hear each other (Legislative Sector, 2013:31; Arendt, 1958:175- 176).

4.5 The relevance of the Arendtian understanding of meaningfulness as it relates to case law on meaningful public participation

The *Doctors for Life International v Speaker of National Assembly* (2006) and *Merafong Demarcation Forum and Others v President of the Republic of South Africa and others* (2008) discuss the notion of meaningful public participation with the South African context. These cases shed further contextual light in relation to the South African understanding of meaningful public participation. Exploring the Arendtian understanding of meaningful action in light of these cases will enhance the overall meaningful participatory mechanism which this study aims to promote.

4.5.1 Doctors for Life International v Speaker of National Assembly 2006 6 SA 416 (CC)

In the *Doctors for Life* case, the court analysed the notion of public participation to determine whether the National Council of Provinces (NCOP) and provincial legislatures fulfilled their constitutional duty to facilitate public involvement when promulgating the *Choice on Termination of Pregnancy Amendment Act* 38 of 2004; the *Sterilisation Amendment Act* 3 of 2005; the *Traditional Health Practitioners Act* 35 of 2004; and the *Dental Technicians Amendment Act* 24 of 2004. To determine whether public involvement was facilitated the court held:

What is ultimately important is that the legislature has taken steps to afford the public a reasonable opportunity to participate effectively in the law-making process. Thus construed, there are at least two aspects of the duty to facilitate public involvement. The first is the duty to provide meaningful opportunities for public participation in the law-making process. The second is the duty to take measures to ensure that people have the ability to take advantage of the opportunities provided (*Doctors for Life International v Speaker of National Assembly*, 2006).

The Constitutional Court thus describes the notion of public participation in terms of two duties: the first is the government's duty to create meaningful opportunities for public participation within the participatory process (*Doctors for Life International v Speaker of National Assembly*, 2006). The second duty is to ensure that the participatory process is accessible (i.e. "that people have the ability to take advantage of the opportunities provided") (*Doctors for Life International v Speaker of National Assembly*, 2006).

The Arendtian understanding of meaningful action can enhance the understanding of public participation proclaimed in *Doctors for Life*, in the following ways. The duty to provide meaningful opportunities for public participation encourages action, in the Arendtian sense, as it encourages the government to provide opportunities that enable the public to take initiative, to take the lead and to set something new in motion as they actively participate and collaborate in the law and policy-making process (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:177).

Moreover, requiring the government to provide accessible opportunities for public participation engages with the Arendtian perspective on the *polis* space, as the government has to create an accessible participatory space where the public is empowered to act and speak as they participate within the participatory process (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:200). In a concurring opinion for this case, Judge Sachs further describes public participation as:

A long-standing, deeply entrenched and constantly evolving principle of our society has accordingly been subsumed into our constitutional order. It envisages an active, participatory democracy. All parties interested in legislation should feel that they have been given a real opportunity to have their say, that they are taken seriously as citizens and that their views matter and will receive due consideration at the moments when they could possibly influence decisions in a meaningful fashion. The objective is both symbolical and practical: the persons concerned must be manifestly shown the respect due to them as concerned citizens, and the legislators must have the benefit of all inputs that will enable them to produce the best possible laws. An appropriate degree of principled yet flexible give-and-take will therefore enrich the quality of our democracy, help sustain its robust deliberative character and, by promoting a sense of inclusion in the national polity, promote the achievement of the goals of transformation (*Doctors for Life International v Speaker of National Assembly*⁵⁶, 2006).

The concurring opinion consequently describes public participation (part of an "active, participatory democracy") as a process that allows all interested parties "to have their say", have their views be taken seriously and "receive due consideration" (*Doctors for Life International v Speaker of National Assembly*, 2006). The understanding of public participation as a means for the public to express their views during the participatory process, as well as to have the government recognise those views, I argue is enhanced by the Arendtian understanding of meaningful action and the *polis* space (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:176, 177, 200).

Understanding public participation as a mechanism for citizens to "have their say" within the participatory process empowers citizens, in the Arendtian sense, to reveal themselves to the world (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt,

⁵⁶ Para 235.

1958:177). Allowing citizens to "have their say" within the legislative process also encourages them to take action (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:177). In line with the Arendtian perspective, public participation motivates citizens to act, through their words (as they "say their say" within the law-making process) and deeds (as they take the initiative to get involved within the law-making process) (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:177).

Encouraging citizens to take action within the legislative process, will also enable community members to experience Arendt's conception of meaningfulness (Arendt, 1958:177, 4). Public participation becomes a meaningful act (in the Arendtian sense) when citizens talk to each other during the legislative process, as they can make sense to each other and themselves (Arendt, 1958:4). As citizens are expected to talk to each other as they attempt to "influence decisions [made within the legislative process] in a meaningful fashion" it behoves the government to create a participatory space wherein citizens are given a "real opportunity to have their say," as they engage with their community and government (*Doctors for Life International v Speaker of National Assembly*, 2006).

Arendt's views on the *polis* space can inform governments' conceptualisation and establishment of such a space (Arendt, 1958:200). Arendt's understanding of a *polis* space, as a public space where "people can act and speak together" can help government to reconceptualise a participatory space necessary within the participatory process (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:200). The participatory space required within public participation is a space in which citizens are given a real opportunity to express their views and be taken seriously as government truly considers those views (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:200). Requiring the government to respect citizens participating with the participatory mechanism, as well as to make them feel included within the national polity, reveals a link to the Arendtian understanding of plurality, as being seen and heard by others. From the Arendtian perspective, a public participatory process allows citizens to be seen and heard by each other as well as recognised by the government (*Doctors for Life International v Speaker of National Assembly*, 2006; Arendt, 1958:176).

4.5.2 Merafong Demarcation Forum and Others v President of the Republic of South Africa and others 2008 (5) SA 171 (CC)

In the *Merafong Demarcation Forum* case, the court adjudicated the validity of a constitutional amendment that permitted relocating the Merafong City Local Municipality from the Gauteng Province to the North West Province (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008). To determine the validity of the constitutional amendment, the court had to discern whether the public was given meaningful opportunity to participate in this law-making process; the court had to interpret the notion of public participation and stated that:

...being involved does not mean that one's views must necessarily prevail. There is no authority for the proposition that the views expressed by the public are binding on the legislature if they are in direct conflict with the policies of Government. Government certainly can be expected to be responsive to the needs and wishes of minorities or interest groups, but our constitutional system of government would not be able to function if the legislature were bound by these views. The public participation in the legislative process, which the Constitution envisages, is supposed to supplement and enhance the democratic nature of general elections and majority rule, not to conflict with or even overrule or veto them.... [public involvement] does not require ongoing dialogue. In fact, continuing discussion which does not result in a changed outcome, could strengthen possible perceptions that the consultation was not meaningful (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008).

Interpreting public participation as an opportunity for community members to present their views within the participatory process, government's duty is to recognise those views without necessarily having those views prevail and requiring participatory dialogue to be final and decisive. In fact, "continuing discussion which does not result in a changed outcome, could strengthen possible perceptions that the consultation was not meaningful". This links to the Arendtian understanding of meaningful action and of plurality, as will be described in the next paragraph (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008; Arendt, 1958:176-178, 155).

I argue that creating opportunities for community members to present their views, can be enriched by Arendt's theory of action as presenting one's views as well as the participatory dialogue referred to in the passage above, and empowers citizens to act through their deeds (as they take active steps to involve themselves within the participation process) and their words (as they express their views during participatory dialogue) (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008; Arendt, 1958:177-178). As the government is compelled to recognise and "be responsive to the needs and wishes of minorities or interest groups" government has to recognise the plurality of community members as the government will have to, in the Arendtian sense, see and hear the views and needs of the community during these participatory processes (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008; Arendt, 1958:176).

The courts' opposition to "ongoing dialogue" within public participation, is elucidated by the Arendtian perspective of meaningful action as an act that is "permanent and loses nothing of its character" because participation in governmental decision-making is only considered meaningful if the outcome of a participatory programme is final and decisive (Arendt, 1958:155). Thus, making the participation permanent and losing nothing of its character, and making "ongoing dialogue" redundant (*Merafong Demarcation Forum and Others v President of the Republic of South Africa and others*, 2008; Arendt, 1958:155).

4.6 Conclusion

In Chapter Four I have brought Chapters Two and Three into dialogue (to 'talk to each other') in order to provide a comprehensive theoretical understanding of a meaningful participatory mechanism informed by Hannah Arendt's views. To achieve this end, Arendt's understanding of meaningful action is compared and contrasted with the current understanding of South Africa's participatory mechanism to provide a comprehensive theoretical understanding of a meaningful participatory process. To provide a comprehensive theoretical understanding of a meaningful participatory mechanism, this chapter related Arendt's understanding of meaningful action to legislation; national policy; the *Public Participation Framework for the South African Legislative Sector* and case law relating to 'meaningful' public participation (as discussed in Chapter Two). By showing how Arendt's views on meaningfulness relate to a meaningful participatory process this

chapter has provided a comprehensive theoretical understanding of a meaningful participatory mechanism informed by Hannah Arendt's views.

The dialogue between South Africa's participatory framework (discussed in Chapter Two) and Arendt's understanding of meaningfulness (discussed in Chapter Three), informs a comprehensive theoretical understanding of a meaningful participatory mechanism in several ways. Firstly, Arendt's understanding of meaningful action illuminates the notion of participation as a public process that empowers South Africans to be extraordinary as they take initiative, the lead or a stand within a participatory programme and simultaneously, through such meaningful action, go against the grain, overturning statistical laws, and are able to "perform what is infinitely improbable" (Arendt, 1958:177,178; Bowring, 2011:23; Abdous & Amjad, 2020:64). Secondly, Arendt's perspective on meaningful action sheds light on public participation as a mechanism that initiates and sets in motion action as it empowers and capacitates citizens to act as they reveal themselves within the world via deeds (as they take steps to become involved in the participatory process) and words (as they express their views and collaborate with the government during decision-making) (Arendt, 1958:177,178). Thirdly, Arendt's views on a plural society that require persons to see and hear each other provide valuable insight for South Africa's public participatory mechanism that has to be performed within a diverse nation that – by virtue of everyone's right to dignity – demands that people's views are recognised within governmental decision-making (Arendt, 1958:176). Fourthly, Arendt's unique perspective on a *polis* space where "people act and speak together" can provide insight to the South African government on how to establish a meaningful participatory mechanism where citizens can be involved in governmental decision-making and collaborate with government on policy and legislation.

In light of the above meaningful public participation crisis, the next chapter aims to introduce a cultivating and humanistic approach to public participation to further contribute to the development of a more comprehensive understanding of 'meaningful public participation' within the South African context.

CHAPTER 5 A CULTIVATING AND HUMANISTIC PERSPECTIVE ON MEANINGFUL PUBLIC PARTICIPATION

You cannot hope to build a better world without improving the individuals. To that end, each of us must work for his own improvement and, at the same time, share a general responsibility for all humanity, our particular duty being to aid those to whom we think we can be most useful.

Marie Curie

5.1 Introduction

The previous chapter analysed the significance of Arendt's perspective of meaningful action to the South African participatory mechanism (established within the legal framework). In Chapter Four, I argued that Arendt's perspective of meaningful action can enhance the meaningfulness criterion within a meaningful participatory mechanism, as her views of meaningful action inform a comprehensive theoretical understanding of a meaningful participatory mechanism. Moreover, the Arendtian understanding of meaningfulness conceptualises participatory mechanisms in a manner that allows South Africans to take an active stance with regard to such mechanisms and capacitates citizens to act in such processes through words and deeds. The result is an opening up of a space for the recognition of all voices in a plural society, and may assist government to establish a safe, inclusive and communal participatory space wherein such processes may take place. The potential of the Arendtian perspective to supplement the understanding of a meaningful participatory mechanism is analysed in light of the aforementioned meaningful public participation crisis (as discussed particularly in Chapter Two). The meaningful public participation crisis is the result of an undefined meaningfulness criterion and the legal framework encouraging two competing approaches (i.e. cultivating and humanistic and goal-oriented approaches).

The current chapter develops a comprehensive theoretical understanding of 'meaningful public participation' by elaborating upon the cultivating and humanistic approach encouraged within the legal framework on community engagement (as introduced in Section 2.2.2). A cultivating and humanistic participatory mechanism centres on cultivating human beings through public participation; participatory processes that cultivate human beings in this manner strive to empower, develop and transform South African communities while realising human rights. This chapter furthers the cultivating

and humanistic approach to meaningful as it serves as important articulation of the spirit of a rainbow nation founded upon the fundamental rights of human dignity, equality and freedom.⁵⁷ In contrast, the goal-orientated approach (as introduced in Section 2.2.3) that evaluates meaningfulness of a participatory process in terms of achieving certain objectives is unable to achieve meaningful participation by the public since it places the focus on political goals and not on cultivating the political voices of citizens.

Chapter Five will integrate Arendt's insights on meaningful action into the aforementioned cultivating and humanistic approach as a means to illuminate a meaningful public participation mechanism within the South African context. In particular, this chapter is a synthesis of Arendt's understanding of meaningful action (examined in Chapter Three) and the meaningfulness criterion in the South African legal framework on public participation (discussed in Chapter Four) to enhance the cultivating and humanistic approach rooted in empowerment, political development and transformation.

To achieve the aim of furthering a cultivating and humanistic approach to meaningful public participation, this chapter will firstly provide a meticulous analysis of the cornerstones of such a perspective: empowerment, political development and transformation. Secondly, this chapter will analyse how Arendt's understanding of meaningful action informs these concepts within the cultivating and humanistic approach.

5.2 Understanding empowerment, political development and transformation from a cultivating and humanistic perspective

Analysing the foundations of empowerment, political development and transformation are crucial to provide a comprehensive theoretical understanding of a cultivating and humanistic approach to meaningful public participation. In light of this, this section discusses the concepts of empowerment, political development and transformation to shed light on the cultivating and humanistic perspective which this chapter promotes – with a particular emphasis on how such a perspective may inform the public participation crisis in South Africa.

⁵⁷ Archbishop Desmond Tutu introduced the concept of a 'rainbow nation' to symbolise the post-Apartheid South African community. The rainbow nation aspires to reconcile and unite the diverse South African community (Moller *et al.*, 1999:246).

5.2.1 Empowerment

Empowerment, in terms of the cultivating and humanistic approach, integrates two aspects: firstly, elevating voices within the community, and secondly, the realisation of self-determination.

A cultivating and humanistic approach to a meaningful participatory mechanism should empower South Africans by uplifting their voices within a participatory democracy (Rowlands, 1995:102). Uplifting voices in local communities relates to the core of the cultivating and humanistic approach, since empowering community members within the participatory process simultaneously cultivates (or in this instance uplifts) human beings. I argue that government should deliberately facilitate and elicit participation during the participatory process in order to uplift the South African citizenry. In the South African context, the executive and legislative branches are expected to take deliberate steps within the *Municipal Systems Act 32 of 2000*⁵⁸, national policy⁵⁹ and within the participatory framework for the legislative sector⁶⁰ (Section 17 (2) of the *Local Government: Municipal Systems Act 32 of 2000*; Department of Provincial and Local Government, 2007:21; Legislative Sector, 2013:31).

A cultivating and humanistic perspective on public participation further strives to empower communities by establishing participatory mechanisms that realise self-determination. A person is self-determined if they are free to choose how they want to live, think, believe, and express themselves within the world – this includes how they "pursue their economic, social and cultural development" (Articles 18, 19, 20 of *The Universal Declaration of Human Rights* of 1948; Article 1 of the *International Covenant on Civil and Political Rights* of 1966). Empowering citizens within participatory processes allows individuals, groups and/or communities to exercise their power within governmental decision-making (Adams, 2008:xvi). Therefore, by participating in governance, individuals, groups and/or communities are self-determined because they exercise power in the legislative process

⁵⁸ For example in Section 17 (2), municipalities are required to establish and manage public comment procedures and host consultative sessions with local communities.

⁵⁹ By founding public participation on a principle of "building community participation", it encourages government to strengthen their engagement with the community.

⁶⁰ By advocating the core value of promoting and facilitating stakeholder involvement within public participation.

and policy-making which will impact their lives and give greater access to resources that can improve their quality of life (Rappapon, 1984:2-3; Whitmore & Kerans, 1988:13).

The right to self-determination is recognised in South Africa and is described as "the right to be left alone in the sense of being allowed to live the life one chooses" (Section 1 (a) and Section 12 of the *Constitution of South Africa*, 1996; Currie & de Waal, 2016:287). The right "to be left alone" therefore means that people are entitled to their own life choices and that the South African government and society should provide a space where citizens can be self-determined in their endeavours. The opportunity to exercise self-determination – within the legislative process, through policy-making and through greater access to resources – is achieved by way of public participation. Encouraging community members to exercise self-determination resonates with the cultivating and humanistic approach, since empowerment within a participatory democracy and greater access to the nation's resources also serves to cultivate community members. Furthermore, the right to self-determination is reinforced in local governance, national policy and the framework for the legislative sector (Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000; Department of Provincial and Local Government, 2007:15; Legislative Sector, 2013:31).

Resultantly, the community is empowered within local participatory mechanisms as they become involved and exercise power in matters of local governance, for example when framing the integrated development plan and budget, and when they are given greater access to local resources through participating in local governance because they influence how money is spent and where development should take place (Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000). Moreover, national policy recognises the community's fundamental right to partake in governmental decision-making, and the legislative sector reaffirms active and representative community participation in decisions that impact citizens' lives (Department of Provincial and Local Government, 2007:15; Legislative Sector, 2013:31). Section 5.3 will relate the concept of empowerment to Arendtian meaningful action and meaningful public participation (which has been developed in previous chapters of this study).

5.2.2 Political development

A cultivating and humanistic perspective on meaningful public participation which I advance in this chapter suggests a mechanism for the political development of communities through, as Packerham (1964:115) argues, facilitating public participation in governmental and political decision-making. Political development further aims to mobilise the citizenry so that they can actively participate in politics (Pye, 1965:8). Mass political mobilisation as a means for political development first gained prominence through Karl Deutsch's work, *Nationalism and Social Communication: An inquiry into the Foundations of Nationalism* (1966). According to Deutsch (1961:494), societal changes like urbanisation, commercialisation and industrialisation serve to force societies to adopt new behavioural patterns to survive – with political mobilisation representing one such behaviour pattern (Cameron, 1974:138-139; Almond, 1969:456).⁶¹ His theory of mass political mobilisation illuminates the South African context, particularly in terms of the transition from Apartheid to democracy which represents a major societal change in the country. In the struggle for democracy, oppressed South Africans mobilised against the authoritarian regime to give all South Africans the right to participate in politics (specifically adult suffrage and public participation in governmental decision-making). A cultivating and humanistic perspective values political development through participatory mechanisms by organising, facilitating and encouraging political mobilisation in South African communities.

A participatory mechanism that organises, facilitates and encourages political engagement links to the cultivating and humanistic approach in two ways. Firstly, each time government implements participatory programmes we find that the ethos or atmosphere of participative democracy is being continuously cultivated in local communities. A participatory mechanism that continuously cultivates participative democracy is significant as it ensures that government is aligned with this cherished constitutional imperative (Sections 59, 72, 118, 152 and 195 of the *Constitution of South Africa*, 1996). Moreover, participatory democracy is strengthened through Section 16 of the *Local Government: Municipal Systems Act* that promotes a "culture of community participation" in local governance.

⁶¹ See also (Bava, 1981:48).

Secondly, through participating in public participation programmes (organised, facilitated and encouraged by government) community members in turn are also politically cultivated. Participating in a participatory mechanism cultivates community members that can actively play a part in politics and governmental decision-making, or as eloquently expressed in national policy, they become "active agents of change and development" (Department of Provincial and Local Government, 2007:7). Section 5.3 will further relate the concept of political development to Arendtian meaningful action and meaningful public participation (which has been developed in previous chapters of this study).

5.2.3 Transformation

According to a cultivating and humanistic approach, public participation should also transform South African communities. A cultivating and humanistic approach interprets transformation from a transformative constitutionalism perspective, which relates to two concepts: transformation and constitutionalism (Mbenenge, 2018:2). Understood colloquially and in layman's terms, transformation is a structured and positive change, while constitutionalism refers to the adherence to a constitutional system of governance. Fusing these two concepts together within the transformative constitutionalism perspective, however, delineates far more fundamental beliefs about the social structures of a given society. The concept of transformative constitutionalism is discussed in the writings of legal scholar Karl Klare, who describes the concept as:

a long-term project of constitutional enactment, interpretation, and enforcement committed (not in isolation, of course, but in a historical context of conducive political developments) to transforming a country's political and social institutions and power relationships in a democratic, participatory and egalitarian direction. Transformative constitutionalism connotes an enterprise of inducing large-scale social change through nonviolent political processes grounded in law (Klare, 1998:150).

Transformative constitutionalism is thus a national commitment to reconstruct the inherent power relations within a nation's political and social structures to be more democratic, participatory and egalitarian. The transformative constitutionalism perspective further outlines fundamental beliefs about the significance of democracy, participation and equality within social structures. In this regard, Albertyn and Goldblatt (1998:249) contextualise transformative constitutionalism in the South African context by stating that it demands a:

complete reconstruction of the state and society, including a redistribution of power and resources along egalitarian lines. The challenge of achieving equality within this transformation project involves the eradication of systemic forms of domination and material disadvantage based on race, gender, class and other grounds of inequality. It also entails the development of opportunities which allow people to realise their full human potential within positive social relationships (Albertyn & Goldblatt, 1998:249).

Transformative constitutionalism thus calls for total reconstruction of South African society, particularly in terms of its inherent power and resource distribution, in the name of equality. To realise equality requires, firstly, eliminating systematic forms of oppression and material disadvantage due to race, gender and class. Secondly, it demands creating opportunities where people can fulfil their full human potential within positive social relationships.

I argue that public participation (which, to my mind, qualifies as a political structure because public participation serves to structure politics in South African with the goal of enabling citizens to take part in and to influence politics) helps to realise transformative constitutionalism within South African communities. Building on the views of Klare, Albertyn and Goldblatt, participatory processes ensure that governance is more democratic, participatory and egalitarian – through public participation initiatives, governance becomes more democratic and participatory, as citizens can deliberate, engage and decide on policy and legislation that will impact their lives. Participatory programmes further ameliorate inequality among citizens as they participate in governmental decision-making. Citizens exercise political power and are given greater access to the country's resources as they influence developing initiatives, and the framing of the budget for their local community is established (Mbenenge, 2018:2; Albertyn & Goldblatt, 1998:249). Moreover, public participation programmes create a space for people to realise their human potential by participating in governmental decision-making. They actively work (through their interactions with government and fellow participants) to improve the lives of members of the community – to transform society.

The South African judiciary embraces Klare's understanding of transformative constitutionalism and envisages a new legal culture in South Africa that resonates with Klare's views (Koraan & Geduld, 2015:1933; Mbenenge, 2018:2). However, former Deputy Chief Justice Moseneke acknowledges that "the meaning of transformation in

juridical terms is as highly contested as it is difficult to formulate" (Moseneke, 2002:315). The late former Chief Justice Langa, on the other hand, supported transformative constitutionalism remaining undefined as he argued that it is "in keeping with the spirit of transformation that there is no single stable understanding" (Langa, 2006:351). Chief Justice Langa further remarks that transformative constitutionalism provides:

a way of looking at the world that creates a space in which dialogue and contestation are truly possible, in which new ways of being are constantly explored and created, accepted and rejected and in which change is unpredictable but the idea of change is constant (Langa, 2006:354).

Chief Justice Langa's remarks on transformative constitutionalism reflect a philosophical-critical approach towards the concept. His understanding encourages South African society to foster a continuous willingness to change through dialogue, discussion and innovation. I see Chief Justice Langa's view as implicitly connecting to public participation, which also creates a continuous opportunity for change as the community engages with government through dialogue and discussion on legislation, policy and administrative decisions, as well as innovation as they collaborate on governmental decision-making.

I suggest that the cultivating and humanistic approach can enrich public participation as part of a national commitment to transformative constitutionalism. The cultivating and humanistic approach recognises that public participation helps to cultivate democratic, participatory and egalitarian political and social structures. As local communities deliberate and collaborate with government; they influence and shape social and economic policy, and the legislation that governs South Africa. Community members are further allowed to cultivate their human potential as they practice certain skills via the public participation process. Such cultivation includes, for example, their interpersonal, critical thinking, decision-making and collaboration skills. Moreover, a cultivating and humanistic approach to public participation encourages the cultivation of a space for "dialogue and contestation" as community members engage with government on proposed legislation and policy. As such a participation process seeks public input, and government must also cultivate a process that is open to change and be willing to amend proposed legislation and policy. Section 5.3 will relate the concept of transformation to Arendtian meaningful action and meaningful public participation (which has been developed in previous chapters of this study).

5.2.4 Concluding remarks of Section 5.2

A cultivating and humanistic perspective roots meaningful public participation in empowerment, political development and transformative constitutionalism. In light of this, Section 5.2 argues that meaningful public participation performs three functions: it empowers, develops and transforms South African communities. Firstly, meaningful public participation empowers citizens because the process cultivates citizens' voices, giving them greater access to resources and expanding their power to be self-determined. Secondly, meaningful public participation serves to politically develop communities because the process cultivates an ethos of participatory democracy and gives citizens the opportunity to be actively involved in politics. Thirdly, meaningful public participation transforms South African communities because a participatory mechanism cultivates democratic, participatory and egalitarian political and social structures. Moreover, a meaningful participatory mechanism transforms communities, as it cultivates their human potential through community engagement with government and fellow community members during the participatory process. Furthermore, meaningful public participation transforms local communities because the process creates a space for change that is achieved through dialogue and discussion during the participatory process.

In light of the afore-going, the following section will explore how Arendt's perspective on meaningfulness, as it relates to taking meaningful action, realising an equal and distinct plural society, cultivating self-awareness and social intelligence and establishing *polis* spaces where people can act together, can enhance the cultivating and humanistic approach to meaningful public participation.

5.3 The significance of Arendt's view of meaningful action to the cultivating and humanistic approach to meaningful public participation

This section brings the roots of the cultivating and humanistic approach into conversation with Arendt. In view of this, this section will examine how Arendt informs empowerment, political development and transformation.

5.3.1 The significance of Arendt to empowerment within a meaningful participatory mechanism

I have argued that the cultivating and humanistic approach is crucial for the development of meaningful public participation in South Africa. In terms of the cultivating and humanistic approach, meaningful public participation should empower citizens by cultivating their political voices, creating opportunities to exercise self-determination, and to increase access to the nation's resources. Arendt's view on meaningful action can inform the empowering facet (cultivating and humanistic) of meaningful public participation in several ways.

Firstly, Arendt's views on meaningful action, realised as people take initiative and set in motion something new through action and speech, can provide insight to government on how they can cultivate political voices to empower citizens (Arendt, 1958:177, 178). Integrating her views on meaningful action through taking initiative and attempting something new, can aid the South African government in encouraging citizens' to take meaningful action through initiative and political expression within public participation processes. Moreover, the Arendtian perspective as it demonstrates the importance of words and deeds for meaningful action (as she argues, people need to be seen and heard to take meaningful action and reveal themselves to others in the world) is also significant with regard to meaningful public participation (Arendt, 1958:177, 178). In a meaningful participatory mechanism, citizens act as they take steps to become involved in as well as participate during the participatory process, and speak when they express their views and collaborate with the government during governmental decision-making (Arendt, 1958:177, 178; Rowlands, 1995:102).

Secondly, Arendt's views that meaningful action also entails people going against the grain, overturning statistical laws by taking initiative, taking the lead or taking a stand as they act, and simultaneously, that this action should be open to people "performing what is infinitely improbable" is important for a meaningful participatory mechanism, as it sheds light on how the public participation process can help citizens become more self-determined (Arendt, 1958:177-178). If Arendt's view that meaningful action should be open to people taking initiative, a lead or a stand, overturning the conventional to do what is "infinitely improbable", were integrated into a meaningful participatory mechanism, public participation could be reimagined to assist citizens to realise self-determination in

political matters. Such a reimagined participatory mechanism would help to realise self-determination, because when people take meaningful action (initiative, the lead or a stand and go against the grain) within public participation, they concurrently exercise freedom in political matters that will enable them to live a life that they want and to pursue their personal economic, social and cultural growth (Articles 18, 19 and 20 of *The Universal Declaration of Human Rights* of 1948; Article 1 of the *International Covenant on Civil and Political Rights* of 1966).

Thirdly, Arendt's views on meaningful action as they relate to taking initiative, a stand or the lead can also enhance a meaningful participatory mechanism that empowers citizens through increasing their access to resources (Arendt, 1958:177, 178). Integrating Arendt's views on meaningful action into a meaningful participatory mechanism sheds light on how government can empower its citizens by increasing their access to resources through the participatory process. Arendt's views shed light on how government can use a meaningful participatory mechanism to increase access to resources by encouraging the citizens to take initiative, the lead and a stand in a participatory process on matters relating to money, expenditure and development programmes within their local communities (Arendt, 1958:177-178; Section 16 of the *Local Government: Municipal Systems Act* 32 of 2000).

5.3.2 Arendt's significance for political development as part of meaningful public participation

From a cultivating and humanistic approach, meaningful public participation politically develops communities by cultivating a spirit of participation through public participation programmes and creating opportunities for civic engagement. A meaningful participatory mechanism thus conceptualises a participatory programme that brings about an ethos of participation and encourages active community involvement. To realise this, I argue that this requires participation programmes to become spaces that are conducive to participation and collaboration, unnegated by the inherently unequal power distribution between government and the citizenry (since the government is given the power to govern through the democratic election process). Arendt's understanding of the *polis* space, as a space where people "act and speak together" provides insight to government on how to create spaces conducive to participation and collaboration within meaningful participation (Arendt, 1958:200). Integrating Arendt's understanding of the *polis* space

into a meaningful participatory mechanism demonstrates how public participation, if reimagined as a place where people can act together, can bring about more equal power distribution where citizens have power to collaborate or act together with government on legislation and policy matters.

Moreover, Arendt's understanding of meaningful action as initiating or setting something in motion enhances the cultivating and humanistic approach to meaningful public participation, as her view shows how government can create more opportunities for communities to actively participate in government, which is vital to meaningful public participation (Arendt, 1958:178). From a cultivating and humanistic approach government facilitates and develops public participation within governmental and political decision-making via participation programmes. Government can build on Arendt's perspective of initiating and setting in motion action to enhance the cultivating and humanistic approach. Her perspective reveals that when government creates public participation programmes they also initiate and set in motion the opportunity for the public to participate politically (Arendt, 1958:178).

5.3.3 Arendt's significance for transformation within a meaningful participatory process

According to the cultivating and humanistic perspective, a meaningful participatory mechanism serves to cultivate democratic, participatory and egalitarian social and political structures, human potential and a space for change through dialogue and discussion.

Arendt's views on an equal (this equality enables humanity to understand people who lived before, with and after them), distinct (since everyone is different they are expected to distinguish themselves) and plural (humanity is perpetually plural because "nobody is ever the same as anyone who ever lived, lives or will live") society and the *polis* space (a metaphorical space where people can "act and speak together"), enhances the cultivation of a democratic, participatory and egalitarian public participation in South Africa (Arendt, 1958:176, 8, 200). Arendt's view that furthers a nuanced understanding of humanity (since it considers the equality, distinctness and plurality of human beings) can enrich a meaningful participatory mechanism that wants to ensure the proper recognition of all South Africans during the participatory process. Her view can ensure the proper

recognition of all South Africans as it recognizes that although all South Africans are equal, they are still unique beings with unique experiences that need to be recognised during a participatory process. Her views on an equal, distinct and plural society also resonate with the ethos of the rainbow nation, where we are united in our diversity. Integrating Arendt's views of an equal, distinct and plural society into a meaningful participatory mechanism thus shows government and community members how to practicably "see" the equality, distinctness and plurality of all participants and "hear" their diverse views and experiences allowing for democratic, participatory and equal participation in governmental decision-making (Arendt, 1958:176).

In addition, her views on the *polis* space can provide insight to government on expanding the participatory process to be more democratic, participatory and egalitarian. Arendt's views on the *polis* space that refer to a physical and metaphorical space where people take joint action, allow for a broader conceptualisation of public participation (Arendt, 1958:200). In light of this, Arendt's views can be integrated into a meaningful participatory mechanism that incorporates both traditional public participation programmes where citizens physically meet with government and expand to digital or technological participation. Digital and technological participation can also be understood as a *polis* space since it is a platform where people act and speak together. A Zoom or MS teams meeting for example can also be a space where people can act and speak together with government on legislation and policy. Digitally expanding public participation, by reimagining it through an Arendtian lens, will make participatory processes more democratic, participatory and egalitarian in several ways.

Firstly, digital participation can create equal opportunities for citizens to participate in public participation, as government can synchronously engage members who are able to attend physical and online meetings. Secondly, digital participation can make a participatory programme more democratic and participatory, as it enables government to constantly collaborate with the community during the decision-making process. Constant collaboration is vital to a meaningful participatory mechanism, as it gives citizens the opportunity to be involved in framing and creating policy or legislation rather than merely commenting or responding to government's proposed policy or legislation.

Moreover, within a cultivating and humanistic perspective, a meaningful participatory mechanism should cultivate human potential. Arendt's perspective on experiencing

meaningfulness through engaging others in the world can help to elucidate a meaningful participatory space where South Africans can fulfil their human potential through governmental decision-making and simultaneously better the lives of the community. Arendt argues that humanity experiences meaningfulness as they "talk with and make sense to each other and to themselves", which I argue cultivates self-awareness and fosters social intelligence (Arendt, 1958:4). An increase in self-awareness and social intelligence can help citizens to develop their skill for critical thinking as they critically reflect on their own political views and the information presented by the government during participatory processes to make insightful contributions during political decision-making). Additionally, Arendt's perspective helps to foster social intelligence (as people engage other in the world to experience meaningfulness) which will enhance the public's skill to reach collective decisions during governmental decision-making that is to the betterment of the community members.

Furthermore, the Arendtian analysis of the "web of human relationships" that surrounds all actions and sets in motion boundless new ones informs a meaningful participatory mechanism that is a space for change (Arendt, 1958:234, 240, 200). Conceptualising a meaningful participatory mechanism, through an Arendtian understanding where the outcome of actions taken within a "web" must ultimately remain unpredictable and uncertain to be free. This provides insight to government as they perform a balancing act upon establishing participatory spaces that are rigid and protected (as government should facilitate a protected and exclusively participatory space where the public can act and speak together as they constructively collaborate on policy and legislative matters), yet adaptable and inclusive (where the public is also free to initiate new political initiatives or begin something new within a space where all views are recognised and seriously considered, although some may be counter-intuitive to reaching collective decisions).

5.4 Conclusion

Chapter Five furthered a cultivating and humanistic approach to meaningful public participation with the goal of contributing to the comprehensive theoretical understanding of a meaningful participatory mechanism within the South African context. To achieve this goal, this chapter provided a detailed analysis of the concepts of empowerment, political development and transformation (which form the basis of the cultivating and humanistic

perspective to public participation which this chapter promotes) and analysed how Arendt's views on meaningful action inform the cultivating and humanistic approach.

In view of this, this chapter suggested a cultivating and humanistic approach to meaningful public participation that firstly, empowers citizens by cultivating their political voices, increases access to resources and expands the right to self-determination. Secondly, from a cultivating and humanistic perspective, meaningful public participation should cultivate an atmosphere of participatory democracy and provide more opportunities for citizens to participate in politics. Thirdly, the cultivating and humanistic approach seeks to transform South African communities through public participation. To achieve this, a meaningful participatory mechanism should cultivate democratic, participatory and egalitarian public participation, human potential and allow participatory processes to bring about change within communities.

Arendt's perspective of meaningful action is integrated into the cultivating and humanistic approach, since her views on action provide insight on how public participation can empower communities through cultivating political voices, realising self-determination and increasing access to resources. Her views on the *polis* space also inform the cultivating and humanistic approach, as they shed light on utilising public participation to politically develop South African communities and create a participatory space where citizens are treated with dignity and their views duly considered. Arendt's understanding of an equal and distinct society also sheds light on transforming public participation into a democratic, participatory and egalitarian process. Furthermore, Arendt puts forward a unique perspective of meaningfulness that illuminates cultivating human potential and improving the lives of the community through the public participation process. Lastly, the Arendtian analysis of the "web of human relationships" enriches the comprehensive theoretical understanding of a meaningful participatory mechanism that is rigid and protected, as well as inclusive and open to bringing about change in South African communities.

CHAPTER 6 CONCLUSION

The ability to talk to people: that's the key to the world. It doesn't matter whether you are able to articulate your own thoughts and feelings and meanings or not. What matters is being able to make the noises that encourage others to feel comfortable, and the inquiries which present them with the opportunity to articulate their thoughts and feelings and meanings, the particulars of their existences, their passions, preoccupations, beliefs. If you can talk to people in this way, you can go - you can get - anywhere in this world, in life.

Sara Baume

6.1 Main argument overview

Chapter One provided the background to public participation as a significant democratic and legal process that empowers citizens to collaborate with government on legislation and policy matters and reiterates the vital political-philosophical role that public participation plays in attaining political freedom by safeguarding citizens' right to be involved in government's decisions. Additionally, Chapter One contextualised and problematised meaningful public participation within the South African context as inadequate, and put forth Arendt's understanding of meaningfulness, per *The Human Condition*, to enhance a cultivating and humanistic approach to public participation which this study promotes.

Chapter Two analysed the meaningful public participation crisis in South Africa caused firstly by the failure of the legislation, policy, public participation frameworks and case law to properly define the meaningfulness criterion. The failure to properly define this criterion results in ambiguity; secondly the legal framework that governs public participation promotes two competing and irreconcilable approaches (cultivating and humanistic versus goal-orientated) which results in inconsistent and varied applications of meaningful public participation within South African communities.

Chapter Three explored Arendt's understanding of meaningfulness to shed light on the notion of meaningfulness in response to the legal framework's failure to properly define the meaningfulness criterion with regard to public participation. To shed light on Arendt's understanding of meaningfulness, this chapter conducted a literature review of Arendt's *The Human Condition* (1958) by exploring the three activities (labour, work and action) that influence the Arendtian concept of meaningfulness. Arendt's understanding of meaningfulness encapsulates the remarkable words and deeds that ignite humanity's promise to appear and be exceptional within the world. Meaningful actions that are

unaltered by their consequences provide the permanence and finality necessary for humans to experience meaningfulness.

Chapter Four analysed the significance of the Arendtian concept of meaningfulness to the South African participatory mechanism (established within the legal framework). In this chapter I argued that Arendt's understanding of meaningfulness enriches the meaningfulness criterion within a meaningful participatory mechanism, as it conceptualises participatory mechanisms in a manner that allows South Africans to take an active stance within the public participation process and empower citizens to act as they reveal themselves in such processes through words (by taking steps to become involved in the participatory process) and deeds (by conveying their views and collaborating with the government during decision-making). The result is an opening up of a space that recognises all voices in a diverse society pertinent for South Africa's public participatory mechanism demands, and that everyone within the rainbow nation is recognised during governmental decision-making. In addition, it helps government to establish a meaningful public participation space where citizens can actively participate in governmental decision-making and work together with government on policy and legislation.

Chapter Five showed that Arendt's views of meaningful action enlighten the cultivating and humanistic approach as a whole, by informing the root concepts of empowerment, political development and transformation in several ways. Firstly, Arendt's views on meaningful action provide insight into empowering communities through cultivating political voices via meaningful action, as her views on meaningful action are seen to encourage the community to take initiative and participate (verbally and physically) in the participation process. Secondly, Arendt's views on meaningful action provide an additional perspective on empowerment in terms of realising self-determination that proves relevant to the cultivating and humanistic approach, which also recognises self-determination via participation. Her views on meaningful action are interpreted to convey how the public participation process gives citizens the opportunity to exercise the right to self-determination by taking initiative, the lead, a stand and going against the grain during this process. Thirdly, Arendt's perspective on meaningful action, which is viewed as encouraging community involvement within the local participation process, sheds light on empowering citizens by increasing their access to resources. Fourthly, Arendt's

understanding of the *polis* space can be subsumed into public participation practices to provide insight to government on creating opportunities for the community to participate politically and develop collaborative participatory spaces within which communities can utilise those opportunities. Fifthly, Arendt's views on an equal and distinct plural society shed light on transforming public participation into a democratic, participatory and egalitarian process wherein all South Africans are recognised. Sixthly, Arendt's views on the *polis* space can be incorporated to achieve meaningful public participation by transforming the participatory space into a space where all participants are treated with dignity and their views are listened to. Seventhly, Arendt's views on meaningfulness enrich and transform public participation by providing a unique perspective on cultivating human potential and improving the lives of the community. Her understanding of meaningfulness can be integrated into participatory processes to help citizens develop self-awareness and social intelligence through collaboration with government and the community. Eighthly, the Arendtian analysis of the "web of human relationships" provides a nuanced perspective that can be assimilated to create participatory spaces in that it recognises that meaningful public participation should be rigid and protected as well as inclusive and open to change.

6.2 Critical limitations of study

The first limitation of this study relates to the relevance that Hannah Arendt (as a western thinker) has to the South African context. I recognise that as a western thinker, Arendt's relevance to the South African context is a valid concern, and accordingly this study did not incorporate Arendt's view in its entirety or as a replacement for a South African perspective. Rather this study contextualises the Arendtian perspective within the South African context by only using her understanding of meaningfulness to enhance the already existing South African meaningful participatory mechanism.

The second limitation of this study is that it only explores public participation implemented by government and within the confines of the law. This study limits itself to public participation implemented by government, as the problem relating to a lack of clarity about the meaningfulness criterion (that this study addresses) presents itself within the legal framework. This study not only promotes public participation through government (to the exclusion of citizen engagement outside the confines of the law and the state) but limits its discussion to that since that is the problem to which I respond.

6.3 Main contributions of study

There have been several studies conducted on public participation within the global and South African contexts. These studies related to the effectiveness thereof and further provided recommendations to improve it. Research relating to public participation in the South African context has been conducted in the following fields of study: The promotion of public participation in the field of development and management (Matshe, 2009:1), a critical analysis of public participation in planning in the urban and regional planning science (Goosen, 2015:10), a critical examination of 'meaningful engagement' with regard to education law (Watt, 2014:3), as well as a report on public participation practices in the public service published by the Public Service Commission (Department of Public Service and Administration, 2020:3).

None of these studies, however, aim to provide a comprehensive theoretical understanding of 'meaningful' from the perspective of Hannah Arendt, especially as it relates to participatory processes and to the advancement of a human-centred approach in keeping with the constitutional imperative.⁶² This study will contribute to literature in the following ways: firstly, it will contribute to public participation discourse within South Africa and the global context, by providing a comprehensive theoretical understanding of a meaningful participatory mechanism. Secondly, it will introduce a human-centred approach to meaningful that more fully expresses the initial aims of public participation.

6.4 Avenues for further research

The possible past and current epistemological injustices (that silence and disregard certain people's voices) within a public participation mechanism presents an avenue for further research. Research that focuses on the implementation of a meaningful participatory mechanism in collaboration with policy-makers and the South African government is another avenue for research. Lastly, research that will illuminate how to educate South Africans on and within a meaningful participatory mechanism to ensure that they can fully take part in the process is also needed.

⁶² The following databases were consulted to ensure that a similar study has not been conducted: EBSCOhost, Sabinet African Journals, Scopus, Web of science, Science Direct, JSTOR, Emerald insight, IMD World competitiveness online, Google Scholar, Africa portal, Juta Heinonline, and in-U-Lig: Databasis vir Christelike wetenskapsliteratuur (1966-1996).

6.5 Final reflection

This study undertakes the modest endeavour to philosophically enhance a meaningful participatory mechanism within the South African context. This means that my insights and suggestions were moderate and narrow in scope so that they can enrich all South Africans, be more practicable within society and digestible for policy-makers and government. I do not use philosophy to criticise public participation as a political or legal structure within the South African context, but rather to bring to light the inadequacies in the public participation mechanism to enhance and improve its functioning.

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