



The role of Civil Society Organizations (CSO) in
policy formulation at the local government sphere:
The case of Emfuleni Municipality



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List of abbreviations

ACDP - African Christian Democratic Party
AMSA - ArcelorMittal South Africa
ANC – African National Congress
CBO – Community Based Organizations
CER - Centre for Environmental Rights
CSA - Compatriots of South Africa
CSOs – Civil Society Organizations
DA – Democratic Alliance
EFF – Economic Freedom Fighters
ELM – Emfuleni Local Municipality
FFP - Freedom Front Plus
FSE - Federation for Sustainable Environment
HSRC – Human Sciences Research Council
IDC - Industrial Development Corporation
ISCOR –
MM – Municipal Manager
MMC - Master Municipal Clerk
NHM - New Horizon Movement
NDA - National Development Agency
NGOs – Non-Governmental Organization
NPO – Non-Profit Organization
OUTA - Organisation Undoing Tax Abuse
PR – Proportion Representation
RDP - Reconstruction and Development Programme
SANGOCO - South African Non-Governmental Organisations Council
SAVE – Save the Vaal Environment
SDBIP - Service Delivery Implementation Plans
SDM – Sedibeng District Municipality
SGBs - School Governing Bodies
VAG - Vaal Action Group
VEJA - Vaal Environmental Justice Alliance

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Abstract

This research investigates the involvement of Civil Society Organizations (CSOs) in shaping municipal policies within the Emfuleni Municipality situated in the Gauteng province of South Africa, under the administrative purview of the Sedibeng District Municipality. While policy formulation typically falls under the purview of governmental bodies, the constitutional framework in South Africa accommodates the impact of stakeholders and interest groups in the policymaking process. The delineation of the policy agenda in this context unfolds through a sequential process comprising agenda setting, policy formulation, policy legitimization, policy evaluation, policy maintenance, and policy analysis. The primary objective of this study is to ascertain the mechanisms through which Civil Society Organizations exert influence on the systematic agenda-setting process within the policymaking domain of local government in South Africa. Additionally, the investigation seeks to elucidate the extent and nature of Civil Society Organizations involvement in policymaking activities specifically during the agenda-setting phase within the local government context. This study employed the triangulation method, which integrates multiple research techniques to investigate a research question. The triangulation method, involving the use of two or more techniques, serves to bolster confidence in the research outcomes and facilitates a more precise interpretation of results. Essentially, the acquired data will be subjected to analysis utilizing non-statistical techniques, wherein the researcher exercises judgment over experimental groups, as opposed to relying on statistical formulas or methodologies. The primary objective of this study is to ascertain the mechanisms through which Civil Society Organizations exert influence on the systematic agenda-setting process within the policymaking domain of local government in South Africa. Additionally, the investigation seeks to elucidate the extent and nature of CSO involvement in policymaking activities specifically during the agenda-setting phase within the local government context. The study concludes that CSOs assume a pivotal role in the policymaking process, actively contributing to the formulation and execution of public policies. Their participation in policymaking involves the dissemination of knowledge to both society and the government, coupled with strategic lobbying endeavours aimed at influencing the translation of specific issues into actionable policies. Notably, CSOs engage in advocacy and lobbying within the policymaking sphere based on their possession of societal information. While their involvement encompasses various stages of the policymaking process, it may be delimited by the particular agendas they endorse or by the stance adopted by the government. Within the context of the Emfuleni Municipality, civil society organizations ensure the effective implementation of environmental policies and hold polluters accountable through legal interventions. The overarching objective of these efforts is to cultivate an environment conducive to the overall well-being of the municipality's inhabitants.

Opsomming (Afrikaans)

Hierdie navorsing ondersoek die betrokkenheid van Burgerlike Samelewingsorganisasies (CSO's) by die vorming van munisipale beleide binne die Emfuleni Munisipaliteit geleë in die Gauteng provinsie van Suid-Afrika, onder die administratiewe bevoegdheid van die Sedibeng Distriksmunisipaliteit. Terwyl beleidsformulering tipies onder die bevoegdheid van regeringsliggame val, akkommodeer die grondwetlike raamwerk in Suid-Afrika die impak van belanghebbendes en belangegroepes in die beleidmakingsproses. Die afbakening van die beleidsagenda in hierdie konteks ontvou deur 'n opeenvolgende proses wat bestaan uit agendastelling, beleidsformulering, beleidslegitimering, beleidsevaluering, beleidshandhawing en beleidsanalise. Die primêre doel van hierdie studie is om die meganismes te bepaal waardeur Burgerlike Samelewingsorganisasies invloed uitoefen op die sistematiese agendastellingsproses binne die beleidmakingsdomein van plaaslike regering in Suid-Afrika. Daarbenewens poog die ondersoek om die omvang en aard van CSO-betrokkenheid by beleidmakingsaktiwiteite spesifiek tydens die agendastellingsfase binne die plaaslike regeringskonteks toe te lig. Hierdie studie het die triangulasie metode gebruik, 'n navorsingsbenadering wat deur Cohen en Manion (2000) voorgestaan word, wat verskeie navorsingstegniese tegnieke integreer om 'n navorsingsvraag te ondersoek. Die triangulasie metode, wat die gebruik van twee of meer tegnieke behels, dien om vertroue in die navorsingsuitkomst te versterk en fasiliteer 'n meer presiese interpretasie van resultate. In wese sal die verkreepte data onderwerp word aan ontleding deur gebruik te maak van nie-statistiese tegnieke, waarin die navorser oordeel uitoefen oor eksperimentele groepe, in teenstelling met om op statistiese formules of metodologieë te vertrou. Die primêre doel van hierdie studie is om die meganismes te bepaal waardeur Burgerlike Samelewingsorganisasies invloed uitoefen op die sistematiese agendastellingsproses binne die beleidmakingsdomein van plaaslike regering in Suid-Afrika. Daarbenewens poog die ondersoek om die omvang en aard van CSO-betrokkenheid by beleidmakingsaktiwiteite spesifiek tydens die agendastellingsfase binne die plaaslike regeringskonteks toe te lig. Die studie kom tot die gevolgtrekking dat burgerlike samelewingsorganisasies 'n deurslaggewende rol in die beleidmakingsproses aanneem, wat aktief bydra tot die formulering en uitvoering van openbare beleide. Hulle deelname aan beleidmaking behels die verspreiding van kennis na beide die samelewing en die regering, tesame met strategiese steunwerwingspogings wat daarop gemik is om die vertaling van spesifieke kwessies in uitvoerbare beleide te beïnvloed. Veral, CSO's is betrokke by voorspraak en steunwerwing binne die beleidmakingsfeer gebaseer op hul besit van sosiale inligting. Alhoewel hul betrokkenheid verskeie stadiums van die beleidmakingsproses insluit, kan dit afgebaken word deur die spesifieke agendas wat hulle onderskryf of deur die standpunt wat deur die regering ingeneem word. Binne die konteks van die Emfuleni Munisipaliteit verseker burgerlike organisasies die doeltreffende implementering van omgewingsbeleide en hou besoedelaars aanspreeklik deur wetlike ingrypings. Die oorkoepelende doelwit van hierdie pogings is om 'n omgewing te kweek wat bevorderlik is vir die algehele welstand van die munisipaliteit se inwoners.

THE ROLE OF CIVIL SOCIETY ORGANISATIONS (CSO) IN POLICY FORMULATION AT THE LOCAL GOVERNMENT SPHERE: THE CASE STUDY OF EMFULENI MUNICIPALITY

Policy formulation; Civil Society; Municipal Council; Councillor; Civil Society Organization; Social Capital; Partnership Theory; Network Theory; Institutionalism

CHAPTER 1: CONTEXT AND BACKGROUND TO THE STUDY

1.1 Introduction

This study investigates the role of Civil Society Organizations (CSOs) in influencing policy within the local government domain of the Emfuleni Municipality in the Gauteng Province of South Africa. The intricate relationship between CSOs and local government structures defies a universally applicable framework for comprehension and explication, necessitating an assessment on a case-study basis. The administrative positioning of the Emfuleni Municipality lies within the broader Sedibeng District Municipality. Legal and statutory mandates establish state institutions as responsible for policy formulation. However, South Africa's constitutional framework underscores the role of stakeholder influence and societal interest formations in policy design (Cairney, 2012: 83).

The CSOs under examination within this study are non-profit entities, as defined by Connolly (2017), dedicated to aiding governmental, regional, continental, and global organizations in addressing developmental concerns, poverty alleviation, and overall societal welfare. CSOs undertake a myriad of pivotal tasks, including social counselling, healthcare provision, environmental stewardship, and education. As Fioramonti & Heinrich (2007) suggest, these entities serve to bring pertinent societal needs to the attention of policy-makers and officials.

The core objective of these CSOs is to foster democracy. In South Africa, a multitude of CSOs exert influence over policy design and agendas, contributing to the creation of an environment wherein citizens can enjoy basic necessities. As posited by Asuelime (2017: 57), "CSOs have effectively exposed businesses engaging in child labour, unfair labour practices, environmental degradation, price-fixing, and excessive profit-making." Notably, CSOs like SAVE have played

and keep playing a pivotal role in Emfuleni, ensuring that the municipality addresses sewage issues within the Vaal basin.

SAVE, a prominent CSO in Emfuleni, collaborates closely with the municipality, particularly concerning environmental policies. Its primary concern pertains to the well-being and cleanliness of the environment impacting inhabitants within the Vaal River basin. SAVE monitors the implementation of environmental policies through legal avenues. A pressing issue involved open sewage on the streets of Vereeniging and Bophelong, alongside refuse littering in Sebokeng, Sharpeville, Bophelong, and Tshirela—constituents of the larger Emfuleni Municipality. In February 2018, SAVE secured a court order against the Emfuleni local municipality, mandating remedial measures against sewage contamination of the Vaal River and the establishment of a plan to repair the deteriorating sewage system. Another court order was obtained on May 17, 2019, compelling national and provincial governments to avert adverse health implications from the sewage system.

Naturally, officials often perceive unelected interests as encroaching upon their statutory purview. Political contestation at the local governance level is often impeded when the ruling party (in this case, the ANC government) dismisses the valid concerns of CSOs aligned with opposition factions. Asuelime (2017: 58) further contends that the ANC, at the local municipality level, tends to avoid engagement with CSOs, labelling them as unelected and unaccountable entities. Commencing in 2009, statutory funding for CSOs experienced a decline across the board, paralleling diminished support from international and local donors (Asuelime, 2017 and Nhlapo, 2020). Chapter 3 of this study will delve into these details.

Through the influence exerted by CSOs in Emfuleni, the Department of Basic Education crafted policies to establish safe learning environments for both students and educators. These policies, elaborated further in Chapter 3 (Mollo, 2009: 17), encompass the National Education Policy, Act 27 of 1996, which criminalized corporal punishment. Furthermore, policies were formulated at the provincial and local levels to deter the introduction of drugs and weapons onto educational premises. These policies confer the authority to search visitors to school premises, granted to entities like the police, School Governing Bodies (SGBs), delegated authorities, or principals in cases of suspected contraband.

Numerous sources contribute to an enhanced comprehension of CSOs. Particularly accessible are the works of Atwood (nd) and UNESCO (2021), elucidating the distinct characteristics of CSOs

in contrast to other organizational types. According to Atwood (nd: 7), CSOs consist of non-state and non-market entities beyond the familial sphere, wherein individuals coalesce to pursue shared interests within the public domain. UNESCO and Atwood offer insights into the purpose of CSOs, emphasizing their role in uniting societies and citizens to achieve common objectives driven by shared interests and visions. They underscore that CSOs, which can also be referred to as Non-Governmental Organizations (NGOs), operate independently of government or conventional for-profit entities, funded sometimes by international organizations, governments, or other CSOs.

Certain CSOs choose to avoid formal funding altogether, relying predominantly on volunteer efforts. UNESCO (2021: 6) highlights CSOs' self-identification as influential partners and allies in aiding international regimes and governments to realize their objectives in delivering goods and services guided by a shared vision. Barbados (2007) provides an expansive overview of policy design, referring to it as a macro-agenda setting encompassing a broad array of potential matters eligible for executive action and inclusion in societal agendas. He underscores policy design as an avenue for various policy-making stakeholders to raise salient concerns.

Restless Development (2019: 7) underscores the unique attributes distinguishing CSOs from other organizational forms, highlighting their utilization of tactics fostering accessibility and relatability to communities and individuals. This emphasis on close collaboration with both communities and governments facilitates ease of approach and understanding. Kapundu (2017: 15) delves into the acceptance CSOs garner from diverse communities. This acceptance is rooted in the perception of CSOs as entities rallying together to promote human rights, negotiate, and raise concerns with the aim of alleviating government shortcomings to resolve community challenges such as access to clean water, housing, quality education, and a conducive living environment. Kapundu contends that CSOs function as "lifesavers" for governments. They fill gaps where governmental capacities falter, ensuring that essential goods and services reach all segments of society. CSOs often engage in negotiations to bring vital services, such as rural health provisions and the issuance of birth certificates, to marginalized communities.

Nhlapo (2021: 91) highlights the multifaceted role of CSOs in delivering critical services to underprivileged communities, encompassing counselling, healthcare, and education, among others. Nhlapo underscores that these services are rendered with or without government or market involvement, serving to empower minority groups and address public concerns.

The United Nations Agency (2001: 19) reflects on the functional presence of CSOs in policy-making, amplifying and channelling arguments to protect democracy, safeguard human rights, and fortify public support, thereby authorizing legal frameworks. CSOs emerge as key players in promoting good governance by informing and engaging citizens in public matters. This improves public participation, protecting public resources, and shaping policy.

EUAFR (2007), Kapundu (2017), and Iweala & Kwaako (nd) elucidate the vulnerabilities of CSOs. Among these, the European Union Agency for Fundamental Rights (2007: 9) points to dismissive media and disparaging campaigns targeting CSOs that depend on foreign funding. Such campaigns demand conspicuous labelling of international funding on all materials, with local counterparts accusing foreign-funded CSOs of pursuing ulterior motives. This narrative, perpetuated by both the media and political opponents, is disconcerting for CSOs.

Connolly (2017: 49) acknowledges the challenges CSOs face in forming alliances due to their diverse viewpoints. From Connolly's perspective, the heterogeneous nature of CSO staff and management hinders the development of coalition strategies and operational frameworks. He highlights the difficulty of achieving consensus and collaboration among entities with distinct characteristics and principles. Connolly contends that CSOs often struggle to reconcile their values while forging collaborations. Kapundu (2017: 92) cites the issue of community reticence in reporting difficulties and challenges to CSOs. Such reticence leads to CSOs being unavailable when victims eventually come forward. Kapundu notes that geographical distance between CSOs and communities in need of assistance poses a significant challenge, especially as these communities lack the means to travel. Among the identified weaknesses, Iweala and Kwaako (nd: 13) underscore CSOs' limited persuasive skills in promoting transparency effectively. They argue that CSOs fail to employ effective advocacy strategies in engaging lawmakers, cultivating relations with decision-makers, and conveying advocacy messages to all stakeholders. Iweala and Kwaako assert that CSOs should enhance their persuasive abilities to better influence society, government, and all policy stakeholders.

The motivations underlying this study include deciphering the challenges CSOs encounter in forming coalitions with ELM for shared objectives. Additionally, the research aims to uncover novel roles of CSOs in policy-making within Emfuleni Municipality while identifying steps to bolster and advance their role in local government policy design, particularly within Emfuleni. This study adopts Barbados's (2007) definition of policy design and practice. Consistent with Brasil and Jones (2020: 1488), Barbados characterizes policy design as encompassing all matters

capturing societal attention, including problems and issues necessitating consideration by government and decision-makers. Most importantly, the study seeks to uncover recent literature regarding CSOs engagement in ELM policy formulation at least in past five years

1.2 Problem statement

The problem is that the role of CSOs in policy formulation is a contested discourse and it is very evident in Emfuleni Local Municipality. The focus of the study is to investigate the role and impact of CSOs in the process of policymaking in the Emfuleni municipality. The CSOs that operate in Emfuleni fulfil the function of interest representation but also seek to impact policy design and implementation aimed at the greater good. The relationship between CSOs and local governments is complex and multifaceted. CSOs are non-governmental entities that operate outside of the government structure and are typically established by citizens to address a range of social, economic, and political issues (Auseline 2017: 47).

Local governments, on the other hand, are government bodies that have jurisdiction over a particular geographic area, such as a city or town. The relationship between these two entities is critical to promoting democracy and good governance at the local level. If it is assumed that CSOs represent the interests of either dominant or merely important societal interests, the question of their role and impact on policy formulation becomes pertinent. The different CSOs vary in terms of its capacity to impact or influence policy formulation. Equally so, local governments have varying capacities to accommodate societal interests. Budgetary constraints, institutional limitations or inappropriate policies impact the relationship between CSO's and local governments in fundamental ways. Understanding the relational tissue between the Umfuleni Municipality and the CSOs will assist in redesigning the processes and procedures of the relationship with aim of an improved outcomes.

1.3 Research questions

The research literature identified will address the following questions. The question regarding engagement between councillors and CSOs will be examined through an analysis of meeting minutes.

1.3.1 Primary research question:

- How do CSOs participate in the policy-making process within the realm of local government in Emfuleni Municipality?

1.3.2 Specific research questions:

- Which scholarly perspective could serve as an explanatory theory for the relationship between Emfuleni Municipality and CSOs?
- In what ways do councils or councillors engage with CSOs in policy-making within Emfuleni Municipality?
- How do CSOs oversee the actions of councils and councillors in policy implementation within Emfuleni Municipality?
- How can the relationship between CSOs and local policy designers be enhanced in Emfuleni Municipality?
- How can CSOs in Emfuleni enhance their effectiveness in representing societal interests in policy design and implementation?

1.4 Research objectives

The primary objective of this study is to explore and comprehend the mechanisms by which CSOs influence policy design within local government in South Africa. Secondly, to evaluate the extent of CSO involvement in policy-making within Emfuleni Municipality. Thirdly, to ascertain how Emfuleni municipal councils engage with CSOs in the realm of policy-making. Fourthly, to identify the methods through which CSOs monitor the actions of councils and councillors concerning policy implementation in Emfuleni.

1.5 Theoretical statement

Several theories elucidate the role of CSOs in their interaction with local governments. These theories encompass the partnership theory, social capital theory, and network theory. The partnership theory asserts that effective governance can be attained through collaborations between local governments and CSOs. According to this theory, local governments are responsible for delivering public goods and services, while CSOs ensure that these services align with the

needs of local communities (Auseline 2017: 47; Stepan & Linz, 1996). Through synergy, local governments and CSOs can harness resources and expertise for mutual objectives. Igbuzar highlights in Kapundu (2017: 17) that the primary function of CSOs in South Africa is to fortify society and advocate for democracy.

The social capital theory underscores the significance of social connections and networks in fostering cooperation and collaboration between local governments and CSOs. Scharpf (1997: 61) posits that a clear hierarchical structure within state bureaucracy facilitates policy stakeholder coordination. Social networks facilitate the exchange of information, resources, and knowledge, cultivating trust and cooperation among diverse stakeholders. Arko-Cobbah (nd: 1) proposes, "Civil society plays a pivotal role in the democratization process, bridging the gap between citizens and the state. It fosters community cohesion and informed decision-making. Information is pivotal for civic participation and its advancement."

The network theory suggests that effective governance arises from networks formed between local governments, CSOs, and other stakeholders (Scharpf, 1997: 68). These networks encourage collaboration and coordination, fostering consensus and collective action. Through network formation, local governments and CSOs collaborate to devise innovative solutions for local issues (Powell, 1991: 172).

The partnership theory is evident in the synergy between local governments and CSOs in providing affordable housing. In various cities, CSOs have been pivotal in developing and managing affordable housing initiatives. Kapundu (2017: 44) asserts that local governments collaborate with these organizations to provide funding and regulatory support, while CSOs contribute expertise in housing development and management. Through this partnership, both local governments and CSOs leverage resources and expertise to address a pressing societal concern.

The relevance of the social capital theory is exemplified in this context, where the efficacy of partnerships often hinges on the robustness of social connections and networks between local governments and CSOs (Arko-Cobbah, nd: 1; Stepan & Linz, 1996). Effective collaboration necessitates trust, communication, and cooperation, which are facilitated by social networks and connections (Powell, 1991: 172).

The network theory is also pertinent in the affordable housing example. In numerous cities, networks comprising local governments, CSOs, and other stakeholders have emerged to address

housing challenges (Scharpf, 1997: 78). These networks enable collaboration and coordination, fostering consensus and collective action.

To sum up, several theories delineate the role of CSOs in conjunction with local governments. The partnership theory emphasizes collaboration to achieve shared objectives. The social capital theory underscores social connections and networks in promoting cooperation. The network theory suggests effective governance through stakeholder networks. Through understanding and application of these theories, local governments and CSOs can collaboratively advance democracy, good governance, and societal welfare at the local level.

1.6 Research approach and design

1.6.1 Research approach

The significance of a research design and approach is that it dictates what ought to be done so as to *achieve* stipulated research objectives and the exact manner in which research objectives can be achieved. In Jongbo (2014: 91), research design provides validity in research questions, accuracy and reduces chances of inaccuracy.

This study adopts a qualitative desktop research methodology. The reason for this is that a rich body of documentary information exists which will allow for a thorough assessment of the relational tissue between CSOs and local authorities, from a policy design as well as policy implementation perspective. Information will be extracted from publicly available documents and a diverse range of reports. The process encompasses thorough database reviews. The research will centre on existing literature concerning the role, function, and objectives of CSOs in their endeavours to influence local government policies, encompassing policy inception, formulation, and the extent of implementation.

To ensure embedded validity, a verification triangulation approach will be employed across information sources. Data validation will involve cross-referencing information gleaned from company records, research reports, audit reports, and various policy documents (including legislative materials). As articulated by Cohen and Manion (2000: 72), triangulation denotes the application of multiple methods to explore a research query, bolstering confidence in the resulting conclusions. This method fosters heightened accuracy in findings. Fundamentally, data and

information will be subjected to non-statistical techniques for analysis. The ensuing analysis will encompass a comparative evaluation spanning sources beyond the purview of the present study.

1.6.2 Research design

Research design outlines the procedures and strategies used to generate measurable or observable values in a research study. According to Asenababi (2019, p. 77), ‘research design is the overall plan for connecting the conceptual research problems to the permanent and achievable empirical research’.

In this qualitative research, a desktop study approach will be utilised, focusing on extensively reviewing existing literature rather than relying on interviews or other forms of data collection. According to the Cooperative Innovation Project (n.d., p. 8), ‘Desktop-based research consisted of a document and database review of available information, statistics, and other data from private, federal, provincial, regional, and local sources. This study will explore existing literature regarding the role of CSOs in local government, specifically using the case study of Emfuleni Municipality. The research will employ a triangulation method, which combines multiple research approaches. According to Cohen and Manion 2000, a triangulation method refers to using two or more approaches to investigate a research question to enhance confidence in the ensuing findings. This will enable the attainment of more accurate findings. In essence, the data obtained will be analysed using non-statistical techniques based on the researcher’s judgment rather than statistical formulas or methods. In addition, a descriptive research method will be used aiming to observe and describe the role played by CSOs in policy making, as policy making impacts society significantly. Descriptive research involves observing and describing the behaviour of a subject without influencing it in any way.

1.6.2.1 Qualitative research

Qualitative research is any research in social science that uses case studies and takes views, including participant observations, resulting in a descriptive or narrative account of practices and settings. Ospina (2004) notes that qualitative research focuses on studying matters in their natural context and interpreting the phenomena according to how people observe or understand them. Qualitative research considers both human behaviour and thoughts regarding their social world and includes a broad spectrum to understand and appreciate the phenomena to the fullest extent.

Hancock et al. (2009) outline that qualitative research studies behaviour using instinctive settings and people's narrations as data. In most cases, qualitative research does not manipulate variables. The advantage of qualitative research is that the researcher can collect detailed data. Rahman (2016, p. 104) explains that qualitative research generates broad opinions, experiences, and illustrations of respondents' emotions and clarifies the meaning of respondents' actions. This enables the researcher to have a clear understanding and to capture the essence of what is being said by respondents. Daniel (2016, p. 92) adds, 'Berg and Howard (2012) characterise qualitative research as meanings, a concept, a definition, metaphors, symbols, and a description of things. This definition clearly shows that qualitative research contains all necessary instruments that can evoke recall which aids problem-solving'. However, qualitative research consumes most of the researcher's time since researchers tend to overlook less important matters while more important ones go without the researcher noticing. Rahman (2016) supports that analysing cases or a case study in qualitative research may consume more of the researcher's time.

1.6.3 Data collection and analysis of information

In collecting the data, the researcher reviewed various materials such as the HSRC, the South African Non-Governmental Organisations Council (SANGOCO), Save the Vaal Environment (SAVE), Vaal Environmental Justice Alliance (VEJA), Organisation Undoing Tax Abuse (OUTA) publications, the material on the OUTA, VEJA, SAVE website and SANGOCO including ELM and Sedibeng District Municipality websites. Furthermore, the researcher visited the Sedibeng District Municipality in Vereeniging and ELM in Vanderbijlpark to request documents like minutes, databases and policies related to environmental initiatives and engagements with CSOS in the environmental sectors within the Sedibeng District municipality and the ELM. These documents provide insight into the relationship between the district municipality, the local municipality, and CSOs in Sedibeng and Emfuleni in environmental policy making.

In this qualitative research, the data will be analysed using an inductive approach, a method of reasoning where the premises are viewed as supplying some evidence for the conclusion's truth. The inductive approach is not based on a structured or predetermined framework but on emerging issues. It is more thorough; the method used for data analysis is brought about by oral history, biography, and documentation. Rakotsoane (2018) states that this type of analysis is usually used after exploring the problem or contrast.

The research employs content analysis as a method of information and data analysis. This approach entails a systematic scrutiny of existing textual resources, encompassing documents, media outputs, and archival records. This analysis delves into thematic, pattern-based, and semantic intricacies embedded within the textual corpus. The core objective is to acquire an enriched understanding of bureaucratic decision-making processes and the intricate interplay among diverse stakeholders. To facilitate this, a comprehensive array of company reports, meeting minutes, and financial audit reports sourced from Civil Society Organizations (CSOs) are available. Similarly, planning and audit reports from Emfuleni Municipality, along with research publications and feasibility studies, have been made accessible for examination.

The researcher conducted site visits to the Sedibeng District Municipality in Vereeniging and the Emfuleni Local Municipality in Vanderbijlpark. These visits aimed to procure pertinent documents, including meeting minutes, databases, and policy records related to environmental initiatives and CSO interactions within the Sedibeng District and Emfuleni locales. The secured documents serve as pivotal reflections of the symbiotic relationship shared by the District and Local Municipalities with CSOs concerning environmental policy formulation.

In subsequent analysis stages, the amassed data and information undergo an exploratory process. This involves meticulous examination of interplay, congruence, and disparities among identified themes. This comprehensive approach facilitates a deeper grasp of the intricate dynamics linking Emfuleni Municipality and CSOs. Throughout this analytical journey, recurrent motifs, trends, and relational dynamics within the collected data and information will be unearthed.

The interpretation of the amassed data goes beyond mere descriptive analysis. It involves delving into the underlying significance encapsulated within emerging patterns and themes. Significantly, the application of triangulation plays a pivotal role in substantiating and corroborating analytical findings. This entails comparing conclusions across various data sources, thereby augmenting the credibility and robustness of the analysis.

A wealth of literature underscores the substantial involvement of CSOs in South Africa's policy formulation and influence sphere within local governance frameworks. This holds true for Emfuleni Municipality as well. Initial investigations focused on data collation from esteemed sources such as the Human Science Research Council (HSRC), South African Non-Governmental Organizations Council (SANGOCO), Save the Vaal Environment (SAVE), Vaal Environmental Justice Alliance (VEJA), Organization Undoing Tax Abuse (OUTA) publications, along with the

respective websites of OUTA, VEJA, SAVE, SANGOCO, Emfuleni Local Municipality, and Sedibeng District Municipality.

In this study, we applied the triangulation method, which combines more than one research approach. According to Cohen and Manion (2000), a triangulation method uses two or more techniques to investigate a research question, enhancing confidence in the ensuing findings and enabling more accurate results. In essence, the data obtained will be analysed using non-statistical techniques that refer to the researcher's judgment of experimental groups instead of statistical formulas or methods. The research was also descriptive, observing the role played by CSOs in policy making as policy making affects society at large. Descriptive research involves observing and describing the behaviour of a subject without influencing it in any way.

1.7 Literature survey

Various sources contribute to understanding CSOs thoroughly; the most easily understandable are those of Atwood (n.d.) and UNESCO (2021), which give a clear picture of CSOs.

Atwood (n.d.) explains that CSOs comprise all non-state and non-market organisations beyond the family, whereby individuals organise themselves to chase their common interests within the public sphere. The main purpose of CSOs is to bring societies and citizens together to achieve certain goals brought about by common interests and the same vision. CSOs, which can also be regarded as non-governmental organisations (NGOs), are neither a part of government nor conventional for-profit by government foundations, businesses or private individuals. In some cases, they are funded by international organisations, other governments, or, most importantly, by other international civil society organisations. Some CSOs avoid formal funding and are primarily run by volunteers. Referring to UNESCO (2021), civil society organisations regard themselves as profound partners and friends who can assist international regimes and governments in achieving their goals of delivering certain goods and services through a set vision. This is because CSOs intervene (either through invitation or not) in cases where the government cannot reach certain communities and minority groups within the society. Consequently, they are considered friends and partners due to their relationship with the government.

Barbados (2007) deals broadly with the concept of systematic agenda setting. This study will apply his definition and consider the references of Brasil and Jones (2020) to analytically explain the concept systematic agenda setting. Barbados' (2007) systematic agenda setting is also referred to

as macro agenda setting, which he elaborates as the extensive scope of potential matters that can be considered for the executive action and also be set as part of the citizenry agenda. This level of agenda setting includes various stakeholders, raising different issues, noting those that must be solved urgently, and determining what action is required. Systematic agenda setting is a level of agenda setting whereby a different stakeholder in policy making addresses all problems that must be noted. At this level, all public issues, including their solutions, are brought up to policy formulation. In addition, Brasil and Jones (2020) clarify that systematic agenda setting comprises all issues receiving societal attention, including those recognised as problems and matters that the government or decision-makers do not deal with. In this respect it is worth considering the work of Kapundu (2017) who evaluate the roles and strategies of civil Society organisations in development, with reference to a case study of Planact in Johannesburg, South Africa. Similarly, Nhlapo (2012) who focusses on the role of civil society in the implementation of poverty alleviation programs.

Restless Development (2019) notes that CSOs are distinctive from other types of organisations since they use various tactics that enable them to be more welcoming and understandable to communities and individuals. This brings about more flexibility and a stronger relationship between the community and the CSOs than between the government and the community, as CSOs work very closely with the communities and the government. This also portrays a good image of the CSOs in the eyes of the public, leaving a good reputation and gaining more trust from the community.

According to Kapundu (2017), CSOs are accepted as a group of people united to promote their human rights and raise their worries through negotiation. They reach out to cover government failures in solving community problems, such as access to clean water, housing, better education, and conducive living environments—to mention a few. They further assist the government by filling gaps where it cannot perform its tasks to the fullest, ensuring that certain goods and services reach every member of society. They sometimes negotiate with governments to bring certain services to a particular society or community. These services include, among others, rural health services and the issuance of birth certificates to the rural communities where children are born at home.

According to Nhlapo (2021), CSOs perform various critical duties in assisting the delivering of essential services, which include counselling, health services and education, especially for the less

privileged communities, to name but a few. These usually are done with or without the market and state as a means of empowering minority groups and reducing stress, bringing about the solution to public problems. CSOs are capable channels for development in South Africa and the rest of developing countries. This is guided by their potential to combine public purposes and private composition, although they operate on a small scale and create more links with citizens due to their flexibility. These CSOs bring about all types of development in cooperation with various ministries and communities.

United Nations Agency (2001) notes that the active presence of CSOs in policy making helps to amplify and channel arguments in the protection of democracy and safeguarding of human rights, therefore, strengthening public support and authorising legal framework. CSOs are one of the key actors in good governance as they inform and alert citizens on most public matters, thereby improving public participation while protecting public resources and shaping public policy.

EUAFR (2007), Kapundu (2017), and Iweala & Kwaako, O. P. (n.d.) mention the weaknesses of CSOs, which were considered during this study. The European Union Agency for Fundamental Rights (2017) outlines that dismissive media and dirty campaigns are going towards CSOs that survive through foreign funding and demand they identify themselves on all materials as an international-funded organisation. CSOs that rely on foreign funding are criticised by locally funded CSOs and most political parties as pushing foreign agendas. This is even done by the media itself and through the media by opponents of such organisations. Connolly (2017) mentions that it is very challenging for CSOs to form alliances because they have contrasting opinions. Their staff and management are made up of various people with rare characteristics. Consequently, it is often very challenging to devise a strategy for how the coalition will be formed and how it will operate. These CSOs find it difficult to compromise their values and principles while collaborating.

A respondent in Kapundu (2017) noted that the problem faced by communities is that victims are normally quiet about their difficulties and challenges. Once a victim comes forward, CSOs are nowhere to be found. This is because CSOs are located very far from the societies that often need their help, which becomes problematic as these communities do not always have the financial means to travel. Most communities, especially rural ones, frequently complain that these CSOs are difficult to access as they are situated in cities or far provinces. This poses a problem because when individuals, groups, or communities encounter problems, they are unable to reach the CSOs due

to the high cost of transportation to cities. Consequently, when issues arise, these CSOs, who initially came to educate society about societal matters, are nowhere to be found.

Lastly, Iweala and Kwaako (n.d.) highlight that CSOs lack influencing skills to effectively enhance transparency. They do not employ effective techniques to engage lawmakers, establish proper relations with the decision-makers, or effectively communicate their struggle messages to stakeholders. CSOs must improve their persuasive skills, specifically in persuading society, the government, and all policy stakeholders. African CSOs, particularly those in South Africa, must find ways to align every stakeholder with the community or societal needs they represent.

Restless Development (2019) and Discover PhDs website (n.d.) highlight the need for new research and identify contributions it can make to the existing literature. The main contribution of this study is to address the gap in the available literature regarding the role of CSOs in systematic agenda setting in local government in South Africa. This will be achieved by comparing existing literature with the researcher's knowledge and judgements. This approach differs from Restless Development (2019), which determined that additional primary data was necessary and conducted interviews with CSOs under the Towards a More Accountable South Africa (TAMASA) programme that honours women's day in South Africa. It is important to note that researchers have the freedom to choose between using available literature or conducting interviews to fill gaps in the existing literature.

Moreover, this study aims to investigate why CSOs struggle to form coalitions to achieve certain goals, why they heavily rely on foreign funding, why rural communities face difficulties in finding CSOs, and why CSOs struggle to improve their persuasive skills. Furthermore, the research will uncover additional roles of CSOs in policy making within the Emfuleni Municipality, including the necessary steps to strengthen and develop the role of CSOs in systematic agenda setting at the local government level, particularly within Emfuleni. As outlined by Discover PhDs, research aims to uncover what is known, what is unknown, and what can be further developed to shape society and everyday life. Cairney (2012) defines agenda setting as one of the stages of policy making. UNICEF (2007) provides a definition of CSOs and their roles in policy making. HSRC's EPD (2013) emphasised the need for a relationship between CSOs, the private sector, and the government to drive development. Additionally, HSRC's EPD (2013) mentions policies resulting from collaborations between CSOs and the government in South Africa. Stepan (1996) outlines

how scholars typically define CSOs, and Larry Diamond (2007) provides insights from other scholars on CSOs.

Shaidi (2013) and Thelen (1999) present general definitions of policy, Ferguson (1996) discusses the role of CSOs in public affairs and politics, and Fioramonti (2007) highlights areas where CSOs are highly active in many countries. The Lesotho Council of NGO (2005) notes that coordination between CSOs and the government is often poor. While Asuelime (2017) focuses on the areas CSOs emphasised during the apartheid era and mentions the criticism they received from the African National Congress (ANC) government, Mollo (2009) mentions policies formulated in South Africa through government-CSO collaboration. Furthermore, the Department of Basic Education et al. (2015) explain the purpose of government-CSO policies. Roy (1998) identifies areas where CSOs are not involved, while Shaid (2013) notes the problems faced by societies and their actions in most councils in Gauteng. NDA (2008) states the aims of CSOs during the apartheid era, Aseulime (2017) highlights the importance of CSOs, Kapundu (2017) outlines the main activities of CSOs in South Africa, and Arko-Cobbah (n.d.) shows their importance between the government and citizens. Powell (1991) mentions stakeholders of policy making and their main functions, Scharpf (1997) outlines necessary conditions for stakeholders to coordinate smoothly, and Cohen and Manion (2000) describe the research methodology to be used.

Atwood (n.d.) and UNESCO (2021) provide a conception of CSOs and their work, Barbados (2007), Brazil, and Jones (2020) define systematic agenda setting broadly and analytically, while Restless Development (2019) differentiates CSOs from other organisations in how they perform tasks, especially within communities. Kapundu (2017) explains how CSOs work with the government to meet societal needs, and Nhlapo (2021) mentions areas in which CSOs and the government coordinate for development. United Nations Agency (2001) states that CSO participation in policy making helps achieve democratic consolidation. EUAFR (2007), Connolly (2017), Kapundu (2017), Iweala and Kwaako (n.d.) point out weaknesses and challenges faced by CSOs in policy making. This study relies on these challenges and weaknesses to explore the role of CSOs in systematic agenda setting. Restless Development (2019) and Discover PhDs (n.d.) emphasise the need for new research, and Barbie (2001) and Cohen (2000) outline the ethics used in the study.

Scott (2005) elucidates the workings of institutionalism theory works and its focal areas, while Nureev (n.d.) examines its emergence. Thelen (1999) addresses the perspective of institutionalism

theory regarding policies. Powell (1991) identifies the actors or stakeholders involved in policymaking as per institutionalism theory. Pontusse (1995) expounds upon the factors influencing policymaking and their mechanisms, Scharpf (1997) clarifies the implications of state capacity, and Lowndes (1996) introduces the element of how industrial policy can be organised in Japan by the responsible ministries. Pontusse (1995) highlights state capacity's relevance in shaping political leaders' behaviour and the institutional environment. Nureev (n.d.) explains how institutions are understood and categorised, Bell (n.d.) offers a definition of informal institutions, and Nureev (n.d.) further elaborates on the development of new institutionalism. Bell also outlines how new institutionalism contributes to the growth of institutions. Cairney (2012) explores how rational choice institutionalism describes political and social outcomes, Hall and Taylor (1996) present their ideas on rational choice institutionalism, and Schmidt (2008) provides a detailed explanation of how discursive institutionalism operates. Candel et al. (2020) differentiates it from other variants of institutionalism. Findlay (2012) highlights the concerns of feminist institutionalism; Murtagh and Mackay (2019) explain the gendered nature of power according to institutionalism, while Clevero and Galligan (2020) note the particular emphasis of feminist institutionalism. Hay (2016) discusses how political and social realities are formulated. Matharu (2012) explains the factors that influence the appropriate actions of political actors, and Bacalso (2010) examines actors' reliance on mutual understanding.

The following sources are contributing to this narrative on the strengths of institutionalism and all its variants: Scott (2004), Mohamed (2017), Peters (2000), Berrone et al. (2007), McGinnis (2005), Ogu (2013), Bacalso (2010), Carvalha (2017), Fligstein (1997), Steinmo (2008), Pierson and Skocpol (n.d.), Schmidt (2015), Schmidt (n.d.) and Findlay (2012).

Peters (2020), Farrell (2018), Mohamed (2017), Wu (2009), Taylor et al. (1996), Farrell (2018), Nichols (1998), Rekner (1996), Rezende (n.d.), Fligstein (1997), Larsson (2019), Bacalso (2010) and Findlay (2012) provide insights into the weaknesses of institutionalism theory and its variants. Sibbing and Candle (2020), Collier and Raney (2021), Hurrehmann and Wendler (2022), Emmanuel (2009), Adewale (2019) and Tebele (2016) contribute empirical studies that demonstrate the application of institutionalism theory in their respective research.

1.8 Ethical considerations

First and foremost, voluntary participation and strict confidentiality have been maintained throughout the study. Confidentiality, as defined by Barbie (2001), is a crucial ethical consideration that allows researchers to keep responded-provided information private and undisclosed to any third party. This includes sensitive information such as respondent's views on management or working conditions, as well as any divulged secrets of the organisation, department, or ministry involved.

Another ethical consideration is transferability. This entails clearly establishing the study's boundaries by providing information on the number and background of participants, the entity they represent, the types of individuals contributing to the data, and the methods of data collection employed. Additionally, it is essential to specify the number and duration of data collection sessions, and the overall timeframe for the data collection process.

Furthermore, the researcher ensured that anyone approached for assistance or guidance in accessing certain documents does so voluntarily. The researcher maintained the confidentiality of those who provide assistance, especially when handling sensitive documents. As part of the research process, the researcher aims to review a minimum of 30 documents, including articles, journals, books, previous research papers, and videos related to the role of CSOs in systematic agenda setting in the Emfuleni Municipality. These materials have been sourced from diverse sources such as the Emfuleni offices, Emfuleni websites, Google, Google Scholar, the Northwest University library, and various CSO websites. It is crucial to acknowledge and appropriately reference all the material used in the study.

1.9 Significance of the study

The study holds significant importance as it delves into the realm of policy making, which ensures accountability, legal liabilities, and regulatory compliance. By doing so, the study aims to investigate the reasons behind the failure of CSOs in fulfilling their role in policy making. A crucial aspect of this investigation is to determine whether CSOs achieve their mission or goal of influencing governments in policy making. Therefore, the study sheds light on the vital need to examine the performance of CSOs and policy making initiatives. By identifying their strengths and weaknesses, it contributes to assessing their progress and development. Moreover, the study serves as a valuable resource for citizens in various countries, particularly in South Africa, by elucidating the role and significance of CSOs in the policy making arena.

1.10 Layout of chapters

Chapter 1: Introduction to the study, background, and research methodology applied. This chapter delves into CSOs' historical background and role in Emfuleni. It also discusses the study's significance, objectives, and justification.

Chapter 2: An explanatory theory of the relational tissue between Emfuleni Municipality and CSOs. This chapter comparatively and analytically explores the theory. It investigates which scholarly disposition explains the relational dynamics between Emfuleni Municipality and CSOs.

Chapter 3: Policy design in the governance process of Emfuleni Municipality. This chapter extensively explains policy design and formulation within Emfuleni Municipality. It focuses on bureaucrats, political elites, and implementation by officials.

Chapter 4: CSOs as a means and method of interest representation and policy monitoring. This chapter reviews CSOs' impact on policy design and implementation within the municipality. It analyses how each CSO pursues its process and contributions to the policy domain.

Chapter 5: This chapter reviews the entirety of the dissertation, extracting findings, offering recommendations for policy formulation, and presenting conjectures and focusses on the answers to the research questions. The conclusions will be aligned with the principal research questions and objectives of the study.

CHAPTER 2: THEORETICAL FRAMEWORK

2.1. Introduction

This chapter establishes the theoretical framework of this study, focusing on institutionalism, functionalism (including elite theory), and their role in understanding institutions. It also discusses all variants of these theories, including their strengths and weaknesses. Most importantly, it explains how these theories will be applied to explore the role of CSOs in systematic agenda setting. This chapter is significant as it provides a solid academic foundation and ensures the study maintains essential data collection and analysis accuracy. Furthermore, it briefly introduces and explains three alleging theoretical frameworks that the researcher regarded relevant to this research. One of these three theoretical frameworks was endorsed, and rationality was provided as to why only that one was the most appropriate theory. This theory is institutionalism theory. The reason will also be given for why the other two theories were used in the study instead of the institutionalism theory alone.

Theoretical support plays a significant role in conducting research studies of this calibre. It assists the researcher in steering the literature review and collecting both primary and secondary data, providing a scope for researchers. Depending on a theory or theories the researcher adopted, the instruments and methodology employed to answer the main research questions will be logical, therefore discovering the general nature of the research outcome. This chapter outlines three asserting theories the researcher considered applicable in leading the entire research activity. It is important to highlight that scholars such as Creswell (2009) mention that literature, conceptual framework and theoretical framework may differ in application. Still, they all help researchers to navigate better into data collection and all literature used in the study.

2.2. Emergence of institutionalism, functionalism and elite theory

This theory emerged in the late 1970s and was founded by Brain Rowan and John Meyer. It aimed to inspect and explore the impact or relationship between the state, nation, organisations, and the international sphere. In institutionalism theory, institutions are considered as a set of norms and rules within a specific societal, state, and international arena. Institutionalism theory provides a framework for researchers, students, and scholars to understand how organisations can conform to

and steer these norms and rules to appear legitimate and ensure they survive. In essence, institutionalism is a broad point of view of both social science and governance. According to Nureev (n.d.), institutionalism theory emerged and progressed as an ideology that later challenged the political economy and later stage critiqued economics as well. Seligman noted institutionalism to be a rebellion against formalism. This was led by institutionalists who attempted to bring about a replacement concept towards the main ideology since they had planned to review economic theory using various means, including severe logic plans, actual life, and official models.

Functionalism evolved in the late 19th Century and was founded by William James, who was influenced by Darwin's theory of evolution. Later, Emile Durkheim and other scholars contributed to this theory. They focused on how order was a societal problem and the positive impacts of social institutions by rationalising their continuance in terms of their effective required contributions. This theory provides a clear analytical perspective on how society performs norms, hierarchies, and institutions. According to this theory, functions are considered the degree to which provided activities interfere with or promote the development of a system.

Elite theory was developed as a response to Marxism. It dismisses the Marxian belief that a society without social classes but with an egalitarian structure could be achieved through class struggle in all societies. Elite theory considers Marxism an ideology rather than an impartial analysis of social systems. According to Delican (2018), this theory was developed by Charles W. Mills (1916-1962), Gaetano Mosca (1858-1941), Roberto Mitchels (1876-1936), and Vilfredo Pareto (1848-1923) as a paradigm used to explain social reality.

2.3. Institutionalism theory

The theory to be used in the research is institutionalism, which can be defined as the government's ability to instil the loyalty of its subjects, enact policies that govern the entire society, and monopolise the legalise use of force. Institutionalism encourages citizens individually and in groups to work towards implementing their choices into policy. Through institutionalism, state institutions provide public policy with the legal responsibility that commands the loyalty of citizens and legitimacy. Therefore, only public policies reach all people in the society and enforcement; in other words, the government can lawfully arrest violators of government policy. Scott (2005, p. 2) states that, this theory enquires into how these elements are created, diffused, adopted, and adapted over space and time; and how they fall into decline and disuse'.

The interconnectedness between public policy and public institutions is inseparable, as public policy relies on government institutions for its formulation, implementation, and enforcement. According to Thelen (1999), institutionalism regards policy an institutional product. Public institutions have long been the main focus of political science. Originally, political science studies public institutions such as the national government and local government. Public policy is authoritatively decided, executed, and imposed by these institutions. Public policy is determined by public institutions giving policy validity. The executive globally applies policies to all citizens of society and monopolises the use of force in putting policy into application. The three branches of government are examples of public institutions that give policy validity.

Institutionalism also involves state capacity. The concept of state capacity alludes to the potentiality of a state to attain its own goals. Institutional components play a vital role in defining and supporting state capacity. The specific types of institutional functions in question folds over to some degree with the policy network dynamics mentioned above, especially regarding the institutional attributes of the nation state. The degree of state autonomy and authority is concerned significant. State autonomy refers to the insulation of the state from societal pressures and political opponents, enabling it to implement policy reforms, despite opposition. Scharpf (1997) noted that state authority suggests that such autonomy has a level of popular approval and legitimacy. State capacity is further intensified by a hierarchical and condensed bureaucratic organization, enabling policymakers to engage in purposeful and harmonized action. Additionally, state capacity is strengthened by having an efficient bureaucracy staffed with specialized and devoted policy advisers and implementers.

The potential of a political leader to implement a policy is largely influenced by the institutional funds and settings within a political system. Lowndes (1996) explained that the Ministry of International Trade and Industry can effectively coordinate industrial policy in Japan. In contrast, the United States lacks a comparable institutional setting that would enable a political leader, irregardless of available resources, to implement a corresponding set of policies. State chairs and policy makers' ability to recognize the needs of and establish constructive, collaborative relationships with main groups or sectors is considered crucial for supporting state capacity. Pontusse (1995) explains that this capacity for positive collaboration between the state and society rests on the organisational and associative capacity of vital social and economic arrangements, as well as interest alliances. Therefore, the concept of state capacity highlights that the funds and

abilities of political leaders are significantly influenced by the specific institutional environments in which they work.

Institutions also supports the variations of capitalism observed in various countries. Researches in comparative political economy in current decades have investigated the main institutional differences across capitalist countries regarding elements such as designs of corporate governance, relationships between industry and the financial sections, the kind of labour-management relations, and the state's role in the economy. These researches have also shown that mainly because of these institutional variations, capitalist economies differ quite noticeably in terms of their capacity for development and transformation and how well they allocate the gains of economic development, specifically as considered in comparative levels of unemployment and inequality.

2.4. New institutionalism

New institutionalism, often alluded to as neo-institutionalism, is a method of studying institutions, mainly focusing on the enabling and constraining results of informal and formal rules regarding the behaviour of various groups and individuals within the society, including states and the international system. In new institutionalism, institutions are referred to as the humanly formulated restrictions that shape incitements for human exchange, neither economic, political, nor social. Bell (n.d.) explains that formal institutions are regulations created and maintained by authorised individuals, such as electorates, government officials, and law enforcement agencies. Bell (n.d., p. 7) further adds that 'informal institutions are usually understood as conventional conditionalities and ethical codes of conduct', arising from the interactions and shared understanding among people, particularly in terms of their actions.

It is important to highlight that new institutionalism was developed by building upon and strengthening the major propositions of economics. Nureev (n.d.) adds that new institutionalism was also developed through intervening in various disciplines such as psychology, law, political science, and sociology, to mention a few. The school of new institutionalism used customary microeconomics inspection techniques to study all social links using rational, thoughtful points of view. Consequently, any relationships among people, in this case, are considered through the prism of collective beneficial exchange.

According to Bell (n.d., p. 4), new institutionalism constitutes assisting institutions' revival, and the growth of this approach started around the 1980s. He notes that in political science, numerous reasons exist as to why the interests of institutions should be renewed. The first reason is that economic, social, and political institutions were now more resourceful and complex to common life. Secondly, state interests were renewed in various schools of analysis in political science, such as Marxism. Lastly, the main public policy reviews from the 1970s involved extensive institutional restructuring, which impacts the state's role and involves considerable public sector improvement. There are different variants of institutionalism, namely rational choice institutionalism, normative and sociological institutionalism, and constructivist institutionalism, also known as discursive institutionalism.

2.5. Rational choice institutionalism

Rational choice institutionalism is a conceptual method used to study institutions. It argues that actors utilise institutions to optimise their utility and that institutions have an impact on individuals' behaviour. According to Cairney (2012), rational choice institutionalism uses one's loyalty to describe the social and political outcomes as the accumulation of individuals' decisions. Rational choice institutionalism aims to establish proportions of political end results that can be explained by referring to individuals' choices and tracing their choices under certain conditions.

Hall and Taylor (1996) also share the same idea about rational choice institutionalism. They highlight that rational choice institutionalism uses typical series of behavioural presumptions. They argue that actors, at a certain point, have predetermined tastes and preferences and therefore act completely crucial to make the most out of acquiring such preferences, doing so in a much-planned approach that assumes large estimations. Bell (n.d., p. 7) further adds, 'Rational choice institutionalists in effect the issue of preference formation theoretically by assuming that political actors are rational and will act to maximise their self-interest, though of course in the context of specific analyses, they must operationalise self-interest, and they generally do so by deducing the preferences of the actors from the structure of the situation'.

2.6. Historical institutionalism

Historical institutionalism is a new institutionalism method that stresses how path dependence, timing, and sequences influence institutions and, most importantly, shapes change, economic, political, and social behaviour. Skocpol and Pierson (n.d.) explain that historical institutionalism

analyses organisational layout while other types of institutionalism focus on a certain setting in separation. Also, it focuses on negative points and long-term procedures, while others pay attention to only short-term activities and pieces of time. Historical institutionalism makes understandable and visible the broad contexts and interchanging procedures of shaping and reshaping different states, policymaking, and politics. In Amenta and Ramsey (n.d., p. 8), 'historical institutionalism differs from sociological institutionalism in its lack of endorsement of a specific theoretical program, and as a school of thought, it has only a moderately high level of self-identity'.

Historical institutionalism draws its main arguments from primary and secondary sources to situate arguments regarding deliberate choices and the influence brought about by the rules of the game. Skocpol and Pierson (n.d.) emphasise that historical institutionalism enables one to analyse matters from both the macro context and a comparative perspective. Through historical institutionalism, scholars, researchers, and students can address significant concrete questions that are fundamental to the interests of the general public, including other scholars. Additionally, they can bring about arguments that are explanatory regarding end results.

Contrarily, historical institutionalism recognises institutions as either informal or formal rules or procedures, with the latter being formal. In Nichols (1998), Peter Hall explains that institutions are usual operating implementations, formal rules, and submissive procedures that shape the connection between individuals from different units of the territory and economy. Consequently, they hold more legitimacy than cultural norms, even though each is not obtained from a legal stance. Furthermore, Harris (2006) clarifies that historical institutionalism stresses that if one matter is known about the context, wide presumptions regarding self-serving behaviour are meaningless and, consequently, the history in their designation. Thus, while examining institutions in mainstream economics is deductive, historical institutionalism functions through empirical logic.

2.7. Sociological/Normative institutionalism

Moving forward, sociological institutionalism, also known as normative institutionalism, refers to how institutions construct the context for individuals. Nichols (1998) indicates that sociological institutionalism highlights routes through which institutions affect behaviour by providing categories, models, and cognitive scripts that are essential for action. The absence of these constructs would make it difficult to interpret peoples' behaviour and understand the world.

Normative institutionalism, as explained by Bolfikova et al. (2012), stresses the importance of norms and considers institutions as mechanisms to shape the essential framework for individual actions within the social procedure. Normative institutionalism seeks to answer questions about the social existence of norms, including their functions in the social world. Finnemore (1996) adds that normative institutionalism provides a framework that challenges assumptions made by liberalism and realism. Some scholars emphasise that normative institutionalism emerged as a response to certain perspectives of organisations, such as the interaction between states, world systems theory, the resource dependence model, and approaches that neglect explanatory and cultural structures. Amenta and Ramsey (n.d.) outline that normative institutionalism focuses on formalisation ventures within political organisations and particularly on policy diffusion and policy making procedures, often highlighting the intersections of policies and institutions.

2.8. Discursive institutionalism

Discursive institutionalism is a comprehensive concept for a wide range of works in political science. It focuses on the significant content of thought, communal procedures, and dialogues through which they are brought about and conveyed within set institutional circumstances. Schmidt (2015) supports this by noting that discursive institutionalism confines diverse and varied approaches to explain both social and political reality, focusing on the significant gratification of ideas. Furthermore, discursive institutionalism pays attention to important methods that theorise discourse and ideas in various forms and levels, using various types of interactive communication and policy integration. These processes influence how conscious stakeholders generate, influence, and challenge discourse and ideas.

Discursive institutionalism contributes to our perception of the role of discourse and ideas in politics, offering a dynamic perspective on institutional interchange compared to other variants of institutionalism. Schmidt (2008) points out that discursive institutionalism is not merely an external set of rules that agents passively follow; instead, it recognises that agents' internal structures and abilities, shaped by their backgrounds and additional capacities, play a crucial role in explaining how institutions are made and exist. Moreover, discursive institutionalism emphasises that agents' foreground discursive capacities, following logical communication, describe how institutions change or persist over time.

According to Schmidt (2010), discursive institutionalism scholars regard ideas at various levels of generalisation, ranging from policy ideas to practical paradigms and from ideas to extensive philosophical thought. Discursive institutionalism scholars regard various types of thought, including rational ideas that are explained in terms of interest-based reasoning, ideas of necessity that are authorised by appropriateness and values, and ideas that appeal to norm-setting principles. Discursive institutionalism acknowledges ideas presented by discourse, scripts, narratives, collective memories, and stories.

According to Candel et al. (2020), the distinguishing feature of discursive institutionalism from other variants of institutionalism is its focus on how institutions are changed and shaped through discourses and the ideas that emerge from these discourses. Consequently, discursive institutionalism considers actors and their ideas as the primary drivers in explaining institutional stability and change. This approach permits insights into how specific policy concepts and ideas gain legitimacy over others. Also, how competition regarding meaning eventually changes and defines issues regarding policy and how such issues were possibly institutionalised in a state. It is worth noting that discursive institutionalism is suitable for exploring the ideas influencing institutionalisation.

2.9. Feminist institutionalism

Feminist institutionalism is another new perspective examining how gender norms function and how institutions build and conserve gender power dynamics. Feminist institutionalism focuses on the initial policy preferences and how they influence future policies, as well as how policy inheritances modify policy changes related to women. Findlay (2012) points out that feminist institutionalism is bothered with the gendered nature of formal and informal governing principles. It also explores how political institutions influence the daily lives of both men and women, as well as the mechanisms and processes through which institutions are produced, reproduced, and reflect social systems and gender-based power relationships. Lastly, it examines the gender-based capacities of institutional change, reform, and innovation in pursuing gender-related justice and its limitations.

Feminist institutionalism is the only variant of institutionalism interested in women's involvement in politics, policy making and policy change. The feminist institutionalism perspective claims it is the interchange of formal and informal rules between the economic, political, and cultural

institutional arena explaining women's political outcome, the limits and promise of an institutional revolution in a certain context, and capable gender relations transformations. Murtagh and Mackay (2019, p. 10) explain that 'feminist institutionalism shares the contentions of other feminist approaches that power is gendered and it conceptualises institutions as both gendered and with gendering effects in that they tend to produce and reproduce unequal gender power relations, the misrecognition of women as a group, and the misdistribution of resources, both material and symbolic'.

According to feminist institutionalism, femininity and masculinity are twisted in logic and daily life instead of institutions that exist independently. Feminist institutionalism again brings power to the front line of analysing institutions. It has also turned to institutions' significance by reinforcing and reflecting gender power relations. Clavero and Galligan (2020) further note that feminist institutionalism stresses the significance of planned agency in driving institutional change, showing various ways actors bring change in the context of constraints and opportunities. In this regard, opposition to change materialises when people embody the gender norms within an organisation. Clavero and Galligan also explain that in feminist institutionalism, change is seen as achievable due to conflicting interests and contradictions, providing opportunities for feminist action.

2.10. Constructivist institutionalism

Constructive institutionalism, another variant of institutionalism, maintains that social, policy and political dialogues have informative functions and that public actors express thoughts that can lead to coordinative functions and social change. Hay (2016) mentions that according to constructivist institutionalists, political and social realities are partly shaped by actors using inter-subjective and subjective understanding to make sense of their experiences and orient themselves in relation to the environment, influencing their behaviour and understanding.

Constructivist institutionalism gives equal importance to both the institution and the structure, including the actors constructing thoughts and influencing the process of design or redesign in institutions. In constructivist institutionalism, actors are intentional, meaning they are likely unaware of or not notified of the broader effects of their actions. Consequently, institutions may not be realised as intended. Matharu (2012) further explains that in constructivist institutionalism,

actors use the information, ideas, and perceptions of reality to guide their actions. However, acting based on these perceptions can shape actors behaving and thinking in certain ways.

Constructivist institutionalism emphasises the role of ideas since actors make rational decisions based on their understanding of the environment. The motivations, desires, and preferences are not circumstantially offered facts but are intellectually constructed, showing normative considerations of how things should be. Bacalso (2010, p. 24) states, 'For constructivist institutionalism, actors also rely on their perception of context, which implies a normative/moral/ethical/political orientation towards one's surroundings. However, constructivist institutionalists are less confident about the role of perception, as perceptions are often incomplete and can prove inaccurate after the event'.

2.11. Strengths of institutionalism theory

Institutionalism theory lays the foundation for the methodological analysis of change by offering theoretical insights into the differences between informal and formal institutions, as well as normative, cultural, and regulative-cognitive types of institutions at various stages. It focuses on studying institutions and their changes using historical, comparative, and inductive methods. According to Scott (2004), institutionalism addresses the strong and enduring features of social structure. It examines the procedures through which routines, schemas, norms, structures, and rules are established as the authorised direction of social behaviour. It also investigates how these components are designed, adopted, adapted, diffused, and eventually decline over time.

Institutionalism theory links power and interests, making it easier to understand how institutions emerge and function and how they serve the interest of social actors. According to Mohamed (2017), institutionalism theorists declare that institutional environments have a greater impact on shaping behaviour than market forces. Any change in the structure of the organisation is formalised in the given organisation. Institutionalism theory ultimately shows that neglecting or disregarding institutional innovation is an irrational behaviour for actors within an organisation. Moreover, institutionalism theory allows for empirical verification and makes various predictions regarding behaviour compared to other theories. According to Peters (2000), institutionalism theory assumes that individual values cannot be changed through engagement with institutions. However, behaviour can change in response to the constraints and opportunities provided by structures, even though the underlying values may remain unaffected.

Additionally, institutionalism theory suggests that organisations adopt similar strategies, processes, and structures. This is because external forces play a significant role in forming organisational activities, and the theory stresses the significance of legitimacy. Berrone et al. (2007) point out that institutionalism theory centres on the role of social impact in achieving social accordance and determining organisational actions. The main proposal of institutionalism theory is that organisations should act to protect and increase their legitimacy. Contrarily, rational choice institutionalism highlights the pursuit of goals. McGinnis (2005, p. 7) notes that ‘one of the greatest strengths of rational choice institutionalism or institutional analysis is its ability to highlight the complementarity of goals pursued by agents of different types of organisations’. It provides fundamental insights into how the motivations of agents can be shaped to better serve organisational interests.

Rational choice institutionalism offers generality by providing a set of assumptions that can be applied to every type of actor within various environmental settings. According to Ogu (2013), the assumptions of rational choice institutionalism have been used to construct a vast range of determining theories, leading to forecasting regarding real-world events and outcomes that were previously considered unlikely. The purposefulness of rational choice institutionalism relies on constructing models based on the assumptions of individual actors.

Sociological institutionalism, on the other hand, focuses on analysing politics by considering culture, norms, identity, and rules in determining behaviour. This variant of institutionalism considers history as more endogenous, less deterministic, and less efficient. According to Bacalso (2010), sociological institutionalism suggests that norms that suits well within prevailing norm structures are not likely to be restricted upon their emergence, demonstrating a path dependency model. Sociological institutionalism theory is a logical whole encompassing the world’s view, including knowledge brought about by the existing relationships among objects and subjects. Carvalho et al. (2017) emphasise that this theory deals with the composition of reality through which the moral sense of the individual instinctively takes place through a complicated interconnection of institutional procedures.

Lastly, sociological institutionalism is interested in interpreting the social world, exploring the dark side of social phenomena, and understanding the activities that may or may not have effects. Fligstein (1997) explains that sociological institutionalists are socially rooted and collective. He

further adds that sociological institutionalism is concerned with the positions of both local and social cultures within the field's command of what respective actors ought to do and think but not about how they should interact.

Historical institutionalism pays attention to questions about the real-world, historical adjustments, and how institutional structure shapes political behaviour and outcomes. Steinmo (2008, p. 163) states, 'historical institutionalists stand between these views: human beings are both norm-abiding rule followers and self-interested rational actors. How one behaves depends on the individual, the context, and the rule'. In short, historical institutionalism theory aims to investigate the reasons behind choices and the causes of consequences. Historical institutionalism assumes that organisationally symbolised practices play a serious role in the allocation of resources, restructuring options, and the incentives and restrictions faced by political actors. Pierson and Skocpol (n.d.) add that historical institutionalism investigates the constrained balance of resources and power, viewing institutions as evolving products shaped by unequal actors. This variant of institutionalism analyses how sets of institutions and organisations relate and affect outcomes or processes.

Discursive institutionalism draws attention to the importance of viewpoints theorising about discourse and ideas in various types and forms at different levels, including the collective procedures of policy communication and coordination through which discourse and thoughts are generated. According to Schmidt (2015, p. 2), 'discursive institutionalism as an umbrella concept encompasses a wide range of approaches focused on ideas as in an ideational turn or ideational constructivism as well as discourses'. Discursive institutionalism contextualises thoughts and considers dialogue as following logic in communication, regardless of the variances that can be communicated and how. Schmidt (n.d., p. 304) mentions that 'what most clearly differentiates discursive institutionalists from one another is not their basic approach to ideas and discourse but rather the kinds of questions they ask and the problems they seek to resolve, which tend to come from the institutionalist tradition(s) with which they engage'. Discursive institutionalism considers a much stronger perspective of change through discourse and idea obstacles.

Feminist institutionalism establishes fundamental assumptions for examining institutions, with the outstanding assumption being that all institutions are gender-based. This means that gender exists in a state's procedures, distribution of power, practices, ideologies, and policies. According to

Findlay (2012), feminist institutionalism focuses on research at the state's intermediate and micro levels, highlighting variations with and over the state.

2.12. Weaknesses of institutionalism theory

On the other hand, the weakness of institutionalism is that it assumes the irrelevance of assembled rules, even though they may not impact the behaviour of actors. Peters (2020) explains that this problem is brought about by numerous understandings of what an institution ought to be and factors shaping behaviour within institutions. Additionally, it involves preferences and interaction methods among institutions and individuals in decision-making processes and judgements regarding good and bad policies. Furthermore, institutionalism theory does not explain how change occurs and the effects of change. It only proposes change and the types of change. Institutions are influenced by many factors, such as time, ethnicity, technology, and the calibre of societies. According to Peters (2020, p. 14), 'scholars spend little space discussing institutional change, questioning how it occurs and the ease with which it can be brought about'.

In addition, institutionalism theory does not clearly distinguish specific procedures to operate within. Institutionalism tends to treat some evidence of influencing institutions as proof of cultural impacts rather than considering other reasonable processes through which institutions can have consequences. Farrell (2018) adds that institutionalism theory overemphasises the degree to which institutions create a structuring background. Consequently, institutionalism theory underestimates the variability of perspectives and the probability that people can have different viewpoints regarding institutions and different understandings. Moreover, institutionalism theory lacks exploration in elaborating on describing the role of various institutional forms. It does not adequately address the processes that determine certain interests compared to others and the reinforcement of certain operational and social groups. According to Mohamed (2017, p. 154), 'the central problems needing solutions include ways in which institutional arrangements serve as instruments of domination by particular groups and particular sets of interests, rather than others, and a better specification of situations in which they can be changed'.

Furthermore, institutionalism theory has some restrictions in analysing practical matters in politics. It is restricted in describing the study of institutions and orienting primary logic outcomes, neglecting the formulation of policy and the functioning processes within the authority. Wu (2009) points out that institutionalism is centred only on the state, not society, and tends to focus on stable

politics of illustrative orientation rather than complex analysis and induction. Historical institutionalism theory hardly persists that institutions are the main freelance forces of politics. This theory normally pursues to identify institutions in the casual relationship, considering the roles of extra factors, particularly socioeconomic growth and the spreading of thoughts. Taylor et al. (1996) note that there is a division within historical institutionalism, tracing historical occurrences into periods of progression marked by explanatory junctures. These are stages of considerable institutional change, creating a turning point that steers historical development into a new path.

Historical institutionalism theory lacks a concept connected to equality or stability, including engaging concepts. According to historical institutionalism, no actor has reasons to change its plan of action and adopt the action plan of other theories. This makes it difficult to bridge the gap between theories of actors' individual actions based on their circumstances and a theory of when and how institutional change will take place, along with the type of change that is possible. Farrell (2018) mentions that this is because historical institutionalism theory lacks a perfect toolset to consider how plans aggregate, including actors' efforts to undermine an institution by aligning their actions to those of other actors. Historical institutionalism does not propose an exclusive manner through which the behaviour of an individual affects institutions and has no element of legality within its various aspects. Nichols (1998, p. 482) outlines that 'historical institutionalism, however, has not been imported into legal scholarship or international law scholarship in the manner of regime theory or institutional economics. In particular, no legal scholar has used historical institutionalism as a model for critically analysing regimes.

Rational choice institutionalism has failed to take responsibility for the fact that politics occur in context. Consequently, numerous rational choice institutionalists concluded that inquiries into institutions could not be regarded as external to social theory. Rekner (1996, p. 6) states that 'rational choice institutionalism theory which many proponents came to believe did not provide an adequate predictive theory of actions as it failed to answer the question of how preferences came about and why they vary from person to person'. Rational choice institutionalism theory is incapable of competently addressing the analytical questions present during the treatment of issues of institutional change. Rezende (n.d.) explains that this is because cultural models brought about by rational choice theories in political studies suggest that procedures of institutional change ought to be understood as modifications in the balancing position through the systematic connection of

rational agents. This reliance on self-enforcing predictions forms the basis of rational choice institutionalism.

Sociological institutionalism is a form of new institutionalism that concerns 'how institutions create meaning for individuals;' therefore, it is essential to interpret how actions may or may not have an impact. Sociological institutionalists are regarded as collective and fixed. However, sociological institutionalism theory is concerned with how social positions and local cultures dictate actions and the thinking capacity of actors, but it is not concerned with interaction. Fligstein (1997) highlights that sociological institutionalism theory avoids addressing matters of social power and inadequately solves problems, suggesting the need to consider the viewpoint of rational actors. First and foremost, constructivist institutionalism disregards the interstate components and encourages a subjectivist perspective that facilitates voluntarism. This makes institutional change look much simpler compared to its actual state. Furthermore, social facts are never purely subjective, and even when subjective matters are encountered, they are influenced by respect and experiences. Larsson (2019) mentions that constructivist institutionalism fails to fully consider the substructure of social constructivism and its connection to the awareness of interests. It neglects whether actors can initiate change solely through their independent thoughts on interests and the degree to which this necessitates a voluntarist perspective on human agency, ignoring the socio-structural aspects of human life.

Constructivist institutionalism does not assume that institutional conditions alone can describe the behaviour of actors. Instead, it argues that the conditions are contingent and the focus and subject of political struggle. Bacalso (2010) notes that, as a result, institutions do not necessarily succeed solely because they are the most appropriate, but rather they portray the victory of certain social coercion within a political struggle.

Feminist institutionalism theory focuses on occurrences at both the meso and micro levels of institutions. However, it is reluctant to inspect broader forms of power, particularly issues related to understanding vulnerable social connections and gender. Feminist institutionalism also fails to differentiate between various types of institutions within the state. Feminist institutionalists have simplified the structural analysis. Findlay (2012) points out that feminist institutionalism is giving up the wish to understand how power operates, and many feminist institutionalists' works tend to prioritise explanation over investigation and do not attempt to answer the question that demands reasons.

2.13. Functionalism theory

Functionalism theory is both a political science and sociological theory to examine the required structures that constitute a society and how various parts contribute to maintaining stability within society. Functionalism theory is found on the presumption that all features of society, including norms, institutions, and roles, serves an objective and are essential for societal survival. According to Holmwood (n.d., p. 1) 'Functionalists argue that society should be understood as a system of interdependent parts. They believe specific requirements and functional prerequisites must be met in all societal systems, and that these can provide the basis for the comparative analysis of social institutions. These norms, institutions, and roles also include policy making and implementation, which society should be part of.

Functionalism studies how each member, group, institution, and unit perform their functions and coordinate with each other. It studies the interconnectedness of functions within society. For Burrowes (n.d., p. 4), 'Functionalism may be considered an actor's category, meaningful in the sense that people affiliated with the name, as well as the philosophical position that emphasises the consequences of the phenomena under study for the social system'. That is, functionalism seeks to define the boundaries of a unit of analysis within its environment. It also seeks to define how individuals and groups behave regarding the making of rules and laws.

The relationship between functionalism and public policy demonstrates interdependence. Functionalists consider the state as an actor that aims to act in the best interests of society, and they consider public policy as an instrument that assists individuals and society at large in effectively performing their assigned functions and improving the lives of each member. Functionalism also considers both politics and government as channels for regulating conflict and enforcing norms. Mermin (n.d.) observes functionalism as an ideology or theory interested in the ways in which the law operates within society. Klabbers (2014) mentions that institutionalism seeks to avoid societal power struggles by focusing on how each organisation performs its functions.

Burton (n.d.) indicates that functionalism involves making decisions within specialised policy areas by individuals with the relevant skills, and the loyalties and self-esteem of these individuals often relate to their field of specialisation. For Burton, functionalism implies that these specialists'

merits are focused on effectively fulfilling functional responsibilities according to their values. Burton adds that functionalism confines decision-making to applicable technical examination and aims to reduce personal, divided gains, provided they are not abolished. Most importantly, in politics decision-making by hierarchy is influenced by the allocation of resources in trade, production and investment. Burton lastly mentions that in politics, decision-making at various levels and systems is directed by functioning institutions. Policy making in state authorities is therefore enclosed by allocation of resources, including human resources, manufactured resources, financial resources, and natural resources, among various state institutions, like the military, the police, education, judiciary, and healthcare institutions, for delivering basic services to the society. Functionalism is a theory that considers society as a system of interconnected parts working together in harmony to maintain social equality and balance for the society at large. In Schacht et al. (2007), functionalism theory stresses the connectedness of society by paying attention to how one part of the society is influenced and influences other parts. For example, politics comes up with ways of governing societal members, while education provides ways of transmitting knowledge and skills within the society and from one generation to the other. Educational and political institutions work hand in hand towards performing their functions in the society.

Functionalism theory challenges legal formalism, which holds that sovereignty is abstracted and declines significantly, and markets emerge forcefully in society, accepting that there is or should be consensus regarding pursuing any goal. Peer (2009, p. 11) explains, 'Functionalism may also be understood as an outright challenge to the formalist claim to self-restriction. Functionalism would then be a fitting formula for law's ability to survive, mainly by remaining adaptable and responsive laws. Peer further explains that functionalism in public policy describes how the modernisation and flexibilisation of formal laws, reacting to increasingly complicated social environment, generate challenging contestations, interests, and claims taking place in public policy for retaining a driving function in the proceedings of society. Consequently, functionalism appoints an extent through which either law or policy answers necessities, requirements, and customs arising from social exercises or modifications from public policy.

The main aim of functionalism is to explain the involvement between the organic component of society and the society itself. Functionalism also offers an analytical tool that helps analyse governance-related actions in significant public events while explaining the functions of government agents within the social system. Chenguang (2021) explains that similar to biological organisms, a social system's components must be interconnected to ensure society's functioning.

Basically, functionalism theory declares that institutions and customs are integral parts of society, fulfilling one or more functions for the collective well-being of society as a whole.

Functionalism has three implications which comprise three aspects of analysis. The first aspect of social action theory focuses on collective relations between the environment and the operating system's driving unit. According to Oyedokun (2016), social action theory is a theory that considers the actions of individuals, groups within the society, institutions, and organisations to be meaningful, provided the behaviour of one actor is significantly related to the behaviour of another actor. Chenguang (2021) adds that a social system is composed of relationships among actors forming a fundamental structure. Most importantly, social roles and identity within a social system connect actors.

Additionally, social action theory proposes that the viewer observes an actor as an independent body. Also, the subject in place is completely directed by an actor, and actors' actions are not controlled by social structure or culture. In Thompson (2017), social action theory notes that individuals are operative, complicated, and reactive to social structures surrounding them in various ways. People do not simply respond to institutions and social norms; they rather explore than decide whether to reject or accept certain values and norms. This is also the case in policy formulation, whereby stakeholders decide which problems and matters to consider in agenda setting.

The model variable theory is an analytical tool for distinguishing the biased alignment of actors in the approach of actions, including analysing and serving as a distinctive typological instrument for determining social structures and describing social relations. Chenguang (2021) notes that by applying this theory, the biased alignment of actors is related to the social system's structural types. In public policy, this theory implies that policy formulation should cater to different members and implementers of various kinds of society.

2.14. Structural functionalism

Structural functionalism explains a society as a structure with interconnected parts. This aspect approached society concerning various functions of its basic elements such as customs, institutions, norms and traditions. It stresses social structures and places them at the centre of analysis, then reduce social functions from social structures. According to Chenguang (2021), this

structural functionalism views institutions and social customs as natural elements of a social whole, with each part serving several functions. Additionally, all social systems, whether a community, local government, central government, or state, present four schemes with different functions, with each subsystem performing its designated function.

2.15. Manifest function

Manifest function in functionalism theory refers to institutions' recognisable and evident roles in society. The manifest function is visible with immediate effect. In his publication, Merton (n.d.) outlines manifest functions are planned, generally recognised, and familiar outcomes. In policy formulation, manifest functions can be considered as policies whose implementation has visible effects on society. For example, workplace cell phone policy can be considered a manifest function. Daniels (1952, p. 144) adds, 'Manifest functions are those objective consequences, both positive and negative, which are intended and purposive'.

A manifest function is an aimed outcome for a social or cultural system, a group, a subgroup, or an individual contributing to its adaptation as intended. Merton (n.d.) briefly notes that manifest functions are basically the formal justification of a specified action. According to Merton (1968), manifest functions are those aimed outcomes that contribute to the adaptation or adjustment of a system recognised and intended by stakeholders in a system.

2.16. Latent function

Latent functions are unintended, less apparent and usually functions that are not recognised in social processes and institutions. For some scholars, latent functions are social phenomena usually not recognised and not intentional. Merton (n.d.) explains that latent functions are unplanned, unfamiliar, and regularly overlooked outcomes. Daniels (2005) also adds that latent functions are aimed outcomes that are not intended though they are detected by observers. This means that in policy formulation, latent functions are those policy outcomes observed during policy evaluation though the policy was not intended to bring about such results. An example can be a government developing laws to keep society's actions controllable but only to find out that the same law restricts only a specific group of people. However, Schacht et al. (2007) also note that latent functions are often concealed outcomes that are not intended. Latent functions are outcomes contributing to the amendment though they were not intended. Merton (n.d.) also emphasises that

latent functions provide a sociological-based explanation of the act on the table, making it easier to differentiate and identify values.

2.17. Strengths of functionalism theory

Functionalism theory offers a framework for achieving social order and socialisation. According to this theory, social order is achieved through adhering to roles and norms followed by the continued common culture of societal members. Diago (2019, p. 3) mentions, 'This allows individuals to pursue goals by attaining the rules and behaving in a desired manner. This is called the value consensus. Value consensus permits social order to be attainable since it permits individuals to mingle in a social system and manage individuals to meet the demands of a system'. Functionalism, therefore, underscores the significance of various institutions within society.

2.18. Weaknesses of functionalism theory

The main weakness of functionalism theory is its focus on meritocracy. It does not regard the reality that most individuals face disadvantages beyond their control. Additionally, people come from diverse backgrounds, resulting in inherent differences between individuals from working-class and middle-class backgrounds. Turner (1979) highlights that individuals from different class backgrounds may not have equal access to similar opportunities. Consequently, one opportunity cannot be obtained by all societal members. This makes functionalism theory biased and unfair.

Functionalism omits gender, inequalities, class, and race, causing conflict and tension. Feminists claim that cultural nuclear families oppress women since functionalists expect women to fulfil traditional domestic roles, relying on men for financial support and performing household tasks. According to Audu and Samuel (214), functionalism primarily focuses on positive functions performed by institutions while neglecting to address negative aspects of socialisation and the specific impacts institutions have on individuals. Functionalism also fails to address and prevent issues such as domestic violence effectively.

2.19. Elite theory

Elite theory is based on the speculation that policy is not regulated by the actions and demands of people. Instead, policy formulation is regulated by the preferences of elites ruling the society,

which are relayed by political agencies and officials. This theory implies that elites believe they are the only people with the ability and power to influence policy formulation to promote the well-being of the masses and implement such policies. According to Yetkin (2008), elite theory is all about influence and power. It maintains that society can be broken down into groups. Also, elites have more influence and power to take control over various decision-making processes at different stages.

The elite theory puts forward that a small group made up of policy planners and wealthy elites holds disproportionate power, which is reinforced through democratic elections. This theory is found on the argument that power is centralised in the hand of a few within society, resulting in policy formulation that primarily serves the interest of these elites. This theory divides society into two distinct groups: the masses and the elites. Cairney (2012, p. 172) states, ‘The theory contends that the elite, whose members share common values and have more money, education and power, governs the masses who are apathetic and less informed about public policy’.

The elite theory also highlights that political power, the power to make and inflict legitimate decisions on society considered fair by society, is closely associated with the latter. Mariotti (2020) explains that the vital purpose of this theory is to lay out a scientific-based explanation based on the fact that in every society, no matter where or when, most available resources, whether cultural, intellectual, or economic, are centred in the hands of a select group of individuals who use such resources to exercise their power over the entire population. Mariotti adds that it is evident that all structures of government are basically oligarchies, using different principles and values in justifying power struggles and manipulating the consent of the governed. According to Anyebe (2018), the elite bases its argument on the assumption that public policy reflects favouritism and values of elites governing the society. He argues that public policy cannot be decided by the actions and demands of the masses but, instead, by the preferences of elites laid down by political agencies and officials. This is because elites believe that they can bring about policies promoting the masses’ welfare. Thus, reflecting elite’s values and preferring status quo to radical change.

There are three assumptions of elite theory. Firstly, according to elite theory, power is concentrated. This theory considers power to be in the hands of wealthy individuals and highly ranked politicians who are considered elite within society. They use their wealth to obtain power within the community and the state, aiming to control the masses and prevent them from gaining wealth. Most importantly, the wealthy elites use their wealth to secure prominent political

positions and protect their interests within society and the state. Pokharel (2019) supports this by indicating that ‘in elite theory, power is concentrated in the hands of a few elites. According to elite theory, policy making is a process that works to the advantage of these elites. He adds that through hierarchical structures in corporate boards, influence in agenda setting, and financial contributions to policy making, elites exercise their power in government and cooperate decision making processes.

Secondly, this theory assumes that there is a great unity among elites. When they are unified, they can gain more power and control in various spheres of governance. Among other factors, this unity is brought about by talent elites’ shared talents. Additionally, elites often unite on cross-cutting matters and during times of crisis. Yetkin (2008, p. 30) states, ‘Elites have internal unity or special relations that enhance their power sources, such as common educational background, positions, and businesses, and exchange personnel among each other more than social strata. This is because they realign the objectives of their organisations for political consideration, and their interests dominate in this regard. Individual interests are diverse, and power is dispersed through them’.

The third assumption, according to elite theory, is that there are five categories of elites within society: intellectual, political, business, religious, and scientific elites. Intellectual elites are considered educated and qualified individuals who support their facts based on their background knowledge of certain subjects and topics. These elites are highly knowledgeable and learned. According to Higley (n.d.), an intellectual elite is an individual having or believing to have been provided with intellectual power beyond and above ordinary people, acquired through formal education, semi-formal education, or sometimes informal education, depending on the level of society in which they reside.

A business elite, often called a commercial elite, is considered influential due to their successful business ventures and high interaction with people. Business elites often assist the less privileged members of society through food parcels, contribute to infrastructural development, and offer support during natural disasters. According to the Department for International Development (DFID) (n.d.), commercial elites play a great role in countries with capitalist economies and markets. As owners of factories and financial resources, they are stakeholders in legislative decision-making processes. Political elites are considered a group of individuals owning tools and resources for political influence in key decision-making and policy making processes within the state and society. They emerge from both formal and informal institutions, exerting important roles within their respective jurisdictions and various institutions, shaping the state structure. According

to Benyamen (2020), party elites often aim to obtain power through support and winning democratic elections while promoting their political party. These elites often assist in managing state affairs as some are often deployed in state institutions.

Religious elites play a role in shaping the religiosity and faith of individuals and state leaders. They establish religious guidelines for the functioning of the state, such as laws against murder and various policies. They also guide how individuals, leaders, and institutions should interact within the state. Benyamen (2020, p. 83) notes, 'In terms of state operations, religious elites impose general religious instructions and enhance the role of elite religious figures in society and positions of power'. On the other hand, scientific elites are individuals within society who have power and wealth because of their influence and prestige in science. This includes scientific, natural, and social science. According to elite theory, scientific elites often make significant contributions that have a profound impact on the advancement of scientific knowledge. Wang et al. (2020) explain that scientific elites are frequently innovators and peacemakers in the realm of science in the present era. They also assist decision-makers in revealing valuable insights for identifying institutional practices.

2.20. Classical elite theory

Classical elite theorists believe that there are two groups of people within society: the ruled, which consist of the masses, and the rulers, the elites. They claim that every decision within society is made by elites without the consent of the masses, mostly based on personal interests. The ruled are expected to obey the rulers. Classical elite theorists criticise traditional elite theorists. According to Yetkin (2008), classical elite theorists argue that power lies in the hands of a minority, while the majority has little or no power. Furthermore, ordinary people do not hold governing power, as they cannot influence decision-making processes regardless of the type of government in place. Individual elites possess various talents that contribute significantly to the state, both individually and collectively.

The classical elite theory maintains that in all societies, there exists and should be a minority group that exercises control over the majority. Wolf (2020) emphasises that this minority is responsible for making real and consequential political decisions. Furthermore, this minority is tasked to perform various political functions, assuming power and reaping the benefits that come with it. Heirs of these minorities often inherit these qualities and automatically become members of the

ruling elites. Classical elite theorists believe that both socialism and democracy are impractical outcomes, as elites inherently managed society. According to Lopez (2013), this is because elites replace one another, which indicates that a minority is by nature governed by another minority. Moreover, the classical elite theory emphasises that the exchange of power is not brought about by violent or peaceful competition.

2.21. Democratic elite theory

Democratic elite theory is a branch of the elite theory that considers the roles played by elites in a democratic system as an unobtainable force. In a democratic setting, elites control crucial resources and impose significant decisions that shape society for extended periods. The democratic elite theory allows a small group of superior individuals to make decisions and organise instead of relying on hierarchical mediation. Pakulski (2012) further explains that democratic elite theory acknowledges the involvement of individuals and groups in meeting the needs and requirements of society, addressing societal conflicts to serve the interests of both elites and the masses. Pakulski also notes that democratic elite theory proposes that democracy is an effective political technique of arriving at administrative, political, and legislative decisions by placing competent individuals in power to decide the masses' affairs as representatives, pursuing their vote. Most importantly, democracy also provides a means for elites to obtain power and legitimacy.

For some scholars, the elite theory of democracy examines the full participation of the public in government affairs and seeks to limit such participation. The elite theory of democracy emerged as a response to the rise of fascism and dictatorship, where elites came into power through public support and subsequently ruled in ways that contradicted democratic principles. The elite theory of democracy asserts that democracy is based on the assumption that ordinary people are incapable of governing, and their deference is essential for stability in a political system. Furthermore, democracy should be founded on the elites' speciality, intelligence, and dedication. Yama (2020) clearly outlines that, in elite theory, democracy primarily involves decision-making, government selection, and technique, including a system permitting a right to govern. Such a system is one through which two or more political parties contest for picking a representative that will govern until the next elections. Societal rule over political affairs does not matter when selecting representatives capable of efficiently preserving administration and policy making.

2.22. Strengths of elite theory

Elite theory justifies group politics and brings attention to the weaknesses of individuals, including those belonging to the minority group. It emphasises that minorities consist of more than just elites. Additionally, elites provide a small portion of resources to the masses to maintain a sense of hope for the future. According to Lopez (2013), elite theory is a micro-level theory that focuses on the state rather than the demonstration of the state itself. The elite theory also maintains that by representing people, elites can bring about change in the lives of society. They listen to the demands and needs of the societies they represent and respond to their aspirations and needs, guiding them towards improvement. Welty (2016) emphasises that this is possible because elites are typically composed of a few educated or wealthy individuals who can effectively address societal needs and problems, thereby bringing about positive change.

Elite theory is widely endorsed due to its ability to explain the policy-making process clearly. It shows the interdependence between various institutions that have power within society. Gomes (n.d.) further explains that elite theory can also shed light on why a policy representing the interests of the minority is often favoured over alternatives that would have been chosen by the majority in society. Moreover, this theory introduces the element of accountability, whereby elites are expected to answer to the masses they represent. The other strength of the elite theory is its descriptive nature. It explains the existing power structures within an organisation as they are. Furthermore, it provides an external perspective on power structures, establishing boundaries for organisational functions and power dynamics. According to Farazmand (1999), this theory focuses on crucial aspects such as the recruitment of individuals into elites, the altruism of the elite, strategic decision-making processes that affect the masses and the elite, and the reconfiguration and configuration of the elite. Lastly, elite theory can adopt other models of administrative structures, governance, and policy choices to enhance its analytical framework.

Lastly, when analysing organisations, elite theory employs a dialectical point of view as its method. This method indicates that the alliance between labour and management, masses, and elites, including leaders and society, are interdependent and cannot exist without one another. Anyebe (2018) adds that according to this theory, provided the alliance between elites and original members is not hostile and resistant, elites can smoothly exert their influence and control over the environment. Also, provided the relationship becomes incompatible, elites will have little to offer, and whatever the offer, the masses may be dissatisfied, or it may be too late. Consequently, the masses may have little to give up on in their effort to win the elite positions of power.

2.23. Weaknesses of elite theory

The elite theory presents a system that lacks clarity regarding how its goals are achieved. It fails to provide a clear explanation of how it categorises and groups minorities together. Additionally, it overlooks the implications of a society that is governed with a focus on the future of the well-being of its citizens rather than monetary considerations. According to Palmer (1989, p. 18), ‘This kind of argument that political elites are superior to the masses is just an assertion. No objective criteria are provided by which we could measure the so-called superior qualities of the elite’.

According to elite theory, elites have a limited understanding of the masses they represent. The reason is that elites never faced poverty and hardships, making it difficult for them to understand the masses’ dreams, hopes, and needs. Delican (2018) outlines that the perspectives of elites contribute to societal values, but they often reflect a one-sided view. Furthermore, elites provide ideas based on the values of the masses, as they cannot impose their values on society.

According to elite theory, decision-making lies in the hands of elites. However, this perspective does not reflect the reality since there are several actors and stakeholders in policy formulation who strive for equity, equality, and transparency in policy formulation. These actors and stakeholders include, among others, CSOs. As stated by Bottomore (1964, p. 11), ‘It is argued by prominent supporters of elite theory that decision-making in the government is generally taken by the elites. When the government makes decisions, several factors influence it and not only the wishes of the elites. Political position and wealth are not necessarily directly comparable. It is not always the case that a country’s most influential or authoritative individuals are also the wealthiest. In a communist state, for example, wealth does not influence political power. Robert (1965) elaborates that, in democratic countries such as India, wealth can play a significant task in elections; however, all wealthy people did not come into power. Additionally, capitalists can exert political influence on the government, directly or indirectly, but only a few participate in elections. Elites have little control over the entire arena of politics. They lack cohesion and understanding of various aspects of political activity beyond their exercise of power. James (1943, p. 72) states, ‘The advocates of elite theory wrongly believe that elites can control the whole sphere of political, social and economic activity. An elite can influence one field, but it cannot influence all fields. For example, Dahl holds that the economically well-off section of society cannot find any place in the sphere of education’.

2.24. Empirical theoretical studies

Functionalism theory and elite theory are employed in the study to provide a comprehensive depiction and understanding of how institutions are established and function to maintain social order within society and the state. These two theories explain how norms and rules function as policies and laws to govern society. Furthermore, they explain clearly how norms and rules, which are policies, are formulated and the types of actors involved in the policy making processes.

Institutionalism theory is the main theory employed in this study as one of the units of analysis. Specifically, discursive institutionalism theory has been used by Sibbing and Candle as an analytical instrument to understand urban food policy implementation in the Edenvale municipality. Therefore, this research found discursive institutionalism theory suitable for exploring how ideas influence and shape concepts within a local administration. According to Sibbing and Candle (2020), every department had to address food-related issues within their specific policy domains. For example, the health department had to promote healthy diets. In Ede's case, Sibbing and Candle investigated the development of a discursive institutional change regarding food governance concepts and identified its characteristics. They anticipated two stages of discursive, institutional change. Firstly, the institutionalisation of ideas through social practices and policy arrangements. Secondly, discursive reactions facilitate renewed communication between the ideas and new actors.

Furthermore, feminist institutionalism theory has been used by Collier and Raney to analyse privilege and gendered violence in the Canadian and British Houses of Commons. They applied this theory to analyse how these legislative bodies have adopted rulings to address gender-based violence. First, they explored the concept of inhabitiveness, investigating how new categorisations and rules may encounter obstacles due to existing formal and informal institutions. Collier and Raney (2021) outline that feminist institutionalism theory focuses on the interaction between new rules, older rules, and formal rules specifically designed to address gender imbalances while recognising actors' significance in driving institutional change.

Hurrelmann and Wendler also utilised discursive institutionalism theory to analyse the relationship between European Union and policy making. In this context, discursive institutionalism examines the range and distinctiveness of thoughts or ideas. It is employed to distinguish between discourse among politicians during policy making process and informative discourse in which political elites engage with the general public. According to Hurrelmann and Wendler (2022), discursive actors are likely to shape the political arena in a particular manner. This theory allowed Hurrelmann and

Wendler to accurately modify the notion of mismatch, which refers to a discord between discursive assertions regarding anticipated tasks of the European Union governance and the subsequent ideas that underpin institutional frameworks and the basis of political order.

Additionally, Emmanuel applied new institutionalism theory to explore the Europeanisation process of immigration policy, considering it a challenge for the policy making process in the European Union. This theory was employed in the European Union's suggestion that common institutions of the union play a more significant role than mere authorities in the policy making process and are now key actors in their own right. According to Emmanuel (2009), new institutionalism theory offers a suitable framework for analysing the institutional dynamics of merging policies, the impact of cross-national institutions, and the role of such dynamics in shaping the evolution or development of state choices.

2.25. Conclusion

There is a significant relationship between institutionalism theory and citizen participation. Adwale applied institutionalism theory to observe citizen participation and policy procedures in a weak state. Institutionalism theory aligns with the idea that citizen participation and policy procedure in decision-making processes cannot be separated. According to Adewale (2019), institutionalism theory emphasises that institutions are not impartial; rather, they are deliberately institutionalised to benefit citizens' interests and positively influence decisions affecting citizens' lives. Most importantly, citizens cannot detach themselves from public policy and the administration.

Institutionalism theory has been applied by Tebele to explore the challenges and problems associated with implementing public policy within the South African democratic system. Institutionalism theory has been utilised as an analytical tool in politics and policy to measure how various actors in public policy engage in the processes of policy making. The theory also evaluates strategies, norms, and rules implemented by different stakeholders involved in policy making procedures. According to Tebele (2016), institutionalism theory is applied to explore the degree to which decision-making is decentralised to the public, the government's transparency, and the principles of separation of powers among different levels of government. Like Tebele's research, this research uses institutionalism theory to investigate how CSOs influence and impact local government's systematic agenda setting, particularly within Emfuleni Local Municipality. This

will be done by exploring or determining strategies, norms, and rules implemented by both CSOs and ELM in the systematic agenda-setting process.

CHAPTER 3: AN OVERVIEW OF EMFULENI LOCAL MUNICIPALITY (ELM)

3.1. Introduction

This chapter provides a comprehensive understanding of Emfuleni Local Municipality (ELM) by describing its district municipality affiliation, geographical area, and historical background, including the towns within its jurisdiction, the political parties representing the wards and Proportional Representation seats, and the overall management of the municipality. Most importantly, this chapter outlines the governance of ELM, including its environmental policies and the broader framework of environmental governance in South Africa across the three spheres of government. It provides a clear picture of ELM's characteristics, its geographical location, the political composition of the municipality, and the powers vested in all municipalities in South Africa, including ELM.

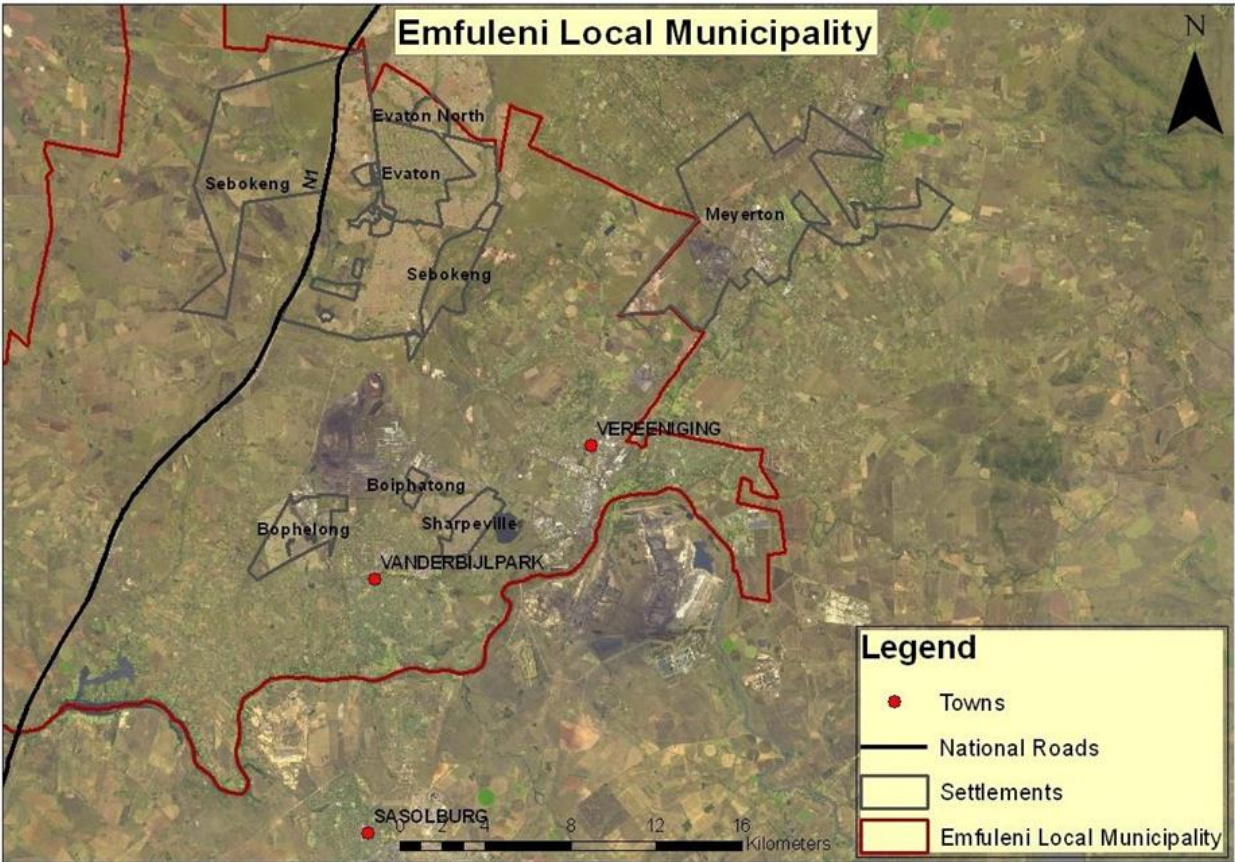
ELM was chosen as the case study among the three municipalities of SDM due to its decrepit environment compared to the Midvaal and Lesedi Municipalities. Additionally, ELM lacks service delivery in all departments, particularly the environmental department. Moreover, ELM has numerous industries contributing to environmental pollution, raising concerns among residents regarding implementing environmental policies and by-laws by ELM industries' compliance with their licensing regulations. The lack of accountability and legal actions against these industries further exacerbate these concerns.

When conducting this research, the researcher visited ELM and SDM offices requesting documents showing the intervention of CSOs and ELM regarding environmental policies. Additionally, the researcher visited VEJA and SAVE offices requesting documents containing information about their intervention in the environmental policies of ELM. Furthermore, online research was conducted to explore how other environmental-based CSOs engage in the environmental policies of ELM, considering that their offices are mostly based outside of ELM and the Gauteng Province. Online searches were also conducted to access minutes of meetings held by environmental stakeholders, including industries, ELM, and Sedibeng District Municipality (SDM.)

3.2 Area of Emfuleni Local Municipality (ELM)

ELM is one of the three municipalities in the Sedibeng District Municipality. The Sedibeng District Municipality has an approximate area of 4,173 square kilometres, with ELM covering an area of 966 square kilometres. According to the Department of Cooperative Governance and Traditional Affairs (n.d.), Emfuleni encompasses the towns of Vereeniging, Vanderbijlpark, Boipatong, Sebokeng, Evaton, and Sharpeville. The seat of ELM is in Vanderbijlpark, while the Sedibeng District Municipality is in Vereeniging. In simpler terms, ELM consists of two main towns, Vereeniging and Vanderbijlpark, along with four townships that hold significant historical importance in South Africa, particularly during the struggle for democracy in the apartheid era.

Figure 1: Location of Emfuleni



Source: Google Maps

Emfuleni (n.d.) outlines that ELM shares boundaries with Westonaria, Potchefstroom in the Northwest Province, and the City of Johannesburg Metropolitan in the North. According to Xaba (2020), ELM is one of the farthest municipalities in the Gauteng Province, surrounded by Lesedi Local Municipality, Midvaal Local Municipality, and Metsi Maholo Local Municipality in the Free State. The ELM population constitutes 82% of SDM and includes Asians, Indians, Whites, Coloured and Blacks. Majikela (2007) states that the population in ELM is estimated at 688,844.

ELM is predominantly an urban municipality compared to the other municipalities within the Sedibeng District, with 80% of the houses in urban areas. This information provides a comprehensive understanding of the geographical boundaries of ELM, the population density, and the diverse racial composition of the municipality, allowing for a detailed analysis of ELM's demographic and housing distribution.

3.3. Origin of ELM

ELM was established in 1999 when this town was established, and its growth was brought about by steel manufacturers and coal mines (Emfuleni Local Municipality). Also, a small township within ELM called Sharpeville was named after John Lillie Sharpe, the former Vereeniging township mayor of 1934. He was born in Scotland but later arrived in South Africa to be the secretary of Stewards and Lords. In Sharpeville, the Constitution of South Africa was signed on the 10th of December 1996. The second town of ELM is Vanderbijlpark, founded after constructing Iscor's plant in 1943 (arcelormittalsa.com).

According to Sape (2019), ELM can be traced back to the first democratic elections in 1994. It has been over two decades since its establishment. Sape further outlines that this municipality was established in 2000 from the emanating political and administrative structures of SDM in the Vaal triangle. ELM has a long history in the political and economic development of South Africa, as it is one of the country's first and major economic hubs, especially in the history of big industries such as ArcelorMittal and the New Vaal mine.

3.4. Historical perspective on Emfuleni

It is difficult to comprehend the history of Emfuleni without knowledge of ISCOR and the South African steel industry. Furthermore, the history of ISCOR is intertwined with Afrikaner nationalism, employment reservation for white people, and the utilisation of low-paid black labour, predominantly migrant labour. The accompanying historical summary is arranged according to the five significant periods of Emfuleni's history (Figure 1 presents an overview of the location of Emfuleni).

3.4.1 Phase One: Initial development of Vereeniging

The establishment of the community in 1892, now known as Vereeniging, marked the beginning of the first phase of Emfuleni's growth, lasting from 1892 to 1942. When the peace treaty between the British and Afrikaner republics was signed in 1902, the town was named Vereeniging. Following South Africa's unification, a private steel-making company was established next to the coal mines, significantly contributing to Vereeniging's expansion. In 1909, Horace Wright and Sammy Marks obtained permission to construct a steel-making facility in Vereeniging. Their Union Steel Corporation commenced manufacturing in 1913, utilising inputs such as scrap metal from mines and railways. Additionally, under the direction of the Newcastle Iron and Steel Industries, a second iron and steel works were constructed in Newcastle (in modern-day KwaZulu-Natal) in 1919 (Van Onselen, 2018).

In 1929, the government established the ISCOR parastatal, aiming to provide employment opportunities for white people and re-establish Afrikaner control over the iron and steel sector, which had previously been dominated by English investors. In 1934, ISCOR began manufacturing in Pretoria and swiftly emerged as the country's leading rail infrastructure provider. To assure an adequate iron ore supply for its steel-making endeavours, ISCOR swiftly established its own mining business in Thabazimbi. By 1935, ISCOR supplied 17% of the steel used in South Africa. General Jan Smuts recruited Dr Hendrik van der Bijl, a South African engineer residing and working in the United States at the time, to lead the development of South Africa's industrial foundation (Subban and Vyas-Doorgapersad, 2018).

3.4.2. Phase Two: Establishment of the Vanderbijlpark Steel Works

The construction of a steel-making factory near Vanderbijlpark in 1943 marked the beginning of Emfuleni's second phase (1943–1959) of growth. A new town was inspired by the plant and named after Dr. van der Bijl. The community was designed as a contemporary garden city, comparable to new towns like Welkom. Although built to supply steel to the war industry (mostly armoured automobiles), the facility was designed to adapt to the trade market after the war ended (ELM, 2018). The reasons for building the facility so close to Vanderbijlpark are not entirely clear. Possible contributing factors include limited extension options in Pretoria, accessibility to the remaining steel industry in Vereeniging, sufficient open space, the accessibility of water and coal energy, the popular slope on the way to the Vaal River, and the downward slope on the way to the Vaal River, which facilitated the disposal of industry-related waste into the river (this was prior to environmental matters became eminent) (Leman, 2020). Additionally, the positioning of

Vanderbijlpark ensured that the trash would enter the Vaal River downstream from the Rand Water pumping facilities.

3.4.3 Phase Three: Building and Growth of ISCOR

During the third phase (1960–1988), ISCOR experienced significant growth and became one of the biggest parastatals in South Africa, employing over 60,000 employees at its peak. Several elements contributed to its expansion:

- International sanctions restraining South Africa from trading in war equipment made it vital for the apartheid government to maintain management over the domestic steel industry.
- Various steel works were expanded in Vanderbijlpark and other locations throughout the country.
- ISCOR diversified its production from solely allocating steel to manufacturing various steel products.
- ISCOR expanded its mining activities, including developing the Sishen mines in what is now the Northern Cape Province. The construction of the railway to Saldanha enabled the transportation of iron ore.

Significant efforts were made to develop the steel sector. The establishment of Sasol in the mid-1950s led to an enlarged demand for steel and steel products, securing the industry's continued expansion. The region's abundant coal supply benefitted both the steel sector and Sasol. Despite the distinct growth sectors in the economies of Metsimaholo (Sasolburg) and Emfuleni (Vereeniging and Vanderbijlpark), the two regions had a degree of dependency. While some rationalisation and strategic positioning coincided, ISCOR experienced significant growth. By the late 1980s, ISCOR held an 85% market share in the South African steel industry, employed approximately 60,000 people, received major government subsidies, and benefitted from a protective market position. However, these advantages were not sustainable in the long run, and the company faced limited competition from the private sector due to its protected and subservient market position (Sergeant, 2021).

This third phase witnessed substantial economic development in Emfuleni and rapid expansion in Vanderbijlpark and Vereeniging. Nonetheless, with the end of apartheid, the steel industry's golden age ended.

3.4.4 Phase Four: Privatisation

Although phases four and five will be briefly reviewed in this section, a more in-depth examination of the effects, reactions, and hazards connected with these stages can be found in Section 4. In 1989, as part of the fourth phase (1989–2000), ISCOR was privatised as ISCOR Limited. This privatisation initiative was part of the apartheid regime's evolving economic agenda and featured several other parastatals. Some experts believe there is a connection among the apartheid state's privatisation activities and its efforts to manage the democratic movement in South Africa. Although privatisation resulted in considerable employment losses in Emfuleni (more than 10,000 jobs were lost in around ten years), opening foreign markets after the end of apartheid allowed ISCOR Limited's mining activities at the Sishen mine to expand significantly (Tau, 2018). During this phase, ISCOR Limited, in collaboration with the Industrial Development Corporation (IDC), constructed the 1998 operational Saldanha steel mills. Thus, ISCOR could adapt to the changing times and even enjoyed expansion in some regions of the nation. However, the consequences for Emfuleni were terrible. After ISCOR was privatised, the area suffered enormous employment losses.

3.4.5 Fifth Phase: Internationalisation

ISCOR Limited initiated the fifth phase in 2001 by separating its steel manufacturing and mining operations. Kumba Iron Ore assumed responsibility for the mining operations, while ISCOR remained in charge of the steel-making process. This unbundling resulted in a long-term deal between ISCOR and Kumba, wherein Kumba would provide ISCOR with iron ore at cost plus 3 per cent, putting ISCOR in a very advantageous position regarding its iron ore supply (Tabane, 2020). (Although the connection is now being litigated, it still exists.) ISCOR failed to compete both domestically and globally despite its advantageous ties with Kumba. The necessity to be globally competitive prompted ISCOR to sign its first international collaboration agreement with LNV Holdings of the Netherlands. In return for three years of business counselling and innovation help, LNV Holdings got 10,000 shares of ISCOR. By 2004, LNV had acquired a 35 per cent stake in ISCOR, and the company's name was changed to ISPAT ISCOR Limited. Later in 2004, ISCOR changed its name to Mittal Steel Company after Ispat International purchased the majority stake in LNV Holdings. In 2006, Arcelor and Mittal Steel amalgamated to establish ArcelorMittal. The following parts of this study present a more extensive assessment of economic developments

relating to stages four and five. The escalation of enmity between the Emfuleni community and AMSA over environmental concerns is another significant facet of phase five that will be discussed in more depth later.

In conclusion, the history of Emfuleni began with the discovery of coal, which was swiftly exploited to power privately owned steel mills and provided steel to a developing mining sector. Several decades later, Afrikaner nationalism and the necessity for war machinery led to the foundation and rise of ISCOR, the key actor in Emfuleni's growth and development throughout the apartheid period. The shifting economic policies of the apartheid government, coupled with the end of apartheid, culminated in the privatisation of ISCOR, causing job losses and economic hardships in Emfuleni. This privatisation has encouraged corporations to expand globally, facilitating the sharing of research and development (R&D) and technology. However, it is crucial to emphasise that investment in R&D in the South African steel sector stands at a mere 0.46% of sales, significantly lower than the worldwide benchmark of 1%²⁸. In the short run, it appears that internationalisation has mitigated the collapse of Emfuleni. However, in the long run, the region's economy will become increasingly dependent on the volatility of foreign markets. The key question is whether the municipality and the business sector fully comprehend the risks and are prepared to support the multinational companies operating within their communities.

Table 1: Summary of the Phases of Development in Emfuleni, 1892–2023

Phase	Name	Main drivers	Key attributes
Phase One: 1892–1942	Initial development of Vereeniging	Availability of coal Private sector investment in the steel industry Demand for steel in the mining and rail industries Establishment of ISCOR in 1928 ISCOR broadening its scope to include mining in Thabazimbi	Establishment of Vereeniging First steel manufacturing in SA Main input: scrap metal
Phase Two 1943–1959	Establishment of Vanderbijlpark steel works	Afrikaner nationalism Increasing demand for steel created by Second World War Steel plant transformed after the war to feed the domestic market	Establishment of Vanderbijlpark Vaal River serves as a catchment for industrial waste Massive economic and population growth in the area

Phase Three 1960–1988	Building and growth of ISCOR	State corporations used to ensure white employment Afrikaner nationalism The strategic importance of the steel industry for the South African military due to sanctions ISCOR broadening its mining involvement to Sishen Establishment of the Sishen-Saldanha railway line	Further growth of Emfuleni, especially Afrikaner working class By the late 1980s, ISCOR had an 85% market share in the South African steel industry ISCOR employed approximately 60 000 people ISCOR benefitted from a protected market position and major government subsidies Government support minimised the amount of private sector competition but was not viable in the long run
Phase Four 1989–2000	Privatisation	Change in government policy Democratic transition in South Africa Attempts to make ISCOR more competitive	ISCOR privatised Major negative impacts on Emfuleni 10,000–15,000 jobs lost in ten years
Phase Five: 2001–today	Internationalisation	International competitiveness (the must share technology from the rest of the world) Reductions in labour/energy costs Environmental concerns Initially a growth in exports, but the growth of the steel industry in China has minimised exports 2010 Soccer World Cup Government intention to invest in infrastructure Long-term agreement between AMSA and Kumba	Initial job losses have stabilised Presence of international companies Larger degree of uncertainty than ever before ISCOR renamed AMSA Future planning in Emfuleni needs to consider the volatility of the international market and the position of the city in terms of its international competitiveness

3.5 Demographic Analysis of Emfuleni

An overview of the demographic trends will help to understand the current changes occurring in the area's population, including the population movements.

3.5.1. Urbanisation and in-migration

Urbanisation in South Africa has historically been highly influenced by apartheid legislation, which minimised black urbanisation in South African cities. Where black labour was allowed, it was generally in the form of a migrant labour system. Two points should be made about the history of migration in Emfuleni. First, the black township near Vanderbijlpark (Boipatong) was established before the strict segregation policies of the National Party came into effect. Boipatong was established in 1955 between the industrial area and Vanderbijlpark, whereas Sebokeng, to the north of the main steel industries, was established by the apartheid government in the mid-1960s. Effectively, the industrial area served as a buffer between the black and white communities, in line with the planning paradigm at the time. Sebokeng is still characterised by a significant number of historic single-sex hostels, typical of the migrant labour system.

With this background in mind, the focus now turns to migration trends in Emfuleni since 1996. The migration trends in Emfuleni are also compared with the figures for Sedibeng District Municipality and Gauteng Province, the two larger entities of which Emfuleni forms a part.

Table 2: Population of Emfuleni, 1996, 2001, and 2020

Area	1996	2001	2020	1996–2001 annual growth rate	1996–2011 annual growth rate	2001–2020 annual growth rate
Emfuleni	594,006	658,412	721,576	2.08	1.29	0.92

The evidence from Table 2 suggests that Gauteng is growing considerably faster than Emfuleni and Sedibeng. During the ten years leading up to the most recent 2011 census, the annual growth rate in Gauteng was 3.34% per annum, whereas Emfuleni's growth rate was only 0.92%, and Sedibeng's growth rate was 1.44%. Considering that South Africa's natural growth rate is around 1%, very little (if any), influx of people to Emfuleni is taking place. (This point will be confirmed when the infrastructure services are discussed later.) More importantly, Emfuleni saw the most significant growth (just over 2%) during 1996–2001. This suggests, as is the case in other areas which experience deindustrialisation that it takes some time for people to realise not to flock to locations going through deindustrialisation.

3.5.2 Mission of Emfuleni Local Municipality (ELM)

According to Bankwatch (n.d.), South Africa is among the countries devoted to constructing a developmental state. Consequently, ELM aims to be a growing city that continually enhances the quality of life for its communities. Sape (2019) notes that 'ELM's mission has thus been devised in line with the strong commitment to providing efficient and effective public services. As a developing state, South Africa has been experiencing leadership and governance challenges as public officials often fail to exercise accountability and respond to the needs of citizens in local municipalities. This is because ELM aims to motivate and focus the attention of all officials, residents, politicians, stakeholders, and the community at large in working towards a desired future within its municipal jurisdiction (ELM, n.d.). Therefore, the mission of ELM is to become the leading municipality in service provision and to improve the standards of living for its residents. MMCHowever, it is facing numerous political challenges that negatively impact the implementation and provision of environmental policies, including service to its community members.

3.5.3 ELMs Legislature

Emfuleni (n.d.) highlights that there are 43 wards within ELM. The ANC occupies 31 wards, while Democratic Alliance for (DA) occupies 13 wards. Then the rest are Proportional Representation (PR) seats, whereby DA occupies 17 PR seats, Economic Freedom Fighters (EFF) 14, Pan Africanist Congress two, Freedom Front Plus (FFP) six, African Christian Democratic Party (ACDP) one, Compatriots of South Africa (CSA) one and finally New Horizon Movement (NHM) one PR seat. This helps one to understand all political parties that are in the legislative system through PR and winning votes in wards.

The ELM website indicates that ELMs Mayoral Committee is composed of 11 members, namely the Executive Mayor, Master Municipal Clerk (MMC) for Public Works, MMC Human Settlement, MMC Share Services, MMC Public Safety, MMC Finance and Revenue, MMC Health and Social Development, MMC Environment Management and Planning, MMC Agriculture, Local Economic Development Planning and Tourism, MMC Sports, Recreation, Arts, Culture and Information Services, and MMC Infrastructural Planning Development. There is also a Council Speaker in ELM. Most importantly, there are other ELM officials such as the municipal manager (MM), chief finance officer, and eight other people in senior management positions, including the rest of the employees performing the daily administration of the municipality in service delivery

and policy implementation. In brief, this provides full details of political parties represented in the council and legislature of ELM that makes by-laws and discusses solutions to the community's problems.

3.6. Emfuleni population and environmental overview

The Sedibeng District Municipality comprises three local municipalities, one of which is ELM. It is the district's westernmost local municipality and spans a 120-kilometre axis from east to west, including the whole of Gauteng Province's southern region. It encompasses 987.45 km². The ELM is bordered on the south by the Vaal River, and because of its advantageous position, it has numerous potentials for tourism and other economic growth. ELM is bordered to the south by the Free State Province's Metsimaholo Local Municipality, to the east by Midvaal Local Municipality, to the north by the City of Johannesburg Metropolitan Area, and to the west by Westonaria and Potchefstroom Local Municipalities in the North-West Province.

The N1, a national roadway that connects Bloemfontein and Johannesburg, passes through the ELM and is strategically placed nearby. Vereeniging and Vanderbijlpark are its two major city/town centres. The region serves as the hub of the ancient Vaal Triangle, which was well-known for contributing to South Africa's iron and steel industry. The six sizable peri-urban townships of Evaton, Sebokeng, Sharpeville, Boipatong, Bophelong, and Tshepiso are all located within ELM. The amenities typical of communities of their size are absent from the last six regions. The remaining about ten minor communities—Banana, Steel Park, Duncanville, Unitas Park, Arcon Park, Sonlandpark, Waldrift, Rust-ter-Vaal, Roshnee, and Debonair Park—are often suburban communities within six kilometres of these towns. The region also has a variety of sizable residential neighbourhoods, all of which need significant infrastructural and environmental improvement investments (Masilela, 2020).

Twelve National Outcomes, including outcome 9, the Medium-Term Strategic Framework, the Medium-Term Revenue and Expenditure Framework, the National Spatial Development Perspective, the Gauteng Province Growth and Development Strategy, and the Sedibeng Growth and Development Strategy serve as the framework for Emfuleni Local Municipality's municipal operations. In addition, the government has established 12 national outcomes that will serve as the framework for the aims and objectives of public service delivery. A responsive, responsible, effective, and efficient local government system is one of the outcomes to which the ELM IDP

deliverables and Service Delivery Implementation Plans (SDBIP) are expressly tied. The graphs and data below are from Statistics South Africa, 2011.

3.6.1 The physical environment

The environmental dangers that Emfuleni faces have already been briefly mentioned in earlier parts of this paper. Three environmental issues should be emphasised, although the goal of this part is not to rehash in-depth considerations that are found elsewhere in the report. First, concerns are associated with local industries' past, present, and future pollution. Pollution of the air, water, and land is one of these threats (The Star, 2020). It seems that local enterprises mostly comply with air pollution regulations. However, some organisations continue to query the level of compliance. Additionally, international pressure is growing to reduce the industries' environmental impact. Consequently, future laws and enforcement are likely to be more stringent. Industries are gradually investing in more energy-efficient machinery as a precaution against this possibility.

Although these new devices are expected to reduce air pollution, they may also lessen the demand for labour, which would have a detrimental effect on employment. There seem to be two primary risk factors associated with water contamination. First, the steel industry utilises water to cool its steel, and then it recycles the hot water back into the water supply. This aspect seems to be well-managed and mostly under control. The second danger has to do with water contamination brought on by industrial activities. The Vanderbijlpark ISCOR facility was deliberately placed so that its waste could be discharged into the Vaal River before environmental laws, as previously mentioned in the dissertation. A recent issue included allegations that AMSA was disposing of mothballs in the Vaal River and involved the Emfuleni Municipality. These claims were refuted by AMSA. Media and judicial records provide extensive documentation of the controversy over the alleged land contamination caused by AMSA's operations. It has been shown that the area next to AMSA is seriously contaminated and unusable for farming. The 'solution' to this problem came when AMSA bought the property next to its buildings. The probable failure of the blast furnaces is a last danger. To deal with this eventuality, the local government should, at the very least, have a risk contingency plan.

Second, the Emfuleni sewage works' excess capacity and other local old infrastructures pose serious environmental dangers. While examining the infrastructure services in Emfuleni, this issue

was thoroughly examined. The fact that the existing sewage works operate at 150% capacity is a source of significant worry, even though, on the surface, it seems as though much has changed since 2009. A suitable regional sewage system for Emfuleni is reportedly going to cost R4 billion. Third, the government's intentions to discharge treated 'neutral' acid mine water from Gauteng into the Klip River, which flows into the Vaal River near Emfuleni, may present a problem. It appears that the salt content of this water would exceed the permitted limit, posing serious threats to the river's ecosystem and the commercial operations that rely on it. Due to the urgency of the situation, it seems that the decision to discharge this 'neutral' mine water will be taken without a thorough environmental impact study.

The value of waterfront homes may decline because of increased Vaal River pollution. Even though property taxes contribute only a small portion—10%— of local government revenue, this could have a detrimental effect on municipal revenue.

Two well-known environmental NGOs in the region, SAVE) and the Vaal Environmental Justice Alliance, have played a significant role in numerous legal cases against the Emfuleni Municipality and AMSA. However, the ability of these organisations and the people of Emfuleni to safeguard their air, land, and the Vaal River from all potential environmental hazards remains uncertain.

3.7 Environmental risks

There are three distinct environmental dangers. The first is the ongoing discussion over air pollution in the region. Although the steel industry has significantly improved in this area over the past ten years, conflicts between environmental organisations and AMSA persist. Additionally, environmental rules and regulations are expected to tighten. Therefore, ensuring long-term compliance may be challenging despite progress and current industry compliance with emissions standards. It should be emphasised that advances in environmental compliance often coincide with developing new equipment or technology, which lowers energy consumption and air pollution but may also lower demand for labour (Citizen, 2019).

The second environmental danger is associated with the treatment of acid mine water, which involves cleaning it to a certain extent before releasing it into the Klip River, a tributary of the Vaal River. This may have significant implications for Emfuleni and the agriculture sector downstream. The long-term environmental effects of this novel process are not yet fully understood. However, Emfuleni may face two different consequences. First, the region's growing

tourism sector, which has contributed to the diversification of the local economy in recent decades, may suffer. Second, the devaluation of homes along the Vaal River could shrink the city's tax base. The Vaal River receives raw sewage, which poses a third environmental problem. Despite significant improvements Emfuleni has achieved since 2009 in decreasing spills, the sewage facilities are now operating well beyond 100% capacity. Consequently, sewage overflows (as well as industrial spills) into rivers pose a serious long-term threat.

3.8 Risks related to the steel industry

Several hazards in the steel industry could have significant effects on the region. The first issue to mention is the rapidly increasing cost of electricity. Given the considerable energy reliance of local industries, especially steel manufacturing businesses, the recent ten-year surge in power costs has been unfavourable. It is true that South Africa's energy costs historically lagged well below the global average, which discouraged businesses from investing in cutting-edge technologies or alternative energy sources (Skade and Flanagan, 2018). Nevertheless, the latest price increases might eventually render the market uncompetitive. If businesses begin adopting new energy-saving technologies, this could negatively affect municipal financing.

The second risk is labour, the second biggest cost factor in the sector. Industry representatives have pointed out both the direct labour expenses and the expenses associated with workforce reductions. Additionally, the centralised mechanism for calculating labour expenses through the negotiating council has proven particularly troublesome. The third concern is the reliance on outdated (and often energy-intensive) technologies for steel production. All of the business people whose opinions were sought have indicated that their organisations are engaged in a prolonged process of upgrading their outdated technology. As mentioned before, new technology can reduce labour and energy dependence. Fourth, the steel sector urgently needs more R&D to create cheaper and more environmentally friendly manufacturing techniques.

Fifth, according to Schoeman and Scholtz (2018), the government and IDC are considering the construction of a new steel production facility in South Africa. However, the steel price (at import parity) is not competitive, limiting chances for the nation's downstream industry. This new facility, which would compete with the business in Emfuleni, has been suggested as a potential site in Mpumalanga. Research from the iron and steel sector argues that the only market potential is establishing a steel mill at a coastal site emphasising steel exports, making constructing a new

facility in Mpumalanga impossible. Additionally, any new investments in the steel sector would need a lot of cash, making it doubtful that the government could get the necessary funding.

3.9. Service delivery protests

Emfuleni has experienced a significant number of service delivery protests. The following examples provide a broad overview of what has been reported in the media:

- In 2004, a note containing 27 service delivery requests from Sebokeng was sent to the mayor.
- The *Mail and Guardian* claimed in 2005 that there was a warning of another Vaal Uprising, comparable to some of the upheavals during the apartheid period, before former President Thabo Mbeki's visit to the region.
- Emfuleni employees participated in protest marches in 2005.
- In October 2006, residents of Sebokeng took to the streets and blocked Zone 13's Golden Highway. At the same time, a demonstration was held in the Sonderwater slum.
- In July 2008, residents of Boiketlong marched and handed a letter to the mayor. The council was given until August 3rd, 2008, to react to their demands.
- In January 2009, police used rubber bullets to disperse protesters in Rust-der-Vaal, who were expressing their dissatisfaction with the perceived lack of care from the municipality by blocking the old Johannesburg Road.
- A significant demonstration occurred in Rust-der-Vaal in September 2009, where locals complained that the Emfuleni Local Municipality was neglecting their issues and needs.
- The 2010 municipal turnaround plan noted the increasing number of demonstrations against service delivery.
- In April 2012, residents of Boitumelo organised a protest march.
- Despite the high number of demonstrations over the past decade, the municipality has recently improved communication with communities and found ways to provide services more effectively.

3.10 Mismanagement as a feature of governance

Since 2018 Emfuleni has been experiencing a severe financial crisis, until recently it is considered to be a 'broken' municipality that can no longer fix or recover from its many failed ventures. Its residents launched the #EmfuleniMustFall social media campaign in 2020 due to the city's

inconsistent or non-existent waste removal, the collapse of the electricity distribution network, the ineffective provision of water and sanitation, and the city's neglect of its road infrastructure. The city has been plagued by service delivery protests. Simon Mofokeng, who was replaced as mayor in 2018 by Jacob Khawe, admitted to misusing resources. When the municipality came under semi-administration, Khawe resigned just six months after promising a turnaround. Lucky Leaseane assumed the position of MM in February 2020, succeeding Oupa Nkoane, but was later dismissed in September. In June 2018, Emfuleni Municipality was placed under administrative control. According to OUTA (nd), service delivery in Emfuleni had deteriorated entirely by 2018, resulting in human rights abuses. This is still evident. However, OUTA proposed launching criminal enforcement action to correct its non-compliance with two directives and nine non-compliance notifications.

The Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) stated in 2020 that Emfuleni was dysfunctional with no indication of improvement, displaying a lack of attempts to serve the population. For years, the municipality operated inefficiently, accruing unapproved, irregular, and wasteful expenses. It also showed disregard for rules and regulations and lacked proper monitoring and accountability. Additionally, it demonstrated resistance to suggestions and assistance from public-private partnerships. The DA suggested dissolving the Emfuleni council due to the breakdown in service delivery. Due to Emfuleni's failure to pay for energy, Eskom confiscated R645 million in fixed assets based on a 2018 High Court decision. When Eskom began implementing power cuts in areas such as Sebokeng and Evaton in 2021, municipal council members voiced their 'astonishment' and accused the company of 'putting the lives of councillors in danger'. The municipality's 2018/19 year-end financial statement showed irregular spending of R1.1 billion due to non-compliance with regulations. However, its committee for public accounts did not investigate these improper expenditures, and no senior manager was held accountable, nor were the 81 issues raised by the Auditor-General addressed (Bega, 2019).

The DA drew attention to the fact that the municipality, struggling with cash flow, spent an outrageous R378 million on overtime payments between the 2015–2016 and 2019–2020 financial years. Furthermore, it was revealed that the municipality was spending up to R10 million per 8month on travel claims and excessively high salaries for two administrators.

As a result of mismanagement in ELM infrastructure worsened and keeps worsening day by day leading to both residents and investors denying to pay the rates and taxes. In Dlamini (2022), "A group of businesses in Emfuleni have threatened to boycott paying municipal rates and taxes after

enduring years of deteriorating service delivery and collapse of infrastructure”. This means that more municipal revenue is lost on daily basis.

3.11. The greater context of relevance

The national importance of Emfuleni can be summarised in the following key points:

- Approximately 70% of South Africa's domestic steel production takes place in Emfuleni, giving the city paramount national significance.
- Emfuleni's location on the banks of the Vaal River means that the city's operations can impact the environment of the river.
- The industrial air pollution in the region has a harmful effect on Gauteng and areas of the Northern Free State.

The international importance of Emfuleni encompasses the following aspects:

- The two largest steel manufacturers in Emfuleni are multinational companies vulnerable to the global market's volatility.
- The competitiveness of the plants controlled by these multinational corporations is crucial.
- While steel production in Emfuleni is essential to the local economy, it contributes only 1% to ArcelorMittal's global steel output.
- Some products, such as DCS ring-rollers, DCS ring-rollers are steel tools or machinery usually used in construction. They are exported from the region, and AMSA has traditionally exported some steel from the region as well.
- Efforts to reduce air pollution and minimise the ecological impact of industry are intrinsically linked to global efforts to combat global warming.

3.12 Long-term risks in ELM

Emfuleni's future hinges on critical risk factors, encompassing government, municipal service delivery, the steel industry, and the natural environment. Each of these threats is described in further detail below.

Even with notable progress in the municipality's service delivery and governance, several long-term risks need to be addressed:

- The region's ageing infrastructure will require additional maintenance, increasing expenses and decreasing service delivery.
- If the present inward-looking approach to strategic and economic planning continues, the region's economy and the municipality's income stream will be negatively impacted.

- The local government has been plagued by instability and political infighting.
- The municipality has a history of poor financial management.
- The current administrative divide between Emfuleni and Metsimaholo means that planning fails to consider the economic interdependence of the two municipalities.

3.13 Roles and responsibilities of ELM and municipalities

Majikijela summarises that, like any other municipality, ELM has a constitutional role in rendering essential services to its residents. He points out, ‘Municipalities are responsible for providing basic services to everyone living inside their jurisdiction, including collecting and disposing of sewage, refuse removal, and storming of water drainage’ (2007, p. 13). Majikijela (2009) lastly specifies that environmental-based services are necessary because they take care of environmental protection. However, ELM seems to provide these services reluctant or unsatisfactory.

According to the Mayoral Handbook (n.d.), there ought to be a distinction between both a municipality and a municipality council. A municipality is the central institution of the local government and a state organ that consists of political formations and the management of the community and the municipality within its jurisdiction. On the other hand, a municipality council is a body composed of directly or directly and indirectly elected councillors or members and serves as one of the political structures of a municipality. As stated in the Mayoral Handbook (n.d.), a municipality has the right to govern and resolve local governmental matters within its community by exercising governmental powers and making and enforcing regulations that apply to everyone within its jurisdiction. These powers include legislative, executive, and judicial powers. A municipality, including ELM, utilises legislative power to create and administer by-laws for effective administration, mandated by national and provincial legislation or stipulated in the Constitution.

Among the duties and rights of the councils, the most significant ones are outlined in the Municipal Systems Act 32 of 2000 4 (1), (a) and (b). These include the right to govern on local government matters within the local community and utilise the municipality’s legislative and executive authority without inappropriate interference. According to the Mayoral Handbook (n.d.), the role of the municipality council is to use the municipality’s legislative and executive powers and resources to serve the interests of the community. This involves delivering accountable and

democratic governance, ensuring that services provided by the municipality meet environmental and financial standards, and promoting a healthy and safe environment within the municipality.

Under the Municipal System Act 6 of 2001 (4), the Executive Mayor has the right to receive reports from committees within the municipality council and then forward them to the council with recommendations unless the matter falls within the powers vested in the Executive Mayor. The Executive Mayor is responsible for recognising the municipality's needs, evaluating them based on priority, proposing programs, services, and strategies to address the prioritised needs through an integrated development plan, and determining expenditure and revenue in alignment with national and provincial objectives.

3.14 Environmental governance in South Africa

Feris (2010) outlines that environmental governance in South Africa began in 1995 after the first democratic elections, with the establishment of a national strategy. As a result, the Council for Environment was formed to advise the government on environmental policy matters. All developments and relevant issues are reported to the president. According to Palmer (2011), the Department of Agriculture, Forestry and Fisheries aims to modify the natural environment to meet the basic needs of South Africans. Palmer further highlights that the provincial government plays a role in setting provincial standards and norms and assisting municipalities in fulfilling their responsibilities. At the local government level, the primary responsibility of councils and municipalities is to implement national and provincial government programs, plans, and policies. Various acts and laws govern the environment. The National Environmental Management Act 107 of 1998 provides principles and necessities that other environmental law-making procedures should align with. Its main focus is on how different spheres of governance cooperate, and it offers guidelines for environmental officials when making decisions. Furthermore, Section 2(4) (b) challenges authorities to appreciate the strong relationship and interconnectedness of environmental elements.

The Intergovernmental Relations Framework Act 13 of 2005 aims to facilitate and promote intergovernmental relations. It provides mechanisms for overseeing the collective implementation of legislation and policy. Most importantly, this act recognises that establishing effective governance is essential to regulate the settlements and conduct of intergovernmental discourse. The Department of Environmental Affairs (n.d.) outlines that the national government, through

the Department of Environmental Affairs, is responsible for developing national standards and norms for waste minimising, recycling, reusing, and recovery. This department also identifies and declares wastes and products for extended manufacturers' competence waste management programs. It seeks waste management schemes from industries, registers waste transporters, and, most importantly, initiates the inspection of contaminated land. Finally, it has regulatory and supporting responsibilities in implementing the Waste and Waste Management Act.

The website further explains that the provincial government has a role in regulating waste projects, except for activities under the minister's jurisdiction. It ensures and promotes the implementation of the National Waste Management Strategy. Additionally, the provincial government should appoint officers to coordinate waste management issues within the province. These officials have powers that include setting provincial standards and norms, declaring preference waste, registering waste transportation, requesting industries to prepare waste management schemes, and identifying polluted land.

According to the website, the local government provides waste management services such as disposal, removal, and storage, as stated in the South Africa Constitution Section 5(b). Municipalities should collaborate with industries and stakeholders like CSOs to enhance council-level operations. They also provide dust bins and separate non-chemical waste from landfill disposal. Furthermore, they should facilitate local resolutions, such as material recovery facilities, instead of creating new recycling facilities. Like the provincial government, municipalities must appoint officers responsible for waste management. They must submit their Integrated Waste Management Plan (IWMP) for compliance approval to the MEC. This IWMP should be integrated into the council's Integrated Development Plan. Finally, the councils should also register waste transporters like the provincial government.

The provincial government should enforce stricter environmental guidelines than the national government, which sets minimum requirements. However, the provincial government should also consider objectives and allow for ongoing developments, particularly in the short term. According to the Department of Environmental Affairs and Tourism (2000), the provincial government is responsible for ensuring the orderly supervision of waste services by councils within their provinces. Conversely, councils have the authority to enact by-laws that supplement provincial and national regulatory requirements.

The Municipal Systems Act of 2001 6 (2) (a) states that the execution of a municipality should be responsive to the local community's needs, including their environmental needs. Section 11 (2) of this act states that a council can exercise legislative and executive authority only within its jurisdiction, including environmental boundaries. Most importantly, Section 98 (1) provides that a council should validate by-laws to facilitate the collection, enforcement, and implementation of municipal policies, including environmental policies. Section 105 (1) (a) (b) & (c) grants the Provincial MEC for local government the power to monitor the performance, exercise of power, and management of affairs by councils within the province. It also enables the MEC to oversee the development capacity of provincial and local governments. Lastly, the MEC is responsible for assessing the support municipalities need to strengthen their capacity to manage their environmental affairs.

As part of the national government, the Department of Environmental Affairs and Tourism is empowered to enforce adherence to the Integrated Pollution and Waste Management (IP&WM) policy, standards, legislation, and norms. It is responsible for ensuring that all organs and areas of government and state adhere to these guidelines, legislation, norms, and standards when carrying out IP&WM functions. According to the Department of Environmental Affairs and Tourism (2000), the department is authorised to issue regulations granting them environmental protection intervention powers. In particular, the intervention in case neither local nor provincial governments malfunction to perform an executive responsibility regarding the IP&WM.

According to the Department of Environmental Affairs and Tourism (2000) this department is also authorised to issue regulations that grant them intervention powers in environmental protection. This intervention comes into play in cases where there is a conflict between provincial and national laws. Specifically, the department can intervene when neither the local nor provincial governments fulfil their executive responsibilities concerning IP&WM. In the Department of Environmental Affairs and Tourism (2009), Section 6(1)(a) states that the minister must, within a specified timeframe from the enactment of this section, establish a national waste management strategy.

This strategy aims to achieve the objectives of this act and should include goals, plans, guidelines, systems, and procedures related to environmental protection. It should also address the generation, reuse, recycling, recovery, treatment, disposal, use, control, and management of waste to achieve the objectives of this act. This section grants the minister the authority to establish waste management strategies with specific durations if they are in line with the terms and conditions

related to the environment. The Gazette provides further information stating that the MEC is responsible for ensuring the implementation of national standards, norms, and waste management strategies on a national level. Section 9 (1) mandates each municipality to exercise decision-making authority in providing services such as waste management, disposal, removal, and storage. The council, empowered by the national government, has the authority to make decisions regarding service delivery in waste management.

According to ELM's website, the section on environmental management was established in May 2009. ELM outlines that Section A focuses on the duties, powers, and functions of local municipalities in establishing legal orders and managing the environment within the realm of local government. Section B's main objective is to provide municipalities with appropriate legislation, policies, management plans, and by-laws for drafting and implementation. Municipalities like ELM are authorised to draft and implement policies and by-laws to regulate waste management for large industries such as ArcelorMittal and Afrox operating within their jurisdiction.

In the provision of waste management services, municipalities like ELM have the authority to outsource certain services to the private sector. For example, if ELM defines the need to upgrade its skip bin services, it can assign a private company and allocate funds to enable the upgrade. Masindi (2009) also mentions that municipalities have the power to establish mini dumps or waste disposal sites that serve both the municipality and the community. In the case of ELM, these sites are used for waste disposal by both the municipality and the community, such as Tshirela. However, not all types of waste are dumped there, as private companies manage hazardous and medical waste.

Masindi (2009) indicates that both ELM and SDM have the authority to regulate Lethabo Power Station and coal manufacturing companies due to the environmental impacts of their operations, including water and air pollution from chemical emissions and dust. Lethabo Power Station, for example, uses coal extensively in its electricity generation process. Therefore, both ELM and SDM have established environmental measures that must be complied with. Masindi further explains that industries emit significant amounts of smoke into the atmosphere, and the government has adopted acts of parliament and regulations to control pollution issues. SDM and ELM take serious measures to ensure proper waste management and control in industries within their jurisdictions. Through the Department of Environmental Affairs, the government assigns one of its units or appoints an agent to classify different types of waste in South Africa and determine the associated

hazards. According to the Requirement for Waste Disposal by Landfill (1998), the identification and classification of dangerous goods and substances should be made systematically to classify hazardous substances for transportation purposes. Hazardous substances are assigned identification numbers and categorised into nine classes.

In South Africa, waste classification is currently under the control of the Department of Agriculture, Conservation and Environment, and the Department of Water Affairs and Forestry. Meyer (2006) explains that this classification is based on three criteria: site water balance, waste type, and size of operation. This ensures that waste disposal is conducted following underground water table considerations. Masindi (2009) outlines that the dumping the prevailing landfill sites in SDM were at first used as terrace dumping places, such as the Boitshepi Landfill site. The growth in the quantity of waste produced and dumped at such areas led to the veto aesthetic state that ended up as unrestricted waste led to various illnesses. This led to new techniques had to be acquired, ensuring that waste dumped in a landfill site must be compacted every day and covered with soil.

The Environmental Conservation Act of 1989 (20) instructs that waste should only be dumped in a landfill established, according to this act. This means that the establishment of landfill sites must be based on regulatory requirements, ensuring compliance with legal requirements. These legal requirements instruct that all collected waste must be buried or destroyed accordingly. However, most household waste is considered non-toxic and is dumped in landfills, though most of the waste collected from health centres and technical industries is dumped in hazardous landfill sites.

In his explanation, Masindi (2009) mentions that ELM and SDM have regulations and by-laws for manufacturing companies in their respective areas. These regulations include requirements for building storage facilities for raw materials and hazardous chemicals, among other products. Examples of such companies mentioned include Lethabo Power Station, Cape Gate, Sasol, and Rand Water. According to ELM By-Law on Waste Disposal (2005), people living in informal settlements who do not have waste collection services can dump their waste in designated areas or dig earth pits, which should be properly maintained. Waste disposal in lakes, drainage ways, and streams is also prohibited.

Under the Municipal Structures Act (Act 117 of 1998), the municipality has the authority to establish an environmental committee in all wards. This committee advises ward councillors on

environmental cleanliness and service delivery. It serves as a guardian for environmental preservation, guided by various sources of information within the wards. The municipality can impose fines or legal actions against individuals who hinder or obstruct its duties and responsibilities. According to the Municipal Act (2005) (55), anyone found hindering, obstructing, or failing to comply with the municipality's terms and conditions may be subject to fines not exceeding six thousand rands, community services for a maximum of six months, or imprisonment. In some cases, these penalties may be combined. If the offence continues, the individual may be fined two thousand rands daily. This also applies to ELM, where individuals dumping refuse and waste in illegal locations are fined two thousand rands. This act also prohibits placing, spilling, or dropping anything that disrupts the cleanliness of public places and streets in ELM. Additionally, it is prohibited to relieve oneself in public places and streets.

On the other hand, according to the by-laws, informal industries or traders within ELM are obligated to take full responsibility of removing their waste from the premises or storage. The Municipality Act of (2005, p. 1270) Section 14 (2) states, 'the owner(s) and or occupier of premises on which industrial and trade refuse is generated shall ensure that, until such times as such refuse is removed from the premises on which it was generated and subject to subsection 10 (1) (a) which shall apply mutatis mutandis, such refuse to be stored in the refuse containers or other approved containers delivered by the Municipality'.

Blaine (2000,) briefly explains that the legislation, consisting of the National Environmental Management Act of 1998 and the Environmental Conservation Act 73 of 1989, serves as the framework for environmental legislation aiming to achieve environmentally sound development. Additionally, Regulation 1182 in the Environmental Conservation Act 73 of 1989 outlines activities that should follow the environmental alteration evaluation procedure provided in Regulation 1183 before upgrading or construction occurs. These activities, identified by the Environmental Conservation Act 73 of 1989 Regulation 1182, include maintenance of canals and channels, improvement of sewage plans, and infrastructure construction.

In most cases, municipalities are not the direct cause of pollution, but they can be indirectly involved in its prevention. Basson and Du Plessis (2004, p. 53) argue that 'although municipalities may not be responsible for pollution, their involvement in terms of general duty of care is two-fold, namely; an indirect involvement by having to adopt the necessary municipal by-laws that set out the measures that parties are required to take to prevent pollution, or take remedial action that

is required to address pollution'. Mathebula (2014) emphasises that the National Environmental Management Act 107 of 1998 establishes a shared responsibility for rational actions to prevent environmental degradation. People in opposition to whom the task is inflicted and those failing to stick to procedures and channels ought to be taken to the Head or Director General of the regional department for whom the environment is their responsibility. Failure to do so, the applicable authorities can take action and take back the cost from an individual or group of individuals failing to carry out their duties. He further explains that the municipalities are anticipated to be highly aware that some powers provided by this act may be assigned in the future.

According to Mathebula (2014), two aspects must be addressed to ensure compliance in implementing environmental law. First, the failure of local officials to enforce environmental laws. In such cases, the provincial administrator, under the Environmental Conservation Act 73 of 1989, has the authority to oversee and implement the duties of a local official who fails to comply with the requirements of the Act. He further explains that regulating a local official is not a challenging task but rather ensuring compliance with the execution of environmental law. Secondly, to ensure compliance, Mathebula reveals that municipalities and stakeholders such as CSOs need to define a goal to be achieved and determine the means to achieve it. Both stakeholders and municipalities should be convinced of the significance of their long-term goals and align their plans accordingly. He elaborates that municipalities have the authority to oversee environmental affairs within their boundaries. Additionally, each province has enacted its own empowering laws that specify the powers a municipality can exercise. If a municipality enforces by-laws that exceed the powers outlined in the empowering law, those by-laws are considered null or void.

According to Shubane (2015), Section 24 of the Constitution of South Africa governs environmental affairs, stating that the regulation of the environment is a shared responsibility between the national and provincial governments. However, the local government must also promote a healthy and safe environment within its administrative and financial capacity. Moreover, collaboration among the three levels of government is crucial, and this collaborative governance has significant implications for enforcing environmental regulations, as different levels of government are discouraged from suing each other in the courts of law.

In Shubane (2015), the National Environment Management Act 107 of 1998 is described as providing the outcomes of the constitutional right of South African citizens to a protected environment. It also establishes joint governance and regulations for activities that can harm the

environment. Shubane explains that the National Environmental Management Act and its corresponding acts of environmental management aim to establish a robust framework for the ongoing management of the environment in South Africa. Mngoma et al. (2011) also mention that the municipality has a dual role, serving as both a service provider and a major regulator. The legal framework of local government controls environmental and cooperative governance. Mngoma et al. also highlight that Section 151 of the Constitution of South Africa grants the municipality the right and responsibility to determine local matters transparently and democratically. In contrast, Section 155 (70) grants the provincial and national governments executive and legislative powers to oversee the effective functioning of municipalities in carrying out their duties.

Furthermore, Mngoma et al. (2011) outline that the municipality has a duty to administer local matters in compliance with provincial and national regulations. Additionally, both individual and collective municipalities must administer and implement relevant provincial and national regulations pertaining to the environment. They also note that municipalities may impose reasonable limitations on environmental rights, including imposing obligations on industries, the public, and the municipality itself to protect these environmental rights.

According to SDM's annual report (2013), local municipalities within SDM manifest their duty of pollution control in the interests of the communities within SDM. SDM further mentions that regular monitoring and control of pollution encompasses aspects such as air pollution, industrial pollution, illegal dumping, dust and water pollution, sanitation, and odours. Moreover, based on the Air Quality Act 39 of 2004, SDM now has the authority to license atmospheric emitting industries listed in the act.

In his mini-dissertation, Moss (2013), explains that the Constitution of South Africa Act 108 of 1996 stipulates that the handling, disposal, treatment, and generation of solid waste management should not infringe upon people's rights. Moss further states that under the National Water Act number 36 of 1998(1), it is prohibited to release waste, deposit, permit waste, or dump waste on privately or publicly owned land, waterways, drains, and rivers, except in containers and designated areas provided by the municipality. The municipality also has the power to issue notices to individuals residing in any establishment, requiring them to remove waste from the premises within a specified timeframe and following the requirements stated in the notice. Moss also mentions that individuals violating municipal by-laws will be legally fined.

Radzilani (2019) adds to Moss's points by highlighting that the Constitution of South Africa mandates the legislature to protect the environment and prevent ecological degradation. Furthermore, Radzilani mentions that according to the Constitution of South Africa, the roles of the three spheres of government in waste management include providing landfills and dumping sites, removing waste, and disposing of solid waste. However, he briefly mentions that the National Environmental Management Act of 1998 requires all state organs responsible for waste management to develop and implement plans. Importantly, anyone who violates or damages the environment must take necessary measures to clean up the mess or harm they caused. Radzilani also explains that the National Water Act 36 of 1998 establishes the framework for water usage and various licenses required for different water uses. Additionally, Section 36 of the National Water Act of 1998 addresses the types of water pollution associated with water disposal.

3.15 Emfuleni municipal governance and management

Regarding Emfuleni municipal governance and management, there are 89 city councillors, with the majority being members of the African National Congress (ANC), while 21 are of the Democratic Alliance. The remaining four opposition seats are held by minor opposition parties. Since the municipal's establishment, it has experienced significant political turbulence, primarily due to political disagreements within the ANC. In 2005, due to poor service performance, the national ANC intervened, leading to the resignation of the mayor, speaker, and chief whip and the suspension of many top officials. During this time, a council member was suspended for allegedly cancelling his outstanding debt. Despite these changes, municipal officials received substantial incentives in 2006. However, in 2008, due to further infighting within the ANC and the disruption of a council meeting by ANC members, five top municipal officials were suspended, and the mayor and MM resigned. This marked the fourth resignation of a mayor in less than three years (Bega, 2018). By 2009, Emfuleni had gone through five municipal managers within three years. Although the situation has largely stabilised since then, there have been two mayors since the previous municipal elections. Recently, the municipal council debated allocating R1.3 million to purchase 4x4 cars for the mayor and speaker.

Together with the Department of Cooperative Governance and Traditional Affairs, a municipal turnaround plan was established in 2009. This method has yielded the following beneficial results:

- Improved compliance with financial regulations
- Enhanced monitoring of the municipality's key performance indicators

- A clearer recognition of the urgency in addressing non-payment of services

The report of 2011/12 on the hand indicates that, efficiency was improved in the provisions of electricity, road and storm water infrastructure was also addressed. These shows that the finances of the municipality were regulated in a more compliant manner.

In the ELM (2020/21) report, it is indicated that, “Some of the major causes that gave rise to the under-performance results were identified and were largely due to inappropriate planning, limited or lack of resources and the impact of Covid pandemic that impacted negatively on service delivery performance. The factors that impeded service delivery performance shall be addressed by the Senior Management Team in consultation with the Political Leadership of the municipality.” This shows that after approximately ten years, the municipality could still not achieve its turnaround plan.

3.15.1 Water services

The water service authority, Emfuleni Local Municipality, guarantees that the water delivered within ELM territories complies with Blue Drop laws and SANS 244 requirements. It is important to note that Blue Drop laws are laws that are meant for ensuring that the quality of tap water is improved in a compliant manner. ELM has been one of the municipalities supplying its residents with drinkable water, The Blue Drop method monitors and compares the performance outcomes of Water Services Authorities and Providers and then awards (or penalises) the municipality based on proof of this excellence (or failures) following the set minimum criteria or requirements. The minimum qualifying criteria or standards for Blue Drop Certification are 95%. ELM has received Blue Drop Certification for two consecutive years, with a Blue Drop Status of 95% in 2021 and 96.9% in 2022.

In 2021/22, bulk purchases were 91,189,614 KL compared to 58,409,330 KL in 2019/20, resulting in a 36% decrease in water purchases. The implementation of Water Demand and Conservation Projects led to this decrease. Monitoring and administration of the Pressure Station continue to reduce annual water loss by 6,000,000 KL. The current ELM water balance displays a water loss of 36.5%, which is a significant improvement, and further efforts are being made to lower it to 25%. Existing flat-rate consumption charges are 20KL; however, the actual usage is 36KL. Water sales for 2010/11 were 43,082,142 KL, whereas sales for 2011/12 were 39,993,374 KL (Bega, 2018). The municipality is studying the installation of Semi-Smart water metres to provide flow management to each property and transmit water metre readings automatically to the billing

system. Installation of Semi-Smart metres in the Sebokeng and Evaton regions will contribute to a 20% reduction in water losses. This project will minimise water purchases from Rand Water and contribute to regional job development, as it will be completed in stages and use local labour.

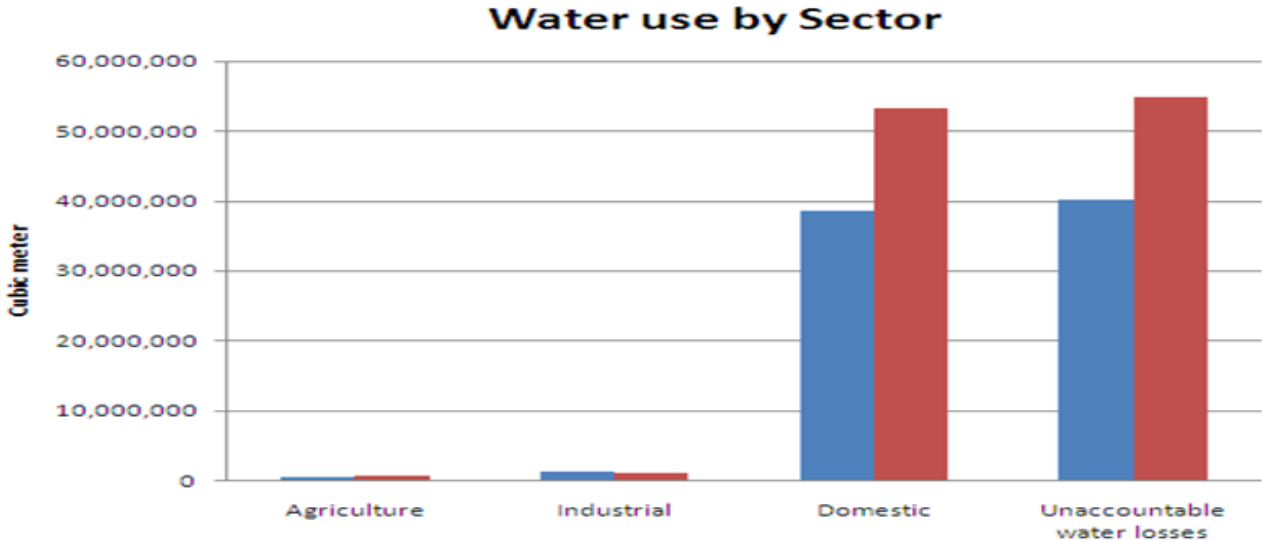
The response rate for water complaints is 94% (11,698 received and 724 outstanding), whereas the response rate for water metres is 82% (5,700 received and 1,103 outstanding) in 2021. The delay is exacerbated by new customers who, after paying for water hook-ups, take longer to build their homes. Due to recent advancements, the water supply in formal settlements has increased by 3% over the last two years, while the number of individuals living in informal settlements has fallen by 4.5% as they have moved into official homes, ELM (2021/22). As part of a campaign for water conservation and demand-side control, a project to audit and replace approximately 80,000 water metres was launched. The objective was to decrease non-revenue water loss by improving metering and invoicing of usage. 30% of the water metres were audited and installed, and the information was provided to the finance department to enhance revenue improvement and invoicing.

Due to the restricted amount of water in South Africa, each water supply authority must safeguard this vital resource. ELM has thus committed to reducing water losses by 15%, following the Department of Water Affairs' requirements that each water service authority saves 15% on its overall water supply by 2022. The current ELM water balance reveals a water loss of 36.5% in terms of the input volume. The investigation into this topic indicated that only 36% of ELM area clients are billed according to usage, while 50% of consumers are listed as flat-rate payers. The current flat-rate charged usage is 20 Kl, while the average family consumption is 36 Kl. The allowed consumption for low-income customers is between 12 and 15 Kl. Most water loss is not due to physical loss but rather to unbilled authorised usage and economic losses, as well as internal leakage in home water systems.

Through the deployment of water loss reduction strategies, ELM has successfully reduced its water consumption by 15% over three years through a partnership with Sasol and GIZ. The cooperation agreement for the project was signed on 8 September 2011, and the managing contractor was designated on 27 January 2012. The project's first phase was to be carried out in the Sebokeng/Evaton region because it accounts for 50% of overall water use. Phase 2 implementation of water loss reduction strategies in additional designated ELM zones was scheduled ought to begin in July 2013 and conclude in June 2014 (details to be determined during Phase One). The

project formally began on 11 April 2012. It involved the installation of bulk sector flow metering where necessary to enhance water balance accuracy, identify priority sites for leak repairs, and aided in monitoring savings. The project created 54 jobs and supported the then existing plumbing organisations in the local community through preferred procurement procedures. The three-year initiative was anticipated to save 10%, equivalent to R100 million annually. However, the project did not run as expected as the contractor did not thoroughly complete the task.

Figure 2: Water Use by Sector



Source: Automatic data processing, Inc

There has been a significant reduction in water usage in the industrial sector, which can be attributed to strict regulations imposed on businesses. The current water demand and conservation initiative has reduced home water consumption and unaccounted water losses. The installation of standpipes in informal settlements has decreased by 4.5% due to the migration of people to formalised areas. In comparison, the installation of piped water inside houses (formal households) has increased by 3%. Within a 200-metre radius, the municipality can provide households with 25 litres of potable water daily, with a minimum flow rate of 10 litres per minute and 6,000 litres per official connection monthly. Emfuleni has obtained blue drop status for the last three years and receives 90% of its water supply from Rand Water.

Metsi-A-Lekoa is the municipal organisation responsible for water and sanitation services in Emfuleni. Recent efforts to enclose Metsi-A-Lekoa have been halted due to political procedures, Tinghisi, (2016). Emfuleni tried to discuss the issue of water and sanitation services with Metsi-A-Lekoa, however, that initiative was disrupted and never happened. Emfuleni provides water to all its citizens following government policy. Less than 2% of families have water access beyond a 200-metre distance from their houses, and 70% of individuals have water within their homes, substantially higher than the rest of Gauteng. Family water usage accounts for 80% of the total, while the remaining 20% is attributed to industry and businesses.

There were five major issues with the municipality's water supply during that time. First, maintaining adequate water pressure seems to be challenging. Second, the region's ageing infrastructure has increased the frequency of leaks and maintenance expenses. Third, the municipality cannot account for a significant portion of the area's water losses. The Auditor-General's report in November 2010 revealed that the municipality lost around R250 million in unrecovered water and power revenue, while the IDP (2012) estimates that 39% of water is wasted due to leaks and insufficient maintenance. Fourth, there is a substantial problem with non-payment of water bills, which is exacerbated by the municipality's inability to charge appropriately in some instances. According to the IDP, 26% of families do not pay their water rates, and in 2012, users owed the municipality R3.2 billion. The water supply is under strain which will likely continue until the Lesotho Highlands Project Phase Two starts providing water to Gauteng (which is expected to be in 2018), the project did not happen according to the plan and the Lesotho Highlands Water Projects started in Lesotho in 2022 and the construction of the project has not yet reached South Africa. Therefore, the municipality is pressured to fix leaky pipes and promote responsible water use.

The town has made significant progress in ensuring water accessibility. However, Emfuleni faces challenges in guaranteeing the water supply, collecting fees, conducting proper maintenance, and implementing a proactive strategy to modernise or extend the water infrastructure. The section on municipal finances delves deeper into the municipality's failure to spend and invest in infrastructure adequately.

3.15.2 Sanitation provision

In all official settlements, sanitation coverage is 100%. However, sanitation services remain an issue in regions that have not yet been declared townships. The sanitation networks comprise 2,600 km of gravity sewage pipes, 33,328 sewer manholes, 48 pump stations, and 94 pumps. Fourteen sewage maintenance crews that address clogs, cleaning, and pipe repairs maintain and manage these networks. To prevent sewage spills, ELM has two specialised pump station maintenance teams and a service provider for the 48 sewer pump stations. ELM has initiated a programme to educate personnel as process controllers to ensure compliance and enhance its ability to achieve Green Drop status, Green Drop is regarded as a program that deals with the treatment of wastewater plant in the Republic of South Africa. All Waste Water Treatment Works (WWTWs) had developed action plans to address the shortcomings identified during the 2011 Green Drop evaluation. The WWTWs include the 100 Ml/day Sebokeng, 36 Ml/day Rietspruit, and 30 Ml/day Leeukuil Water Care Works. These facilities treat and dispose of the final effluent into the barrage and Rietspruit streams, which then flow into the Vaal River.

Until 2020, settling tanks, biological reactors were constructed including the treatment facilities. Also, the Vereeniging WWTW was expanded so as to capacitate its treatment efficiency and also to capacitate sewage quality. Secondly, the Sebokeng WWTW was both rehabilitated and upgraded in order to enable mechanical and structural issues. Lastly, New wastewater facilities were constructed in Evaton and Boipatong so as to upgrade wastewater management in both areas. In all, the project intended to upgrade in general the effectiveness and efficiency of the wastewater treatment procedure and to confirm compliance regarding the controlling standards.

There is a strong focus on obtaining Green Drop Certification for all WWTWs in the Emfuleni Local Municipality. ELM has achieved and maintained effluent water quality compliance with licensing criteria at a level exceeding 88%. The Wastewater Risk Abatement Plan (W2RAP), which is part of one of Green Drop's 11 awarding criteria, will be completed by the end of August 2012. ELM has implemented a programme to educate staff as process controllers to ensure compliance and progress towards achieving Green Drop status. All WWTWs have developed action plans to address the shortcomings identified during the 2011 Green Drop evaluation. The manager of water care works, plant superintendents, and maintenance have signed these plans, demonstrating their commitment to achieving Green Drop status for the municipality. While the Industrial Effluent programme has produced positive results, with enterprises complying with the ELM by-laws, there is still more work to be done in this area.

As with access to water, the municipality has increased the proportion of individuals with access to waterborne sanitation since 1996. This achievement should not be separated from the great accomplishment of supplying RDP dwellings under the housing subsidy programme. Moreover, the Department of Water Affairs assigned the Emfuleni sanitation system as a 'Green Drop' in their most recent review. However, the capacity of the municipality to handle sanitation is in grave jeopardy, as the sewage treatment plant operates at up to 150% capacity. This implies that any power loss or pump failure poses a substantial danger and prohibits the construction of any new substantial residential or industrial developments.

Despite recent improvements, the historical performance of the municipal sewage system has been extremely poor. In 2006, the ELM faced opposition from several environmental NGOs over the discharge of untreated sewage into the Vaal River. In 2008, the Blue Scorpions ordered the municipality to remove dead fish resulting from sewage from Vanderbijlpark Lake. The municipality attributed the leak to antiquated infrastructure at the sewage treatment plant, particularly the Sebokeng plant operating beyond its capacity. In the same year, the court ordered the municipality to remove dead fish from the Vaal River, agreeing with environmental organisations and the Scorpions that the municipality was responsible for the dead fish due to sewage pouring into the river. This had significant consequences for the local tourist business as people were warned not to utilise the river in any manner. Earlier spills also impacted the area's LED, as an international fishing tournament had to be relocated. Furthermore, Emfuleni has had instances where sewage was spilt from its tank trucks into rivers and dams.

In 2009, the issue returned to court, and the judge ordered Emfuleni to address the problem within four months. Twelve years have elapsed from the initial complaint regarding sewage flowing into the Vaal River until the issuance of this court ruling. To resolve the issue, the Gauteng Department of local government granted R150 million to Emfuleni, but this amount falls far short of what is necessary to adequately address the situation. Although it may seem that the issue has been resolved on the surface, the fact that all sewage treatment plants in Vanderbijlpark are operating above 100% capacity poses a substantial long-term danger. Members of the SAVE action group have criticised the municipality's activities as a 'Band-Aid' solution that fails to address the underlying problem. Some respondents believed the municipality should construct a regional sewage treatment facility, estimated to cost R4 billion, to tackle the issue effectively.

3.15.3 Performance of sanitation services

The municipality believes that housing delivery will alleviate service delivery backlogs. However, the provision of essential utilities, particularly sanitation services, cannot be postponed until houses are provided. Due to Emfuleni's commitment to providing Level of Service 2 (LOS 2) within its coverage area, using VIP services is not permissible. Until the Sedibeng Regional Sanitation Scheme (SRSS) becomes operational, the Bulk Sanitation Infrastructure requires urgent upgrading, and additional funding is necessary to address capacity issues.

On their website, Good Governance Africa (2024) highlights that, the Good Governance Africa's (GGA) has decided to focus their work on Emfuleni for years to come. The reason is that "The factors motivating our selection of Emfuleni are manifold, but two are worth focusing on. First, the area is notable for the prevalence of a clear government deficit. According to GGA's recent Governance Performance Index, Emfuleni is the local municipality in Gauteng where municipal functionality is weakest. The municipality performs least favourably on dimensions of governance measuring administration and leadership, which are informed by the findings of the Auditor General.

3.15.3.1 Waste Management

Waste management responsibilities encompass garbage collection, sanitation, and landfill site management. Weekly residential garbage collections are conducted for 174,904 houses, ensuring ongoing maintenance. Commercial garbage is collected daily in the Vanderbijlpark, Vereeniging, Sebokeng, and Evaton regions (1,453 stands). ELM operates four micro dump/transfer stations in the Vereeniging region, which were updated during the 2010/2011 fiscal year. These stations facilitate the provision of bulk services and the final disposal of garbage at landfill sites. Currently, there are three operating landfill sites: Boitshepi, Waldrift, and Palm Springs. The closed Zuurfontein landfill site has been properly restored since 2007 to meet the Department of Water Affairs' minimal standards for landfill rehabilitation.

Furthermore, street sweeping occurs mainly in the central business districts of Vereeniging and Vanderbijlpark, at the Sebokeng taxi stop and along major routes. External audits are conducted during each fiscal year's second and fourth quarters. The average score from the semi-annual external audit of national standards related to landfill site operations for the 2011-2012 fiscal year was 86%. The 86% score indicates that the municipality is not fully compliant with national

landfill operations standards. The lower score is primarily due to incomplete infrastructure development at the Palm Springs landfill site.

Infrastructure construction is expected to be completed within the 2012/2013 fiscal year to address non-compliance:

Projects: Projects undertaken during the reviewed fiscal year included constructing and developing the Palm Springs landfill site. It involved landfill cell development, building construction, roadways, and a transfer station. The project is expected to be completed in the 2012/2013 fiscal year, costing R17,488,420.

Waste Collection: 174,904 houses on the urban periphery received weekly curb pickup of household garbage. This represents a 0.5% increase compared to the previous fiscal year, attributed to the expansion of garbage collection services in newly built regions and informal settlements. The execution of the Expanded Public Work Programme (EPWP) during the review period contributed to maintaining a 72.67% weekly collection rate. In the 2011/2012 fiscal year, 154,6233 units of rubbish from illegal dumping were recovered from the 45 wards, surpassing the anticipated amount by 19%.

Landfill sites: In terms of overall waste stream reduction, 9.84% of the garbage received at the active landfill sites equipped with weighbridge facilities (Boitshepi and Waldrift) consisted of reclaimable material, either recyclables or items unsuitable for landfill disposal. Once the Palm Springs landfill site is fully completed and operational, garbage streams will be measured, and data on the incoming stream waste will be recorded daily.

Composting: During the 2011-2012 fiscal year, 3,907 tonnes of greens waste were transported to the composting facility located at the Waldrift landfill. However, the compost quality at this facility is comprised due to the inability to use organic materials such as sewage sludge. The composting site lacks proper regulations to produce higher-quality compost. Therefore, the compost is only suitable as a final cover material for rehabilitating completed landfill slopes and for limited park development, provided the material is filtered before final use. The compost material serves as the final layer for waste site restoration.

Reduction of Waste to landfill sites: In alignment with the national objective of minimising land disposal, there was a 9.86% reduction in garbage diverted from landfills in the 2011/2012 fiscal year. Future plans include implementing a waste-to-energy facility within the next five years to reduce our carbon footprint and eliminate greenhouse gas emissions.

In the fiscal year 2020/21, the municipality had been engaged in a number of projects in order to prevent the depreciation of environmental and aesthetic standards within the municipality

jurisdiction. Also, a few projects had be undertaken so as to enhance waste management in Emfuleni municipality. In addition, water improvement services were delivered while new treatment plants were stablished. Lastly, the municipality had engaged in numerous projects in order to conserve natural resources and also to protect the environment.

The achieved percentage was the result of the following factors:

- Community-level education and awareness of recycling and waste reduction.
- Contributions made by the implementation and continuation of the Bontle Ke Botho principles in schools and relevant wards.
- Formalised waste reclamation systems at the Boitshepi and Waldrift Landfills.
- Removal of recyclable waste from the official waste stream, followed by shredding and delivering to composting facilities.
- Private businesses and companies also realise some savings on their waste streams due to implementing ISO 1400 principles. However, quantifying this percentage is impossible as no municipal trash reduction data are documented.

3.15.3.2 Electricity

Electricity is provided to various users in the ELM, including residential, agricultural, commercial, and industrial consumers. Each year, the National Energy Regulation of South Africa (NERSA) ensures that all customers connected to the electrical network receive a complete service at approved rates/tariffs.

With the existing rights to supply granted by the National Energy Regulator of South Africa, Eskom and the ELM are both service providers in this area. Therefore, ELM is accountable for the following services:

- Electricity distribution
- Provision of free basic electricity
- Public lighting

Vanderbijlpark, Bophelong (partly), Boipatong (partly), Tshepiso (partly), Vereeniging, Rus-terval, Roshnee, Tshepong, Eatonside, and Ironsyde receive energy supply from ELM. The percentage of formal housing connected to the power grid varies from 98 to 100%, depending on the completion of new constructions and the availability of funds. In the 2010/11 fiscal year, ELM

connected 963 new homes in Tshepong, and in the 2011/12 fiscal year, it connected 1,350 new homes in Tshepiso North Ext. 3. No informal residences are connected to the electricity system.

3.15.3.3 Capital Investment

The capital budget allotted to the power function is designed to accommodate anticipated and current increases in electricity consumption. It includes provisions for repairing, upgrading, or adding cables, switchgear, and transformers. A significant portion of the capital budget is also dedicated to electrifying new housing projects. ELM has successfully collaborated with developers to assist the Municipality in funding the extension and improvement of networks and their components. This collaboration is crucial for the development and growth of the electrical grid, benefiting both new and established developers. One such project during the 2011/12 fiscal year involved augmenting the transformer capacity at the Duncanville 88/11kV substation. The developer bore the entire cost of this project. In doing so, the developer ensured the availability of the maximum demand required for their projects while simultaneously enhancing the municipal capacity. The value of this project was approximately R14 million.

3.15.3.4 Energy conservation

To align with the global objective of reducing energy consumption, ELM has continued its project to convert 125W mercury vapour streetlight fittings to 70W high-pressure sodium streetlight fittings, which are more energy-efficient and environmentally friendly. Initially sponsored by ELM, the Department of Energy (DoE) provided additional funding in 2011/12 as part of its Demand-side Management Project (DSM) to enhance energy efficiency. By the end of June 2011, approximately 20,000 streetlight fittings had been changed, resulting in a decrease in energy consumption of roughly 4,015,000 kWh/year and an expected annual cost savings of R1,500,000.

The following projects were implemented during the reviewed year:

Electrification of Tshepiso North Ext. 3: This project involved the installation of a bulk electricity supply and complete internal reticulation to provide electricity to 1,354 low-cost houses. Area lighting was also installed as part of this project. The total project cost was approximately R25,956m and was funded by both the DoE and the Municipality.

Installation of area lighting: An amount of R7,641,502 was allocated for installing high mast lights in Sharpeville, Evaton West, Kanana, and Sebokeng Ext 24. The project was funded by the

Municipal Infrastructure Grant (MIG), and by the end of the financial year, 12 high masts were installed.

Upgrading of Vesco 88/11kV substation: Although funding was allocated for this project, delays in the planning and unclear requests in the tender document postponed its implementation to 2012/13. The provided amount was R 12,093,488.

Replacement of 88kV switchgear: An amount of R3,12m was allocated to replace old, unreliable, and unsafe 88kV switchgear. This upgrade will enhance personnel safety during switching operations and reduce the time required to restore power after outages.

Installation of Bundle conductor: An amount of R3m was allocated for replacing old, unsafe bare overhead low voltage power lines. This improvement will enhance system availability, reduce outages, and enhances public and personnel safety.

DSM: The DoE granted R6m for installing low-energy-consuming lighting. Projects were awarded for replacing street and office lighting and installing solar-powered supplies for traffic lights. Although these projects were not completed in 2011/12, but will be finalised early in 2012/13.

3.15.3.5 Road infrastructure

The department is responsible for planning, delivering, and maintaining ELM Roads and Stormwater infrastructure. It consists of divisions for planning and operations. The Planning Division is in charge of creating, installing, and maintaining various electronic management systems and master planning for all road infrastructure. This section is also responsible for executing capital projects, administering the capital budget, and approving new development applications. The Operations Roads Section has three maintenance depots in Vanderbijlpark, Vereeniging, and Sebokeng. Their main task is maintaining 1,484 km of paved roads, 1,031 km of gravel roads, 144,041 m² of road markings, and 9,691 road signs to establish a functioning road network.

The core functions of Roads and Stormwater are as follows:

- Ensuring the safety of human life and property and providing infrastructure for economic development through functional roads, road traffic sign networks, and stormwater management.
- Providing services in an equitable, affordable, and sustainable manner.

- Ensuring that the planning of developments in the area complies with regulatory and legislative frameworks regarding safety, affordability, and sustainability.
- Planning and designing new roads, constructing new tarred and gravel roads, maintaining existing roads, and evaluating town planning applications.

All projects were completed, resulting in satisfactory performance in terms of financial resources. The second phase continuation of Flagship Area 3 projects has commenced, with funding now shifted from ELM to MIG. Implementation adheres to the initial price schedule. However, due to delays in approving Business Plans, Flagship Area 2 developments will not begin until 2012/2013. Thirteen additional-year projects were also planned to improve implementation turnaround time. It is important to note that vehicle licensing and public bus operation are not governed by ELM rules. Transport-related services provided by ELM are recorded as part of the traffic operations' Public Safety and Community Service component. During the review period, 1,027 kilometres of gravel roads were graded, and 54 kilometres of stormwater channels were cleaned.

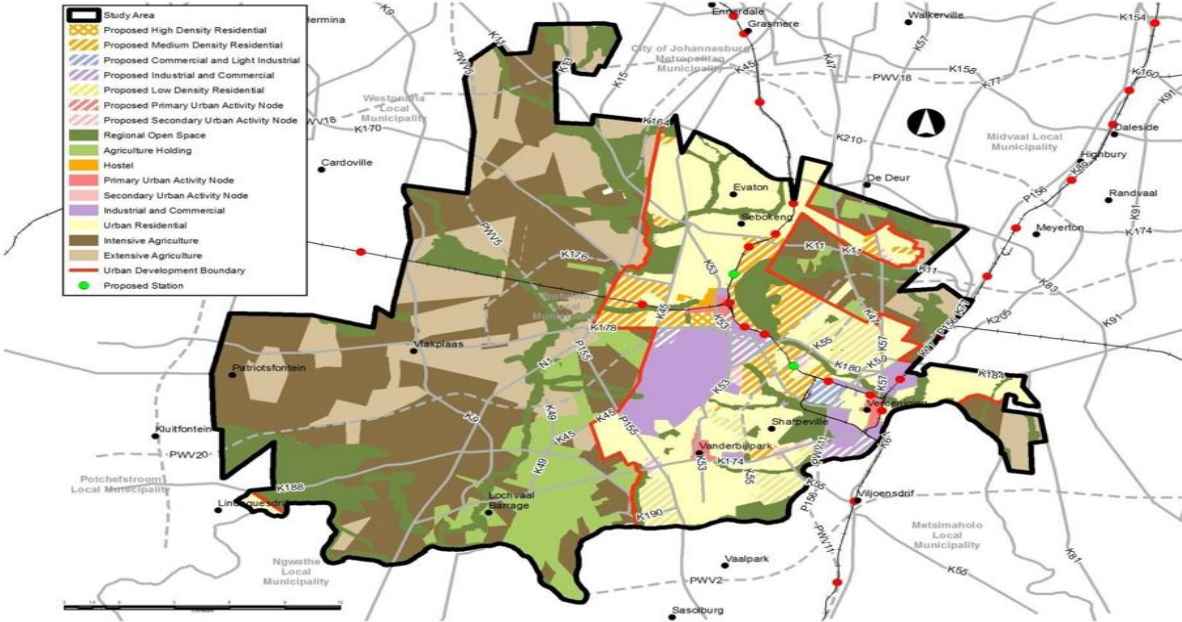
3.15.3.6 Spatial planning pressures

According to the current IDP, urbanisation in Emfuleni is now significantly dispersed. There are significant amounts of vacant land between Vereeniging and Sebokeng, allowing for the possibility of infill construction. Additionally, the land between Boipatong and Vanderbijlpark appears to be underdeveloped. However, the obvious question arises as to why, 20 years after the end of apartheid, there has been only few infill construction projects such as road resealing and rehabilitation in Three Rivers along the Umtata street in 2016. Interviews have revealed various responses, including the high land cost, the challenge of providing large-scale infrastructure for such projects, the inability to drive the process, and the fact that some infilling has already occurred. Apart from the constraints that hinder the development of a more connected and compact city, other factors also impact settlement dynamics in Emfuleni. Settlements should ideally be located near the road and rail networks connecting Emfuleni with Johannesburg and other locations in Gauteng.

Despite its attractiveness, there are two opposing factors regarding property near the Vaal River. On the one hand, developers are pressuring for the construction of high-income apartments along the river, which could positively impact the local budget through increased property tax collection. On the other hand, the municipal sewage system has reached its maximum capacity and cannot

accommodate additional large buildings. Furthermore, community organisations exert pressure to maintain the public area next to the Vaal River. In the mid-2000s, Emfuleni sold some riverside property due to financial issues. The police investigated a separate transaction involving the sale of riverside property to a Johannesburg businessperson for R1 million, which was subsequently sold for R12 million just months later. Another incident involved the potential sale of a caravan park, but due to a negative response, this deal was reversed. However, the once-functional caravan park has yet to be restored to its previous state. There is a significant occurrence of 'land invasions,' particularly in areas where major housing projects are anticipated. Lastly, there is an over-supply of RDP houses in Emfuleni, which will be discussed in more detail in Section 6.2.6.

Figure 3: Overview of the Spatial Development Plan for Emfuleni, 2022



Source (ELM, 2015)

3.16 Emfuleni Municipality Local Economic Development

The ELM has developed an LED plan based on five studies. The first report focused on the municipality’s current status, the second report conducted a socioeconomic analysis of the area, the third report was based on a community survey, and the fourth used economic modelling and strategic sectorial analysis in a statistical approach. The fifth and final report presented comprehensive ideas, programmes, and initiatives. The fifth report is the basis for the various methods implemented to execute the LED plan within the ELM. The LED approach encompasses

the pillars of the local economy, a thorough SWOT analysis, the vision, multiple strategies, and the competitive advantage of the local economy. This approach includes a ten-year vision incorporating short- and long-term initiatives and programmes. The effectiveness of this approach depends on the involvement of multiple stakeholders.

Several pillars of economic growth for the local economy have been identified, including the following (ELM, 2015):

- **Local economic development sectorial support:** Various industries in the region require assistance, including industry, housing, transportation, and tourism. The growth of these industries is crucial for the area's development.
- **Employment creation initiatives:** Job creation is a critical issue in both the global and local economies. Therefore, all plans and programmes must prioritise job creation. It is necessary to implement skills development initiatives and strengthen the education system.
- **Small business development:** Small-business growth is seen as a solution to the increasing unemployment crisis. Improving business incubators and fostering entrepreneurial development is essential for the region's growth and development. Effective governance and infrastructure are required to facilitate service delivery through government-private sector partnerships.
- **Improved quality of life:** The overall objective of an LED plan is to enhance the quality of life in the municipality and the nation. This entails reducing poverty, providing necessities to the community, enhancing safety, and ensuring regional food security.

In addition to the aforementioned pillars, the Emfuleni local municipal region promotes the growth of small businesses. Establishing, expanding, and succeeding for small enterprises is challenging in local areas and the country as a whole. Therefore, the LED strategy in Emfuleni aims to create an enabling environment for small enterprises as they are seen as one of the solutions to the prevailing issues of poverty and unemployment in the municipal region. The vision of the Emfuleni Local Municipality's LED strategy is based on the above pillars of economic growth in the region. The vision represents the long-term objective of the municipal government and other stakeholders. The mission of the Emfuleni local government is to diversify the local economy, focusing on job creation and improving the quality of life (ELM, 2015).

3.17 Conclusion

In this chapter, the primary goal was to examine the region of ELM regarding its physical location, purpose, and governing laws. Essentially, this chapter offers a clear understanding of where ELM is situated and how it is administered. The diverse responsibilities of municipalities, including ELM, were outlined, referring to the Constitution of South Africa and various local government acts. Detailed explanations were provided regarding different acts from different years that grant municipalities the authority to fulfil their responsibilities under specific conditions. Notably, this chapter provided a comprehensive overview of how environmental concerns are managed by the three levels of government, particularly emphasising how municipalities regulate the environment within the local government sphere.

In the next chapter, the focus will shift to empirical research on the impact of CSOs on the engagement of CSOs in policy formulation and implementation in ELM and other municipalities.

CHAPTER 4: CIVIL SOCIETY ORGANISATIONS IN EMFULENI MUNICIPALITY

4.1 Introduction

The preceding chapter scrutinized the governance of environmental policies across governmental spheres, concentrating on the regulatory framework within the Environmental, Local, and Municipal (ELM) domain. Employing a qualitative research method, this study aimed to gain deeper insights into this phenomenon, offering a novel perspective on the influence of Civil Society Organizations (CSOs) in ELM policy formulation. This chapter presents an exhaustive account and historical overview of the specific CSOs under examination, with data derived from websites and documents utilizing a qualitative approach.

The explication of civil society organizations is indispensable in navigating this intricate field (Cohen and Arato, 2019). Drawing on definitions articulated by civil society stakeholders in interviews, CSOs are broadly characterized as entities encompassing the entire spectrum of voluntary human endeavors, serving as mechanisms for collective pursuit of individual desires and needs. Alternatively, a more specific definition portrays CSOs as organizations existing for societal benefit (Cöôøng, 2018).

Conversations often center on organized elements like NGOs and CBOs, overlooking grassroots informal gatherings where community members address communal needs without formal structures (Diamond, 2019). Understanding the diversity of civil society groups and the myriad issues they address is crucial. In 1993, the Development Resources Centre defined the non-profit sector as private, self-governing, voluntary, non-profit distributing organizations working in the public interest for social welfare, development, religion, charity, and education. This definition focuses on formalized NGOs, emphasizing the public interest and excluding corporate entities and professional associations (Putnam, 2019; Eade, 2017).

A broader definition of civil society emerged in a report for the South African NGO Coalition (SANGOCO, 1999) by the Cooperative for Research and Education (CORE) and Council for Advanced and Support of Education (CASE), portraying civil society as independent, voluntary organizations operating between family and state, established to uphold or protect the interests and values of their members/founders. The concept of a non-profit organization (NPO) was employed by Edwards & Hulme (2020), proposing five criteria for an NPO: organizational, private (non-

governmental), self-governing, non-profit disbursing, and voluntary characteristics. However, this definition overlooks the crucial element of public interest.

As part of the Civil Society Index program (CSI), Civics provided a fourth description, defining civil society as the sphere existing between family, state, and market, comprising institutions, organizations, networks, and people with common values. Workshops revealed South African civil society actors' reservations about this definition due to references to a specific economic system and assumptions about shared civic principles. A refined definition was agreed upon: civil society refers to the area of organizations and/or alliances situated between family, state, current government, and the dominant economic system, where groups with similar interests voluntarily associate, sharing, competing, or conflicting in ideals and interests (Edwards, 2021). While these definitions offer a general understanding, this study necessitates a more precisely defined concept of civil society.

4.2. Definition of CSOs

The foregoing discussion underscores the imperative of formulating a comprehensive and precise sector description. This study's focal point is on organizations with developmental or service delivery roles, aligning with the mandate of the National Development Agency (NDA). However, it is acknowledged that civil society comprises a diverse array of organizations, exhibiting substantial variations in size, structure, and function (Ershova, 2015). The adopted definition in this study extends and refines prior conceptualizations to establish a nexus between the civil society sector, the state, and the market, specifically centring on organizations operating for public benefit (Phogole, 2020).

The criteria outlined above guide the selection of CSOs for investigation, necessitating alignment with principles such as operating for the general good, private existence outside the state or market, self-governance, non-profit distribution, and a shared aim linked to service delivery, social watch, advocacy, research, or education. It is crucial to note that this definition intentionally excludes informal groups without a public purpose, such as book clubs or stokvels, and also excludes cooperatives. The first and second criteria assume particular significance given the NDA's mandate, with a predominant focus on advocacy or service provision by most South African CSOs. Following these criteria, the research adopts a staged approach, concentrating on specific organizations.

CSOs encompass a wide spectrum of entities, including NGOs, private voluntary organizations, peoples' organizations, CBOs, civic clubs, cooperatives, trade unions, gender groups, cultural and religious groups, charities, social and sports clubs, environmental groups, professional associations, segments of academia, policy institutions, consumer organizations, and the media (Fatton, 2019). Depending on the context and specific goals, CSOs may adopt critical or collaborative stances toward the state. Over the past three decades, CSOs globally have played a pivotal role in delivering essential services, with development CSOs in the global South often being primary beneficiaries of donor assistance from the global North, particularly in service delivery (Fowler, 2017).

Fraser (2021), critiquing the predominant emphasis on organizational structures in the analysis of African civil society, proposes an alternative, activity-based perspective. This perspective seeks to include otherwise "invisible" civil society activities often dismissed as non-civil, particularly those expressed through ethnic and familial groupings (Fukuyama, 2020). Gopaul (2021) posits that in Kenya, colonial state violence stimulated civic resistance, fostering profound mistrust of the state. Kenyan inhabitants sought refuge in institutions of great trust, such as the family, clan, and tribe, which concurrently served as political centres.

This perspective assumes significance by highlighting power interactions. Putnam (2020) suggests a shift away from scrutinizing CSOs' organizational form towards an emphasis on function, focusing on what organizations do rather than their structural attributes. Putterman (2018) identifies five areas where CSOs can substantially impact democratic states, encompassing knowledge of locales, information on best practices, theoretical insights, ongoing evaluations of debate participants' claims, and providing spaces for essential discourse.

The relationship between civil society and democracy is not automatic; it hinges on the structure of state authority within society. Ranchod (2017) argues against neatly opposing state-civil society ties, advocating for viewing CSOs along a continuum of resistance and collaboration with governments and other powerful actors. The democratic nature of CSOs is contingent upon the structure, distribution, and exercise of power within the organizations.

Horizontal organizational structures are often deemed democratic, reflecting equality and the absence of power imbalances (Aliber, 2018). However, the necessity of a division of labor implies some form of vertical hierarchy, challenging the assumption of inherent democratic traits in horizontal relationships. Bailey (2017) contends that authority is not inherently anti-democratic,

proposing that democratic accountability is feasible when authority is open to challenge, and members are held accountable for the delegated authority. Gramsci (2018) defines a democratic organization as one that distributes power in a way that restrains authority. However, discussions on accountability in the context of CSOs predominantly focus on upward accountability to contributors rather than to members, with donors sometimes dictating reporting requirements, posing challenges in addressing societal issues with limited resources (Habib, 2018).

Heller (2021) provides a definition of accountability, implying an obligation to furnish comprehensive and accurate reports to a higher authority, presupposing power division among members rather than concentration in external authorities. This form of accountability is anticipated to have discernible effects on individual members, the organization, and the contributions of these organizations to the macro-level qualities of democracy.

4.3 CSOs as voluntary groups

CSOs operate under the auspices of CS and are voluntary groups that collaborate for the benefit of disadvantaged community members. These organisations are established by community members or volunteers who may or may not be community members. Ibrahim and Hyden (2017) state that CSOs encompass various organisations and associations, such as faith-based, religious, communal, media and academic, non-governmental, recreational, cooperative groups, and labour unions. The World Bank defines CSOs as ‘a variety of non-governmental and NPOs that are formed to represent the interests and values of their members or others, based on a common point of view that may be religious, ethical, political, cultural, scientific, or philanthropic in nature’ (Ibrahim and Hulme, 2021, p.44).

In other words, CSOs are believed to be organisations formed by people to advocate for their rights, voice their concerns through mediation and negotiation, and ultimately address persistent problems in their communities where the government has failed, such as environmental degradation, poor education, and limited access to housing, sanitation, and clean water (Igbuzor, 2020). These organisations take various forms, including associations, community-based organisations, unions, networks, social movements, religious organisations, and social organisations, with distinct characteristics of being voluntary, self-managed, and non-profit entities.

Kaldor (2018) defines CSOs as associations and collections of NGOs and organisations focusing on people. Keefer & Knack (2017) claim that CSOs incorporate the values, norms, and structures

of volunteer organisations and engage in various forms of communication to provide information that facilitates public awareness and participation. CSOs are often viewed differently by the public and private sectors. While the government focuses on delivering public goods and mobilising resources, and the private sector concentrates on generating products, services, and financial arrangements through market mechanisms, CSOs aim to provide community-driven goods and services based on communal decision-making and pool resources through social distribution and values.

Kongolo (2019) defines CSOs as independent from the commercial and public sectors and established for communal purposes. They are often seen as outside the realm of the home. In addition to the abovementioned, CSOs are more concerned with providing people with a voice, which the government and the business sector may not fully do. CSOs encourage the engagement of all individuals in public work (Kothari, 2021). CSOs encompass registered charities, welfare organisations, development NGOs, community groups, trade unions, women's organisations, faith-based organisations, and self-help groups, among others, but are not limited to these categories. The UNDP further characterises them as non-state actors whose primary purpose is neither profit generation nor the pursuit of state authority but rather organising individuals to advance shared objectives and interests (Laine, 2020). According to Pansegrouw (2015), CSOs can be any non-governmental entity or organisation. CSOs are viewed as crucial actors in the development process.

Frequently, these organisations collaborate with the government, the private sector, and the local community to implement development projects. CSOs have a variety of financial resources that contribute to their sustainability. CSOs have a variety of financial resources that contribute to their sustainability. These resources may include assistance from external donors, government, and private donations. The existence of multiple funding sources illustrates that despite their independence from the state, CSOs may receive subsidies from the government (Lau, 2018). These financial resources enable organisations to pay wages to their employees and contribute to meeting the community's needs. For example, if there is a need in the community to construct a community centre, the organisation in question would have to seek funding from donors or the government to build it.

4.4 CSOs in the Vaal-area

VEJA (n.d., p. 5) delineates itself as an environmental justice organization, officially registered as a Non-Profit Organization (NPO 153-572), situated in Vanderbijlpark within the Vaal Triangle. With ten affiliated member organizations, VEJA directs its campaigns towards issues encompassing air quality, water, waste, energy, and climate change. The core mission of VEJA is to unite communities for the purpose of securing environmental justice in the Vaal area. Additionally, VEJA positions itself as a dedicated resource committed to advancing the collective interests of community-based and non-governmental organizations concerning environmental matters.

VEJA (n.d., p. 2) elucidates its objectives, emphasizing the cultivation of an environmental awareness culture and continual development. Another objective is the provision of assistance and local support networks for women's groups, community organizations, religious groups, trade unions, and other NGOs fostering ongoing development capabilities in the Vaal area. The third role involves educational activities aimed at deepening understanding of the interrelated economic, social, environmental, and political elements influencing the achievement of an equitable and sustainable society. Lastly, VEJA seeks engagement with various stakeholders, including national, provincial, and local governments, as well as commerce and industries, to advocate for a safe, sustainable, and healthy environment.

In contrast, SAVE (n.d.) expounds that it is a non-governmental organization established in the 1990s with the primary objective of safeguarding the Vaal River and its adjacent areas from pollution. SAVE's jurisdiction extends from the Vaal Dam in the east to Parys in the west. SAVE articulates three overarching aims: first, to raise public awareness about pollution and the imperative of preventing it in the Vaal River; second, to identify and address polluters within governmental bodies, individual entities, industries, and mines; and third, in cases where communication with polluters proves futile, SAVE seeks judicial intervention to enforce measures preventing or immediately halting pollution.

Similarly, CER (n.d.), identified as the Centre for Environmental Rights, succinctly positions itself as a law clinic and NGO situated in Cape Town. Established in October 2009 by eight CSOs in the environmental justice and environmental sectors of South Africa, CER aims to provide legal and support services to communities, interest organizations, and community organizations. The vision of CER is to foster an equitable, compassionate, and just society that acknowledges the interconnectedness between the environment and its people, celebrating diversity. CER's mission is to protect the rights of CSOs and communities to an environment conducive to the well-being

and health of present and future generations, advocating for environmental justice through litigation and advocacy efforts. CER remains committed to transforming engagement structures within communities, industries, funders, government entities, and service providers in the pursuit of environmental justice.

Another notable CSO is the Federation for Sustainable Environment (FSE), which underscores its establishment and registration as an NGO with a specific focus on instigating behavioral change in the mining sector within the post-apartheid legal framework. FSE's work encompasses environmental empowerment, campaigns, capacity building for affected communities, and skill development. The organization disseminates information about the potential impacts of mines, advocates for environmental rights, and assists communities in realizing both short- and long-term benefits while ensuring intra- and inter-generational equity.

FSE (n.d.) articulates approximately eight objectives, including promoting and protecting environmental well-being, advocating for sustainable development, informing decision-making activities, and taking legal measures to hold decision-makers accountable in cases of negative socioeconomic and environmental impacts.

OUTA (n.d.), identified as the Organisation Undoing Tax Abuse, is positioned as a non-profit, secular action organization focused on exposing government corruption, misuse of public funds, and abuse of public tax. Operating through litigation, investigation, communication, research, and empowerment, OUTA emphasizes its non-political affiliation and reliance on public donations to hold those found guilty of corrupt activities accountable. OUTA's vision is to establish a prosperous country with an organized, empowered, and engaged civil society ensuring accountable use of tax collection across all levels of government. The organization's mission involves challenging corruption, maladministration, ineffective policies, and collaborating with authorities and communities to enhance service delivery and administration at all government levels.

GroundWork (n.d.), identified as an environmental justice NPO primarily operating in South Africa, aims to enhance the quality of life for marginalized people with a focus on waste, environmental health, climate, and energy justice. GroundWork's objective is to empower civil society to exert greater influence on environmental governance, particularly emphasizing the rights of previously disadvantaged and vulnerable individuals disproportionately affected by environmental injustices. GroundWork values solidarity and environmental justice, collaborating

with various societal groups and engaging in national and international campaigns to address environmental concerns and advocate for access to developmental resources.

Vaal Action Group (VAG) (n.d.) positions itself as a non-governmental organization formed to address significant environmental disputes affecting the Vaal Dam system and encompassing all natural resources within South African borders. VAG aims to prevent ongoing pollution affecting animal and human life, implement precautionary measures to restore the Vaal River, stop the flow of rubbish, raw sewage, and chemicals into the river, and educate and train the public to respect the environment.

AfriForum (n.d.) mobilizes Afrikaans-speaking people and Afrikaners within South Africa, aiming to protect their rights. Established in 2006 as an NPO, AfriForum engages in public debates beyond political party politics. The organization's environmental department focuses on promoting advanced environmental health, including water and environmental legislation. AfriForum acts as an observer, identifying violations and holding implementers accountable for organized environmental and water management, collaborating with local and district municipalities to maintain clean landfills and water infrastructure and repair sewage infrastructure.

4.5 Varying categories of CSOs

The roster of Civil Society Organizations (CSOs) is not confined to the entities enumerated above. For the purposes of this study, the researcher has opted to focalize on a specific category of CSO, namely, Non-Governmental Organizations (NGOs), with a pronounced emphasis on the NGO Plan Act, which constitutes the subject of the case study.

NGOs, often referred to as Non-Profit Organizations (NPOs), operate autonomously from governmental oversight (Lewis and Kanji, 2019). They are established by community members, individuals either within or outside the community, with the primary objective of addressing fundamental needs unmet by the government or market. The goals of NGOs encompass diverse endeavors, ranging from project development and commodity manufacturing to the distribution of goods and the provision of services to various communities. The scope of NGOs extends beyond local development, with operations spanning regional, national, or even international levels contingent upon the nature of their work and the communities they intend to benefit.

The global landscape is marked by a proliferation of NGOs, numbering over 10 million, each espousing a unique mission. Notwithstanding this diversity, all NGOs share a common aim: the amelioration of living conditions for those grappling with poverty through the provision of complimentary services tailored to the needs of local communities (Brown and Kalegaonkar, 2019). The multifaceted services rendered by NGOs encompass humanitarian aid, healthcare, legal support, human rights advocacy, educational activities, and the addressing of various socioeconomic challenges.

Bruyn (2018) underscores that NGOs operate independently of governmental or commercial influences and are not driven by profit motives. The emergence of numerous NGOs can be attributed to governmental shortcomings in service provision and commitment fulfillment to communities (Banks and Bulmer, 2018). In response to the inadequacies of development strategies during the 1970s and 1980s, NGOs emerged as an alternative development paradigm, introducing innovative, people-centric approaches to service delivery, advocacy, and empowerment. Nevertheless, the classification of NGOs as part of CSOs has posed a challenge, given their diverse origins, levels of formality, and services offered (Burt, 2020; Capital, 2020).

Classifications of NGOs, based on factors such as work, headquarters, nature, relationships with disadvantaged communities, and development aid efforts, have been proposed by scholars such as Carr and Norman (2018). Like CSOs, NGOs are recognized as primary agents of state and alternative development, prioritizing people-centric and empowering solutions (Carroll, 2020). Given the prevalence of poverty, initiatives promoting employment and sustainable livelihoods are deemed essential, as highlighted by Lewis (2019). Banks and Hulme (2018) note that NGOs typically arise in response to specific needs within a particular community, addressing concerns encompassing infrastructure, health, education, and housing. Moreover, NGOs typically engage with a spectrum of development-related issues, with a significant number focusing on agriculture, health and hygiene, and human resource development in rural development contexts. Robinson and Friedman (2020) underscore the significance of community ownership in development, asserting that the success of initiatives is contingent upon communities assuming leadership roles.

NGOs, by definition, are self-governing entities providing relief, rehabilitation, reconstruction, and development aid with the expectation that they possess the institutional capability to mitigate poverty and enhance the quality of life (Robson, 2021; Rose, 2018). NGOs are positioned advantageously vis-à-vis government organizations, boasting the ability to reach diverse populations, even in remote areas. Their capacity for swift, innovative, and flexible responses to

emergent financial and technical assistance needs at the grassroots level, coupled with their extensive experience in social sector development and poverty alleviation, endows NGOs with a competitive edge (Rostow, 2020).

Contemporaneously, NGOs often engage in collaborative efforts with the state, transforming from mere service delivery entities into significant agents of development. Effecting a change in their role necessitates a shift in how they collaborate with the state. While both the state and NGOs participate in a gamut of development projects, the state frequently perceives NGOs as impediments to growth even in collaborative ventures (Oakley, 2020). The lack of trust has hindered efficient collaboration between the state and NGOs. In light of pervasive poverty in emerging nations, NGOs have become vital sources of support for individuals, with thousands operating in diverse and remote regions of Africa, addressing objectives ranging from relief services and environmental conservation to participation in development projects and advocacy for human rights vis-à-vis governmental bodies (O'Connell, 2019).

4.6 The History of CSOs in South Africa

Between 1990 and 1994, the political landscape in South African society underwent a transformative shift marked by negotiations and bargaining (Routledge and Von Amsberg, 2018). Following the inaugural democratic elections in 1994, the conceptualization of community, which had evolved during the resistance era, encountered competition with the emerging role of the democratic state (Schuler, 2020). The Government of National Unity, formed post-1994, spearheaded the establishment of a new policy framework. Subsequently, various social sectors implemented novel policies and laws, with the South African Constitution of 1996 being the seminal legislative document, featuring an extensive Bill of Rights encompassing civil, political, social, economic, and cultural rights (Nyalunga, 2018).

Initially, the Reconstruction and Development Programme (RDP) acknowledged the vital role of Civil Society Organizations (CSOs) in supporting development and nurturing a democratic ethos. However, with the cessation of the RDP office, a policy vacuum emerged, leaving a void in shaping government-civil society relations (Noyoo, 2017). In the post-1994 era, CSOs underwent a reassessment of their roles in the context of democratization and globalization. The legislative landscape provided avenues for participation beyond elections, exemplified by the enactment of the Non-profit Organisations Act in 1997, defining Non-Profit Organizations (NPOs) as entities established for a public purpose with non-distributable income and property (Nhlapo, 2020).

Despite these legislative channels, the gap between communities and the government has persisted, evident in community dissatisfaction with service delivery, often expressed through violent demonstrations (NDP 2030, 2013). Concerns have been raised about an exclusionary decision-making style in the post-1994 administration, with various social groups and civil society actors asserting that they are marginalized in policy-making processes (Narayan and Pritchett, 2017). South African social movements have connected with global anti-corporatist and anti-globalization movements, collaborating through platforms like the World Social Forum (WSF) and the World Summit for Sustainable Development (WSSD) (Morris, 2018). This global engagement has expanded the interests and capacities of local CSOs (Centre for Environmental Rights, GroundWork, FSE, OUTA, AfriForum) through international networks.

CSOs advocate for a more tangible and visible role of the democratic state in people's lives, emphasizing the need for improved government management, administrative capabilities, and consolidated democratic institutions. The South African government, recognizing civil society as a crucial social actor, has committed to allocating 25% of all development assistance to fund and strengthen civil society (Mkhwanazi, 2018). Active citizenship and social participation are deemed crucial for democracy's flourishing, according to the National Development Plan 2030 (NDP 2030, 2013). There is a perception that CSOs are responsible for promoting the inclusion of disadvantaged and marginalized groups (Miguel, 2018).

The South African government has established Chapter 9 institutions to safeguard constitutional democracy, including the Public Protector, Auditor-General, Electoral Commission, Human Rights Commission, Commission for Gender Equality, Commission for the Protection of the Rights of Cultural, Religious, and Linguistic Communities, and the Public Service Commission. These institutions operate independently, reporting annually to the legislature. The Public Service Commission, established in 2001, monitors government performance based on nine fundamental values and principles (Naidoo, 2012).

Development practitioners Algozzine and Hancock (2019) trace the origins of civic engagement in South Africa to its colonial past, highlighting the role of missionaries and NGOs with either an 'emancipatory agenda' or a 'paternalistic role' in development. The struggle for democracy saw the emergence of non-profits, such as civic action committees, anti-eviction campaigns, and anti-tricameral parliament campaigns, alongside faith-based or ethnically-based welfare, education, and health-oriented NGOs. These NGOs, often led by middle-class individuals, received state funding or subsidies to provide services. The post-1994 era witnessed a shift in the sector's

expansion, interventions, and challenges, with a loss of strategic leadership to the government during the demobilization of NPOs. Post-1999, CSOs faced obstacles such as reduced funding, increased hostility from government levels, and changes in the global economic landscape impacting international financing. The sector witnessed a shift in focus, with some CSOs challenging government failings through strategic litigation, while others sought government financing at any cost.

CSOs, including the Centre for Environmental Rights, GroundWork, FSE, OUTA, and AfriForum, have engaged in legal actions and advocacy to address environmental issues and government shortcomings. They have taken municipalities to court for environmental mismanagement, sewage pollution, and poor landfill site management. These actions exemplify the challenges and crisis faced by CSOs in South Africa, marking the significance of their role in addressing environmental and governance issues.

4.7 The functions of CSOs: informal and formal organisations

The examination of Civil Society Organizations (CSOs) should encompass both formal and informal entities, including organizations, associations, faith-based groups, media, academia, and cultural groups, as they collectively contribute to development. Numerous researchers have scrutinized the functions of CSOs. Ahmad (2018) delineates two primary responsibilities of CSOs: a preventive function against the state to balance, reconstruct, and democratize it, and advocacy. CSOs increasingly demand accountability, pushing for improved service delivery and exerting political pressure, thereby promoting engagement and empowerment by providing a platform for marginalized voices (Mbigi, 2020). Mafunisa (2020) asserts that CSOs encourage economic growth and are deemed instrumental in addressing global poverty, evident in their participation in forums such as the World Economic Forum and World Social Forum. The International Monetary Fund (IMF) recognizing them as development partners underscores their significance in the fight against poverty. Lewis and Kanji (2019) stress that CSOs address what commercial and public sectors cannot achieve for the people, emphasizing collective associations as guiding principles for advancing their agenda. Some organizations support small groups in organizing themselves to address their needs, while others establish microfinance institutions to assist individuals, especially women, with financial needs (Clayton, Oakley, and Taylor, 2020).

CSOs play a vital role in promoting economic reforms, accountability, transparency, and human rights, contributing to fundamental services, poverty reduction, and societal equality. They

facilitate the creation of constituencies for poverty reduction, sustainable development, and international collaboration (Cashdan, 2020). However, in many developing nations, CSOs often spend considerable time responding to donor initiatives and aligning their goals with donors' agendas to secure funding, rather than being fully responsive to the needs of their members.

Moreover, CSOs are instrumental in promoting good governance, political involvement, and democracy, holding the state accountable for human rights and freedom of expression. They serve as vehicles for expanding democracy, educating people about their rights, and ensuring that those in poverty benefit from democratic advancements (Carroll, 2021). Through various operations, including healthcare, relief, education, microcredit supply, and housing provision, CSOs contribute to societal development and engage in campaigns and training initiatives (Cheema and Popovski, 2021). Advocacy, encompassing lobbying, public mobilization, and raising awareness, is a crucial aspect of their functions (Bourdieu, 2018; Ibrahim and Hulme, 2010). NGOs associated with CSOs monitor government compliance with international conventions on human rights, conflict resolution, and reconciliation (Börzel and Risse, 2021).

CSOs aim to create awareness, raise consciousness, and organize the capacity of rights holders, advocating for policies benefiting the disadvantaged (Baulch, 2020). Their responsibility includes engaging in the planning, preparation, execution, and monitoring of anti-poverty efforts, with operations covering capacity building, training, project management, and microfinance (Banks and Hulme, 2019). CSOs are essential for educating citizens on their rights, advocating for government accountability, and transparency, particularly in administration and finance (Cohen and Arato, 2019). Organizations like The Access Initiative (TAI) globally examine government performance in terms of accountability, transparency, and inclusivity, using results to advocate for legislative and institutional reforms (Cööðong, 2018).

The emergence of CSOs in South Africa is intricately linked to the anti-apartheid movement, aligning with studies that investigate the connection between the struggle against apartheid and CSO growth. The transition from apartheid to democracy marked a significant shift in the role of CSOs in South African societies. While the end of apartheid and the establishment of democracy brought optimism, the political shift also led to complexities in the relationship between the state and CSOs. CSOs played a crucial role in assisting regions the government could not reach, contributing to service delivery, lobbying, and monitoring (Eade, 2017; Edwards and Hulme, 2020). However, their effectiveness faced challenges, including conflicts of interest due to leaders transitioning from CSOs to government roles.

The trajectory of CSOs in South Africa has been influenced by the paradoxes of the country's political transition, resulting in the emergence of three separate blocs: formal NGOs collaborating with the state, informal NGOs, and CSOs involved in social movements (Ershova, 2015). Despite their successes, CSOs face challenges, including organizational issues, difficulties forming collaborations, and dependency on donor funding, potentially impeding their effectiveness (Aliber, 2018).

4.8 CSOs as an approach to development

Civil Society Organizations (CSOs) employ diverse approaches to development, encompassing both hardware and software methods. The hardware approach involves the construction of infrastructure such as roads, recreation facilities, public libraries, and clinics, as well as providing essential amenities like water and electricity. In contrast, the software approach focuses on empowering individuals through training programs, teaching skills such as small business management, community-based organization (CBO) management, and income generation. This includes activities like renting out rooms, providing consultancy services, engaging in local trade, or promoting locally made goods. Some organizations adopt a self-reliant strategy, emphasizing community capacity-building and fostering an environment conducive to self-sufficiency, where community members learn to provide mutual aid and take ownership of their growth. Others utilize a rights-based strategy, emphasizing the protection and promotion of human rights, while some adopt a welfare-based approach, providing support and assistance to marginalized individuals and communities.

According to Anheier and Helmut (2019), development is a multifaceted process involving improvements in the quality of people's lives, reduced poverty, increased capacity to meet basic needs, and the sustainability of livelihoods. The concept of development has historical roots dating back to an 18th-century initiative aimed at transforming societies for the better, moving from poverty to social equality (Bailey, 2017). While economic expansion is crucial for large-scale development, Gramsci (2018) argues that poverty reduction also relies on social welfare systems and income transfers. CSOs, in the fight against poverty, should prioritize job and income generation initiatives while addressing underlying barriers such as lack of education and skills that hinder employment (NDA, 2016).

Habib (2018) emphasizes that development is a complex process influenced by a nation's social and economic institutions, resulting in improvements to institutional, social, and administrative

systems, as well as attitudes of the population. National settings often influence growth, but the development process is frequently accomplished globally by transforming the social and economic structures of the world. CSOs have played a significant role in international development, contributing to human development, establishing hospitals, schools, and agriculture initiatives, and aiding in the resolution of civil conflicts and disaster relief (Ibrahim and Hulme, 2021).

Strengthening CSOs contributes to essential conditions for state growth, with governments relying on dynamic and engaged CSOs for effective operation, especially in the democratic process (Igbuzor, 2020). In South Africa, the increasing number of NGOs over the past few decades is expected to contribute substantially to service delivery and the development sector. CSOs, according to Kaldor (2018), play a crucial role in social, political, and economic development, guiding the development process, advocating for policy efficacy, and serving as watchdogs. They organize forums, training sessions, and produce informational resources to facilitate growth (NDA, 2008).

The National Development Agency (NDA) (2008) underscores that civil society, perceived differently, plays a vital role in providing a space for the underprivileged and voiceless, fostering social cohesion, and contributing to community identity. CSOs, particularly NGOs, focus on service provision and advocacy for the underprivileged, offering various services such as health, livelihood interventions, education, emergency response, conflict resolution, democracy development, financing, environmental management, human rights awareness, and policy analysis (Kongolo, 2019; Kothari, 2021). In post-apartheid South Africa, CSOs, including NGOs like the Landless People's Movement (LPM), CIVICUS: World Alliance for Citizen Participation, and Plan Act, have actively engaged in community development programs to alleviate poverty (Pansegrouw, 2015).

4.9 CSOs and local development

In diverse geographic settings, including villages, cities, provinces, and regions, Civil Society Organizations (CSOs) predominantly concentrate on local development. Therefore, it is imperative to comprehend how CSOs articulate their roles as both contributors and beneficiaries of local development. Functioning as agents of community development, civil society fosters environments wherein communities and individuals can address daily challenges. Self-help volunteer organizations, whether situated in rural or urban areas, collaborate with other non-governmental organizations (NGOs) to procure and advocate for necessary services (Lau, 2018).

Simultaneously, CSOs, as recipients of development assistance, are targeted by various sectors to endorse local government programs, private initiatives, and donor-proposed projects.

Substantial evidence suggests that CSOs engaged in service delivery initiatives, such as providing water, electricity, and skill development in impoverished countries, can positively impact the development of these nations. For instance, the Danish NGO Impact Study conducted in 1998 scrutinized 45 projects across Asia, Africa, and Latin America, concentrating on delivering social services to individuals experiencing poverty. This study aimed to evaluate the influence of Danish NGO-supported initiatives on the development of disadvantaged communities (Lewis and Kanji, 2019). The findings furnish substantial evidence that CSOs engaged in service delivery initiatives, encompassing basic education, healthcare, water, and electricity, exert a beneficial influence on the development of underprivileged communities. However, it also underscores that the positive impact of such programs is not a lasting solution but rather a temporary alleviation (Lewis, 2018).

In 2002, community-based organizations (CBOs) initiated a water and power reconnection campaign in Cape Town and Johannesburg, with the principal objective of pressuring the government to provide water and electricity to underprivileged neighborhoods (Brown and Kalegaonkar, 2019). In Soweto, the Soweto Energy Crisis Committee (SECC) persistently protests the government's plan to privatize electricity supply and the recurrent power outages. In June 2003, the Durban City Council waived \$17 million in payment arrears following protests by over 5,000 individuals. CSOs in Durban, such as the Concerned Citizens Forum, demonstrated against substandard services by marching to their offices (Bruyn, 2018). These instances illustrate the endeavors of social movements in South Africa to ensure that the underprivileged have unfettered access to public goods. Nonetheless, research indicates that CSOs have not significantly influenced government policy through protest activities.

Indonesian research conducted in 2007 investigated the roles and methodologies of Bina Swadaya, one of Indonesia's most active development NGOs (Bulmer, 2018). Engaging in diverse development activities, including agriculture, environmental preservation, sanitation, and human development, Bina Swadaya empowers communities to take control of their destinies (Burt, 2020). The organization has established research and education training centers in collaboration with local communities and other organizations. Furthermore, they have instituted microfinance organizations to assist the underprivileged lacking access to traditional financial institutions such as banks (Capital, 2020). Bina Swadaya supports communities in creating local institutions, such as 'self-help groups with 20 to 30 members,' to empower communities to address their

developmental challenges (Carr and Norman, 2018). These instances underscore how CSOs serve the impoverished populations in Indonesia.

There exists a global consensus on the pivotal role CSOs play, and continue to play, in contributing to development in three distinctive ways:

1. **Service Delivery:** Primarily focused on welfare services in South Africa, it is gradually expanding to other areas.
2. **Advocacy:** CSOs and civil society are crucial in advocating for the state to uphold rights and responsibilities. They give a voice to the voiceless and advocate for stakeholders' legitimate needs.
3. **Governance:** CSOs contribute to establishing good governance practices and combating corruption. One of their significant responsibilities is to raise awareness about corruption and weak governance practices.

Despite numerous anecdotal accounts of CSOs' contribution to development and some notable examples, such as litigation promoting constitutional rights, there is a paucity of empirical evidence regarding the overall impact of CSOs on development. Non-profit organizations (NPOs) must demonstrate their effectiveness more than ever to secure government and donor assistance.

4.10 CSOs and local government policy formulation

The extensive examination of websites and documents has elucidated the multifaceted ways in which Civil Society Organizations (CSOs) such as VEJA, SAVE, and other environmentally focused entities engage in the formulation of local government policies in the context of Environmental Local Municipality (ELM). This inquiry also delves into the dynamics of interaction between ELM councils and councillors with these CSOs during policy-making processes. Additionally, it scrutinizes the methodologies employed by VEJA, SAVE, and other environmental-based CSOs in monitoring the actions of ELM councils and councillors pertaining to policy implementation. The insights derived from minutes, publications, and websites underwent analysis utilizing an inductive approach. This study centers on three pivotal aspects delineating the impact of CSOs on local government policies in ELM, namely, the propagation of awareness, orchestration of meetings and campaigns pertaining to environmental policies and regulations, and vigilance over and evaluation of the actions of ELM councillors and officials. These issues are subject to examination to gauge the efficacy of formulating and implementing

environmental policies in ELM. Drawing upon an exhaustive review of extant literature and secondary data, this chapter provides a discourse and analysis of minutes, campaigns, hearings, public participation, forums, protests, and inspections as the modalities through which CSOs exert influence on policy-making processes in ELM.

Scholarly perspective serving as an explanatory theory for the relationship between ELM and CSO

Institutionalism and functionalism theory are the two theories that explain the relationship between ELM and CSOs. In line with institutionalism theory, a mutual relationship between ELM, CSOs and citizens at large exists. This is because ELM considers citizens in groups including civil society organizations in both policy formulation and implementation and also in the resolution of societal complains regarding policies. In the case of functionalism theory, societies, civil society organizations and ELM, each has a role in the formulation and implantation of policies which is played effectively by each member.

Ways in which councils and councillors engage with CSO in policy making in ELM

Illustrative instances from the Rietspruit Forum and FMC meeting on 8 November 2005, convened at Sebokeng Water Care Works, reflect CSO engagement. During this meeting, Mr. Dewing from ELM reported a blockage to stakeholders, including CSOs like Phaphamang Environmental Club, encompassing areas from the hostel to the hospital, resulting in overflowing manholes. Subsequent meetings in 2006 and 2007 indicate collaborative efforts to establish community parks, address groundwater seepage issues, and form committees for engaging councillors in activities such as tree planting. Further activities in subsequent years involve workshops on solid waste management, environmental awareness campaigns, and participation in initiatives to combat illegal dumping. These initiatives are indicative of the sustained commitment of CSOs to environmental causes.

In later years, discussions in meetings include environmental awareness campaigns, the importance of reporting pollution incidents, and concerns about budget limitations hindering water quality testing. The engagement of CSOs such as VEJA, SAVE, and FSE is underscored, emphasizing their indispensable role as instruments for implementing legislation. Budgetary constraints affecting water quality testing and recurring issues like pump station failures are recurrent themes. Noteworthy is the emphasis on public participation and engagement with local communities to address water pollution and other environmental challenges.

The narrative extends to the initiatives of the Botle Ba Tlhaho Environmental Group, a member of VEJA, in the Vaal area. Their focus on workshops and awareness campaigns is exemplified by their efforts to pressure ArcelorMittal South Africa to comply with emission standards, safeguarding the health of residents in the Vaal region. The endeavors of community members from Sharpeville, Sebokeng, and Bophelong, collaborating with CSOs to advocate for improved air quality standards, are indicative of the proactive role played by these organizations in addressing local environmental concerns.

In summary, the findings illustrate a continuum of CSO involvement in local government policies in ELM, spanning awareness campaigns, collaborative initiatives with local government bodies, and proactive measures to address environmental challenges. These activities collectively underscore the pivotal role of CSOs in influencing policy-making processes and fostering environmental stewardship in the ELM context.

4.10.1 Accountability and transparency

Ways in which CSOs oversee the actions of councils and councillors in policy implementation within ELM

Civil Society Organizations (CSOs) within the Emfuleni area have proactively engaged in endeavors aimed at promoting accountability and transparency, particularly in response to the pervasive corruption within the municipal council in recent years. The deleterious consequences of this corruption, notably an overwhelming debt that the council could not liquidate, culminated in a severe financial crisis for Emfuleni. The Organization Undoing Tax Abuse (OUTA) responded to this crisis by initiating measures to address the predicament.

In an initial move, OUTA's legal team dispatched a letter dated 28 February 2018 to the Gauteng Member of the Executive Council (MEC) for Cooperative Governance and Traditional Affairs, delineating the dire circumstances in Emfuleni. This communication underscored the criticality of the situation arising from the council's indebtedness, leading to suspensions of essential services by Eskom and Rand Water, encompassing electricity and water supplies, respectively. The ensuing absence of these vital services posed a tangible threat to the well-being of Emfuleni residents, prompting OUTA to intervene actively.

Subsequently, upon receiving no response from the Gauteng MEC, OUTA extended its efforts by issuing letters to all relevant stakeholders involved in the functioning of Emfuleni Local Municipality (ELM). On 5 March 2018, a second missive was directed to the Gauteng provincial government, seeking elucidation on the agreements between Emfuleni, Rand Water, and Eskom. This included specifics on Emfuleni's acknowledgment of the R430 million debt to Rand Water, the R800 million debt to Eskom, and details of payment agreements. The communication further requested copies of settlements and Emfuleni's economic recovery strategy.

Persisting with their intervention, OUTA sent a third letter urging authorities to address their prior correspondences. This letter highlighted Rand Water's reduction in water supply due to the council's failure to honor agreements, and once again requested copies of the agreements and the economic recovery plan involving Rand Water and Eskom. In a subsequent communication on 16 May 2018, addressed to the Emfuleni Municipality manager, OUTA elucidated the constitutional framework mandating transparency and accountability in the municipal budgeting process. Emphasis was placed on the municipality's responsibility to provide accountable governance, ensure service provision, foster a safe and healthy environment, and engage communities and community organizations in local government matters. The letter also underscored the legal imperative for national and provincial governments to intervene and oversee malfunctioning municipalities, implementing and mediating economic recovery plans when faced with financial adversity.

On the same date, OUTA issued another letter to Emfuleni Municipality manager, elucidating the judicial structure for mediation within defective municipalities. The response aimed to ensure accountability of every council member, adherence to financial reporting requirements, and compliance with Section 71 of the Municipal Management Act detailing all of Emfuleni's debts and payment strategies. Further correspondences were directed to stakeholders such as the Gauteng Premier, urging swift involvement of provincial decision-makers with Emfuleni Municipality, and to Eskom, outlining the risks associated with cutting off municipal electricity. These letters, however, awaited responses. The last letter was directed to Emfuleni, requesting a meeting to address and discuss viable solutions regarding the crisis faced by the municipality.

Moreover, OUTA elucidated their invitation to the South African Human Rights Commission (SAHRC) to intervene and propose a rescue plan for the finances of ELM. The SAHRC conducted a hearing to investigate whether pollution caused by the Vaal River was violating human rights. Numerous verbal and written submissions were made, addressing ELM's service delivery decline,

financial issues, and the sewage crisis. OUTA urged the SAHRC to instruct the province to administer a financial recovery plan and master plan package for ELM, involving both CSOs and the community in these processes.

The South African Human Rights Commission (SAHRC) in 2021 acknowledged the enhanced functions and powers granted by the Constitution through the SAHRC Act 40 of 2013. This empowerment pertains particularly to the sewage problem within the Vaal Triangle. In the case of Emfuleni Municipality, the SAHRC Act has bestowed upon the commission the authority to independently investigate the sewage problem in Vaal, institute an inquiry for comprehensive examination, and engage CSOs and state actors to authorize the commission to make recommendations.

4.10.2 Public participation and representation

Ways in which the relationship between CSOs and local policy designers can be enhanced in ELM

Within the framework of most development plans, Emfuleni Local Municipality (ELM) routinely extends invitations to representatives from diverse community segments. Mukwevho's examination of the Integrated Development Plans from 2020/21 included number of strategies in order to enhance both representation and public participation. Among a few, there were a number of meetings held by Emfuleni Local Municipality especially with the ward level whereby sectoral organizations together with civil society organizations were present. This was meant to strengthen civil education within the municipality. Most importantly, in such meetings, public concerns were taken into consideration whereby civil society organizations strengthened the concerns and needs of the constituents.

VEJA's documentation indicates that on 19 April 2016, a meeting convened in Pretoria by the Department of Water Affairs brought together various stakeholders, including VEJA, to discuss interventions concerning the Vaal River systems. This collaborative effort stemmed from the unanimous recognition of the urgent need for interventions due to the security threat posed to the Vaal River systems, impacting water supply. Deliberations during the meeting underscored the

imperative to promptly penalize farmers engaging in water theft from the river, leading to the establishment of the Letsema Project to issue water licenses to farmers along the Vaal River banks.

On 7 February 2017, a Rietspruit water forum witnessed the participation of diverse stakeholders, including Rand Water, Agricultural Rural Development, Emfuleni, mining companies, and major corporations contributing to environmental pollution. Despite the non-compliance of mining companies and corporations in presenting their reports as the largest users of the Vaal River system, CSOs, including VEJA, and proactive community members pressed Department of Water and Sanitation officials for decisive actions against sewage spills in the Vaal Triangle, demanding accountability from all polluters.

VEJA further reports an incident on 2 March 2017 when the Bophelong community faced exposure to harmful gas and strong chemicals, prompting a call to councillors who were unavailable due to attending the Human Rights Day celebration in Sharpeville. Subsequent to the community's road closure protest, ELM's senior official eventually engaged with the community, pledging an urgent response within two weeks. However, the absence of any response within a month led the community to seek VEJA's intervention. VEJA subsequently engaged in meetings with the Bophelong community, ELM, and other stakeholders, where agreements were made for VEJA to address community concerns in meetings held by ELM's implementation task team and environmental inspectors. However, VEJA later noted that, for two years, ELM and Sedibeng District municipality had not appointed the incoming Air Quality Officer, despite a nomination on 1 April 2017.

On 19 May 2022, a stakeholders' annual general meeting witnessed the presence of various stakeholders, including GroundWork, Centre for Environmental Rights (CER), VEJA, and ArcelorMittal South Africa Ltd. During this meeting, concerns were raised by CER, VEJA, and GroundWork regarding ArcelorMittal South Africa's environmental non-compliance, water contamination, soil and air pollution, and lack of transparency regarding climate commitments. However, CSOs were constrained to submitting limited written questions and were denied the opportunity for follow-up inquiries. Despite ArcelorMittal South Africa's commitment to reduce greenhouse gas emissions by 25% by 2030, a clear plan for achieving this goal was absent, and the company refused meaningful engagement with communities, neglecting to address waste disposal and water pollution issues. Transparency regarding borehole monitoring, water quality, and air quality was also lacking. In response, affected communities and CSOs, including VEJA, delivered a memorandum urging ArcelorMittal management to address these issues.

VEJA, Green Scorpions, GroundWork, and other CSOs have actively held ArcelorMittal and ELM accountable for dust emissions and water pollution in Vanderbijlpark and Vereeniging. Despite the contention surrounding the publication of a master plan by ArcelorMittal South Africa, VEJA, through the Multi-Stakeholder Reference Group (MSRG) and meetings with the Sedibeng District Municipality, continues to champion air quality improvement in the Vaal Triangle Airshed Priority Area. AfriForum, in August 2018, undertook campaigns addressing the pollution of the Vaal River, employing criminal charges, rehabilitation, and activism. The organization raised concerns about untreated sewage dumped into the river for months, resulting in severe pollution. AfriForum, together with community members, confronted ELM and intended to hand over a memorandum addressing the municipality's inadequate sewage and water management, although this faced difficulties with unresponsiveness from municipal authorities.

4.10.3 Litigation to enforce collaboration

Ways in which CSOs in ELM enhance their effectiveness in resending societal interests in policy design and implementation

SAVE, among various Civil Society Organizations (CSOs), expresses a keen interest in fostering collaboration with Emfuleni Municipality, particularly in matters pertaining to environmental policies, with the primary aim of safeguarding the health and environmental hygiene of Vaal inhabitants. SAVE diligently oversees the implementation of environmental policies through legal channels, driven by concerns such as sewage issues in Vereeniging and Bophelong, along with instances of refuse littering in Sebokeng, Sharpville, Bophelong, Tshirela, and other localities within the jurisdiction of Emfuleni Municipality. In February 2018, SAVE successfully secured a court order against ELM, compelling decisive actions to rectify the sewage flow into the Vaal River and enforce a comprehensive plan for repairing the deteriorating sewage infrastructure under Emfuleni's jurisdiction. Subsequently, on 17 May 2019, SAVE obtained another court order, seeking intervention from the national and provincial governments to ensure the effective operation of sewage treatment works in dysfunctional municipalities like Emfuleni.

While SAVE initially planned fundraising initiatives to contribute to the cleanup of the Vaal Dam, these endeavors had to be halted due to the disruptive impact of the COVID-19 pandemic. The primary objective of these schemes was to provide assistance to Emfuleni in mitigating pollution in the Vaal Dam. In response, SAVE issued appeals to the public and its supporters to make financial contributions for the purpose of cleaning the Vaal River. The committee responsible for

this cleanup initiative urged community members in Emfuleni to actively participate in cleaning both the Vaal Dam and the streets within the municipality.

AfriForum (2018: unpaginated) articulated its intention to deploy a specialist to measure E-coli levels in the water, with the aim of presenting compelling evidence in court regarding pollution levels. AfriForum's District Coordinator in West Rand and Vaal Triangle underscored that the direct discharge of untreated sewage into the Vaal River starkly indicates deficient service delivery in Emfuleni, raising apprehensions about the municipality's lack of cooperation. AfriForum (2008) drew attention to the substantial daily discharge of approximately 5,000 megaliters of relatively untreated or treated sewage into rivers and dams by the government. Moreover, the evident incompetence of ELM in fulfilling its constitutional duties led to the intervention of the Gauteng provincial government, assuming control of ELM through administration for a stipulated period of 60 days. In response, AfriForum initiated actions concentrated on repairing sewage works and pumps, identified as primary sources of pollution. AfriForum's strategic vision includes the long-term goal of upgrading infrastructures with modern technology, thereby empowering ELM communities to purify their drinking water with reduced dependence on government resources.

4.11 Conclusion

Civil Society Organizations (CSOs) assume a pivotal role within the administrative confines of the Emfuleni Municipality, situated under the governance of the Sedibeng District Municipality. In grappling with a spectrum of socio-economic challenges, ranging from service delivery deficiencies to issues of unemployment, corruption, and poverty, Emfuleni relies significantly on the intermediary function of CSOs to bridge the gap between the community and local government, thereby contributing substantially to the formulation and execution of policies.

A paramount facet of CSO engagement in Emfuleni lies in their proactive involvement in agenda-setting processes concerning local governance issues. Serving as vocal advocates for the community, these organizations identify and prioritize concerns such as deficient service delivery, corruption, elevated unemployment rates, and poverty. Through their strategic initiatives, CSOs exert influence on the policy agenda, prompting the local government to address urgent issues and allocate resources judiciously.

CSOs in Emfuleni additionally play a pivotal role in ensuring the local government's accountability. Employing robust monitoring and evaluation mechanisms, these organizations scrutinize policy implementation and service delivery. In instances of non-compliance or maladministration, CSOs may resort to legal avenues, assuming the role of watchdogs to enforce transparency, accountability, and good governance within the municipality. Notably, certain CSOs in Emfuleni focus on environmental advocacy, actively working towards the effective implementation of environmental policies and regulations. They frequently resort to legal measures against entities that transgress environmental standards, thereby contributing to the preservation of the municipality's natural resources and the holistic well-being of its residents.

The multifaceted role of Civil Society Organizations within the Emfuleni Municipality encompasses agenda-setting, community empowerment, accountability assurance, and environmental advocacy. Serving as indispensable actors, these organizations play a critical role in advancing social justice, fostering participatory governance, and promoting sustainable development within the municipality.

CHAPTER 5: FINDINGS, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

CSOs are non-governmental NPOs that operate independently from the government and are organised around common interests or causes. They promote and advance democracy, human rights, and social justice. Emfuleni Municipality is located in the Gauteng Province of South Africa and is home to a diverse population of over 700,000 people. The municipality is responsible for delivering its residents basic services such as water, sanitation, and electricity. However, like many municipalities in South Africa, Emfuleni has faced challenges in delivering these services effectively due to financial constraints, corruption, and mismanagement. In this context, CSOs in Emfuleni have played a significant role in policy formulation and holding local government officials accountable.

CSOs have played a vital role in increasing the participation of citizens in local government decision-making processes. They have organised community meetings, public hearings, and other forums where residents can engage with local government officials and voice their concerns. This increased participation has enabled citizens to have a say in the policies that affect their lives and has helped to hold local government officials accountable. CSOs can significantly impact policy formulation in Emfuleni Municipality regarding increasing citizen participation in decision-making processes (Mamabolo, 2020).

5.2 Increased citizen participation

The following are some possible ways in which CSOs may contribute to increased citizen participation in policy formulation:

Advocating for transparency and accountability: CSOs can advocate for greater transparency and accountability in local government decision-making processes. By promoting open and participatory processes, CSOs can increase citizen awareness and engagement in policy formulation.

Mobilising and organising citizens: CSOs can mobilise and organise citizens around specific policy issues, such as access to basic services or environmental protection. By providing a platform for citizens to voice their concerns and engage with local government officials, CSOs can help increase citizen participation in policy formulation.

Providing information and education: CSOs can provide citizens with information and education on policy issues, such as the impacts of proposed policies on their communities. By

increasing citizen knowledge and awareness, CSOs can facilitate more informed and meaningful participation in policy formulation.

Facilitating dialogue and collaboration: CSOs can facilitate dialogue and collaboration between citizens and local government officials. By bringing together stakeholders with different perspectives and interests, CSOs can help to build consensus and find acceptable solutions for all parties.

Monitoring and evaluation: CSOs can monitor and evaluate policy implementation and outcomes and provide feedback to local government officials. By holding local government officials accountable for their actions and promoting continuous improvement, CSOs can help increase trust and confidence in policy formulation.

By increasing citizen participation in policy formulation, CSOs can help ensure that policies reflect the needs and priorities of the communities they serve and that local government decision-making processes are more inclusive and democratic.

5.3 Advocacy and lobbying

CSOs have been instrumental in advocating for policies that benefit the community and holding local government officials accountable for implementing those policies. They have lobbied for policies addressing corruption, service delivery, and human rights violations. Through their advocacy efforts, CSOs have influenced policy formulation in the municipality and ensured that the community's needs are considered. CSOs can significantly impact policy formulation in Emfuleni Municipality concerning advocacy and lobbying.

The following are some possible ways in which CSOs contribute to policy change through advocacy and lobbying:

Amplifying citizen voices: CSOs can amplify the voices of citizens who are often marginalised or excluded from decision-making processes. By advocating for policy change on behalf of these citizens, CSOs can help ensure that their concerns are considered in policy formulation.

Providing expertise and research: CSOs can provide expertise and research on policy issues, including the impacts of proposed policies on communities. By providing evidence-based arguments, CSOs can help influence policy decisions and ensure policies are grounded in sound analysis.

Engaging with policymakers: CSOs can engage with policymakers, including local government officials and elected representatives, to advocate for policy change. Through lobbying efforts,

CSOs can help influence policy decisions and ensure that policies are aligned with the needs and priorities of the communities they serve.

Building coalitions: CSOs can collaborate with other stakeholders, including community groups, businesses, and academic institutions, to advocate for policy change. By bringing diverse perspectives and interests together, CSOs can help build consensus and find acceptable solutions for all parties.

Monitoring policy implementation: CSOs can monitor policy implementation and provide feedback to policymakers. By holding policymakers accountable for their actions and promoting transparency, CSOs can help ensure that policies are implemented effectively and that the needs and priorities of communities are being met.

Overall, by engaging in advocacy and lobbying efforts, CSOs can help to ensure that policy formulation in Emfuleni Municipality is more responsive to the needs and priorities of citizens and that policies are grounded in sound analysis and evidence-based arguments.

5.4 Monitoring And Evaluation

Ways in which CSOs oversees the actions of councils and councillors in policy implementation within ELM

CSOs have played a crucial role in monitoring local government officials' implementation of policies and programs. They have conducted research, surveys, and other monitoring activities to evaluate the impact of policies and programs on the community. This has helped to identify areas where policies and programs need improvement and has ensured that local government officials are held accountable for their actions. Through monitoring and evaluation, CSOs can significantly impact policy formulation in Emfuleni Municipality (Madzivire and Mufamba, 2020). The following are some possible ways in which CSOs may contribute to policy change through monitoring and evaluation:

Ensuring accountability: CSOs can help to ensure that local government officials are held accountable for their actions and that policies are implemented effectively. By monitoring policy implementation and evaluating outcomes, CSOs can identify areas where improvements are needed and advocate for changes to policy or practice.

Promoting transparency: CSOs can promote transparency in local government decision-making processes by monitoring and evaluating policy formulation and implementation. By providing information to citizens on how policies are being developed and implemented, CSOs can help to increase citizen trust and confidence in local government.

Identifying gaps and opportunities: CSOs can identify gaps in policy or practice that may hinder the effective delivery of services or the protection of citizen rights. By evaluating policies and programs, CSOs can identify opportunities for improvement or new areas of focus that can lead to more effective policy outcomes.

Providing feedback and recommendations: CSOs can provide feedback and recommendations to local government officials on policy formulation and implementation. By presenting evidence-based arguments and recommendations, CSOs can influence policy decisions and help ensure that policies are grounded in sound analysis and evidence.

Advocating for change: CSOs can use the findings of monitoring and evaluation efforts to advocate for changes to policy or practice. By presenting evidence of the impacts of policies on citizens and communities, CSOs can help to build support for policy change and mobilise citizens to advocate for their rights and interests.

By engaging in monitoring and evaluation efforts, CSOs can help ensure that policy formulation in Emfuleni Municipality is more accountable, transparent, and effective. By providing feedback, recommendations, and evidence of the impacts of policies, CSOs can influence policy decisions and advocate for changes that lead to better outcomes for citizens and communities.

5.5 Partnership and collaboration

CSOs have formed partnerships and collaborations with local government officials and other stakeholders to address common challenges. These partnerships have resulted in the development of joint policies and programs that are more effective and sustainable. CSOs can significantly impact policy formulation in Emfuleni Municipality concerning partnership and collaboration. These show the engagement between councils, councillors and CSOs in policy making within ELM. Also, these show the nature of the relationship between CSOs and local policy designers, including ways of enhancing this relationship. The following are some possible ways CSOs may contribute to policy change through partnership and collaboration.

Building partnerships with local government: CSOs can collaborate with local government officials and elected representatives on policy development and implementation. By working together, CSOs and local governments can leverage each other's expertise and resources to achieve common goals.

Mobilising communities: CSOs can mobilise communities to participate in policy formulation processes and advocate for their rights and interests. By building relationships with community groups and grassroots organisations, CSOs can help to ensure that policy decisions are informed by the needs and priorities of citizens.

Encouraging private sector engagement: CSOs can encourage private sector engagement in policy formulation processes to ensure that policies are aligned with business interests and do not hinder economic growth. By building relationships with businesses and industry groups, CSOs can help to promote responsible business practices and support economic development.

Fostering cross-sector collaboration: CSOs can foster collaboration between different sectors, including government, civil society, business, and academic institutions, to achieve common goals. By bringing together diverse perspectives and expertise, CSOs can help to find innovative solutions to complex policy challenges.

Advocating for policy change: CSOs can advocate for policy change by building coalitions and partnerships with other stakeholders, including community groups, businesses, and academic institutions. By working together, CSOs can amplify their voices and influence policy decisions that have a positive impact on citizens and communities.

Overall, by engaging in partnerships and collaborations, CSOs can help to ensure that policy formulation in Emfuleni Municipality is more inclusive, collaborative, and effective. By mobilising communities, encouraging private sector engagement, fostering cross-sector collaboration, and advocating for policy change, CSOs can contribute to policy decisions that have a positive impact on citizens and communities.

5.6 Innovation and creativity

CSOs have brought innovation and creativity to policy formulation in Emfuleni Municipality. They have introduced new ideas and approaches to address complex challenges facing the community. This has resulted in the development of policies and programs that are more responsive to the needs of the community. CSOs can have a significant impact on policy formulation in Emfuleni Municipality with regard to innovation and creativity (Nkosi and Mashele, 2021). Innovation and creativity are the possible ways that can be adopted by CSOs in Emfuleni in order to enhance their effectiveness in representing societal interests in policy design and implementation. The following are some possible ways in which CSOs may contribute to policy change through innovation and creativity:

Introducing new ideas: CSOs can introduce new ideas and perspectives into policy formulation processes, drawing on their expertise and experience in working with communities and addressing social challenges. By presenting innovative solutions to complex policy problems, CSOs can challenge traditional approaches and stimulate creative thinking among policymakers.

Piloting new programs: CSOs can pilot new programs and initiatives that can inform policy formulation and implementation. By testing new ideas and approaches in real-world settings,

CSOs can provide evidence of what works and what does not, and influence policy decisions based on their findings.

Providing data and evidence: CSOs can provide data and evidence to support policy change, drawing on their experience in monitoring and evaluating policies and programs. By presenting evidence-based arguments and recommendations, CSOs can influence policy decisions and ensure that policies are grounded in sound analysis and evidence.

Encouraging citizen engagement: CSOs can encourage citizen engagement in policy formulation processes, using innovative methods such as participatory budgeting and crowdsourcing to collect ideas and feedback from citizens. By involving citizens in policy decisions, CSOs can help to ensure that policies are responsive to citizen needs and priorities.

Building partnerships: CSOs can build partnerships with other stakeholders, including businesses, academic institutions, and government agencies, to promote innovation and creativity in policy formulation. By bringing together diverse perspectives and expertise, CSOs can help to find innovative solutions to complex policy challenges.

By promoting innovation and creativity in policy formulation, CSOs can help ensure that policies are responsive to the needs and priorities of citizens and communities. By introducing new ideas, piloting new programs, providing data and evidence, encouraging citizen engagement, and building partnerships, CSOs can contribute to policy decisions that positively impact society.

CSOs in Emfuleni Municipality have played a significant role in policy formulation and holding local government officials accountable. Their impact has been felt through increased citizen participation, advocacy and lobbying, monitoring and evaluation, partnership and collaboration, and innovation and creativity. These contributions have resulted in the development of policies and programs that are more responsive to the community's needs and have helped improve service delivery and promote social justice in the municipality.

5.7 VEJA, SAVE, and environmental-based CSOs' involvement in policy making

It was found that VEJA, SAVE, and other environmental-based CSOs are involved in policy making at the Local Government in ELM through stakeholder meetings, forums, and policy awareness campaigns. They actively engage in public participation, listening to community concerns and working with ELM and the community to find solutions. Sometimes, CSOs are invited by ELM; other times, they invite themselves due to their concerns about ELM's performance, and in some cases, they are sent by the community to represent their interests. CSOs are engaged in setting policies in various ways, but most often, they are invited to get involved by representing certain segments of society. However, CSOs sometimes take the initiative to involve

themselves in agenda setting when they observe violations of people's rights. Factors that encourage CSOs to be engaged in policy making are diverse, but the literature commonly points to societal issues as a motivating factor. With the assistance of CSOs, the government then develops policies to address the societal raised by CSOs.

5.7.1 Ways in which ELM councils and councillors engage with VEJ, SAVE, and other environmental-based CSOs in policy making

It was found that ELM councils and councillors consult with CSOs regarding certain environmental policies. During these consultations, both ELM and CSOs exchange and share ideas and information on how certain policies have and might affect the community. Moreover, CSOs are frequently invited by ELM or recommended by other levels of government to participate in certain panels and committees dealing with environmental policies. This includes matters such as issuing licenses to polluting industries and conducting inspections. ELM tasks CSOs to research, leveraging their expertise for policy change and evaluation. This research may focus on the positive or negative effects of certain chemicals released into the air on plants, animals, and humans.

Additionally, CSOs are considered stakeholders in meetings where ELM and polluting industries are present. In these meetings, they discuss compliance, pollution, and assess the measures polluters take to reduce their impact on the environment and society. This shows that CSOs are invited by ELM to participate in policy making, guiding certain decision-making processes.

Different factors encourage various CSOs to influence government policies based on their specific interest and areas of focus. However, the common findings show that the government engages CSOs in policy making through advocacy, awareness-raising, and mediation. CSOs advocate for certain policies, raise awareness of the need for certain policies, and encourage the government to involve them in policy making processes related to those issues. They also act as mediators between society and the government. The government engages with all CSOs based on the agenda at hand.

5.8 Monitoring councils and councillors to enhance policy implementation

It was also found that CSOs such as OUTA write letters to ELM demanding accountability for public funds meant for implementing environmental policies. When ELM fails to respond to such letters, other spheres of government are issued letters to hold ELM accountable or seek accountability from ELM. Conversely, CSOs such as VEJA invite ELM to account to the public

regarding their measures on polluters and the urgency of addressing pollution. At times, ELM includes CSOs in implementing environmental policies for transparency. In other cases, these CSOs conduct inspections without involving ELM to observe whether industries comply with environmental laws and to check whether ELM performs its roles as reported in meetings. Additionally, CSOs such as SAVE and AfriForum take ELM to court to demand proper implementation of environmental policies according to how they ought to be implemented. CSOs monitor government actions in many ways in implementing policies; however, the literature repeatedly outlines the most regular ones: evaluation, accountability, and implementation. CSOs monitor government action in various ways: they evaluate policies in collaboration with the Department of Basic Education, and they hold the department accountable for their actions, finances, and other resources. Lastly, CSOs evaluate policies to determine whether they are successful or not.

5.9 Recommendations

Based on the discussion of the impact of CSOs in policy formulation in local government in Emfuleni Municipality in South Africa, the following recommendations can be made.

5.9.1 Enhancing the effectiveness between CSOs in Emfuleni to represent societal interests in policy design and implementation

The partnership between CSOs and local government officials effectively develops policies that are responsive to the community's needs. Therefore, it is important to continue strengthening regular engagement and collaboration. CSOs play a crucial role in policy formulation in local government by providing feedback and insight from the community, advocating for social justice, and holding government officials accountable. The Emfuleni Municipality in South Africa can benefit from strengthening its partnership with CSOs to improve policy formulation and implementation. To understand the recommendation, defining what CSOs and local government officials mean is essential. CSOs are NPOs that work independently of the government to promote social change and support communities. They can include a variety of organisations, such as advocacy groups, CBO, and NGOs. Local government officials are elected or appointed officials who govern a specific geographic area and are responsible for providing public services, such as water, sanitation, and transportation.

Strengthening the partnership between CSOs and local government officials means increasing collaboration and communication between the two groups to achieve common goals. This can be done in several ways, such as:

Dialogue and engagement: Local government officials can initiate regular meetings with CSOs to discuss policy formulation and implementation. These meetings allow CSOs to share their perspectives and experiences and local government officials to provide updates on policy developments.

Capacity building: Local government officials can provide training and resources to CSOs to enhance their capacity for policy formulation and implementation. This can include training on policy analysis, advocacy, and monitoring and evaluation.

Co-creation of policies: Local government officials can involve CSOs in developing policies by seeking their input and feedback. This can help ensure policies are inclusive and responsive to the community's needs.

Joint advocacy: CSOs and local government officials can collaborate to advocate for policy change or address social issues. This can include joint campaigns or initiatives to raise awareness and mobilise support.

Strengthening the partnership between CSOs and local government officials in the Emfuleni Municipality can have several benefits. It can lead to more effective policy formulation and implementation, increased accountability of local government officials, and greater community participation in decision-making processes. Additionally, it can help build trust and understanding between the two groups, leading to more sustainable and collaborative partnerships in the future.

5.10 Enhancing the relationship between CSOs and local policy designers in ELM

CSOs often rely on external funding to carry out their activities. Therefore, it is important to increase funding for CSOs to enable them to continue their advocacy efforts, community engagement, and monitoring activities. Increasing funding for CSOs is an important recommendation for improving their impact on policy formulation in local government in Emfuleni Municipality, South Africa. Funding is essential for CSOs to carry out their work effectively and efficiently and ensure their voices are heard in policy making processes.

CSOs in Emfuleni Municipality may face funding challenges due to limited resources, lack of access to grants and other funding opportunities, and competition from other organisations. To address these challenges, increasing funding for CSOs can be done in several ways:

Government funding: The government can fund CSOs to support their policy formulation and implementation. This can include grants, subsidies, and other forms of financial support.

Corporate social responsibility: Companies operating in Emfuleni Municipality can support CSOs through corporate social responsibility programs. These programs can include donations, volunteer work, and other forms of support.

International aid: International organisations and donors can fund CSOs to support their work in policy formulation and implementation. This can include grants, technical assistance, and other forms of support.

Fundraising: CSOs can engage in fundraising activities to increase their financial resources. This can include events, crowdfunding campaigns, and other initiatives to raise awareness and funds.

Increasing funding for CSOs in Emfuleni Municipality can have several benefits. It can help to ensure that CSOs have the resources to engage effectively in policy formulation and implementation, conduct research and advocacy, and mobilise communities. Additionally, it can help to increase the visibility and credibility of CSOs and demonstrate the importance of their work in promoting social change and improving the lives of community members. Finally, increasing funding for CSOs can help to build sustainable partnerships between CSOs and local government officials, leading to more effective policy outcomes and greater community participation in decision-making processes.

5.11 Improve citizen participation in local government decision-making processes

While CSOs have played a vital role in increasing citizen participation in local government decision-making processes, more must be done to ensure that all citizens have a voice in the policies that affect their lives. This can be achieved through technology, such as online engagement platforms and mobile applications, to reach a wider audience.

Improving citizen participation in local government decision-making processes is a crucial recommendation for enhancing the impact of CSOs in policy formulation in Emfuleni Municipality, South Africa. Citizen participation is essential for ensuring that policies reflect the needs and aspirations of the community and for promoting accountability and transparency in local government decision-making.

To understand the recommendation, it is important first to define what is meant by citizen participation in local government decision-making processes. Citizen participation refers to the active involvement of community members in decision-making processes that affect their lives. This can include attending public meetings, providing feedback on policy proposals, and participating in community engagement activities.

Improving citizen participation in local government decision-making processes can be done in several ways:

Communication: Local government officials and CSOs can communicate more effectively with community members to raise awareness of policy developments and engagement opportunities.

This can include using social media, local newspapers, and community radio stations to reach a wider audience.

Access to information: Local government officials and CSOs can make policy information more accessible to community members by publishing policy documents online, providing hard copies in community centres, and organising public meetings to explain policy proposals.

Capacity building: CSOs can provide training and resources to community members to enhance their capacity to engage in decision-making processes. This can include training in policy analysis, advocacy, and public speaking.

Outreach activities: Local government officials and CSOs can organise outreach activities to engage with community members, such as public meetings, community dialogues, and door-to-door campaigns.

Improving citizen participation in local government decision-making processes in Emfuleni Municipality can have several benefits. It can help to ensure that policies reflect the needs and aspirations of the community, increase transparency and accountability in local government decision-making, and enhance the legitimacy of policies. It can also help build trust and understanding between the community, CSOs, and local government officials, leading to more effective policy outcomes and greater community participation in decision-making processes.

5.12 Promoting transparency and accountability in local government

Transparency and accountability are essential for effective policy formulation and implementation. Therefore, local government officials should be encouraged to be transparent in their decision-making processes and accountable for their actions. Improving citizen participation in local government decision-making processes is a crucial recommendation for enhancing the impact of CSOs in policy formulation in Emfuleni Municipality, South Africa. Citizen participation is essential for ensuring that policies reflect the needs and aspirations of the community and for promoting accountability and transparency in local government decision-making.

To understand the recommendation, it is necessary first to define what is meant by citizen participation in local government decision-making processes. Citizen participation refers to the active involvement of community members in decision-making processes that affect their lives. This can include attending public meetings, providing feedback on policy proposals, and participating in community engagement activities.

5.13 Increase public awareness of CSOs' role in promoting democracy and social justice

The public should be made aware of the important role that CSOs play in promoting democracy and social justice. This can be achieved through public education campaigns, community outreach programs, and media engagement. Increasing public awareness of the role of CSOs in promoting democracy and social justice is an important recommendation for improving their impact on policy formulation in local government in Emfuleni Municipality, South Africa. CSOs play a critical role in promoting social change, advocating for the rights of marginalised communities, and holding local government officials accountable for their actions. To understand the recommendation, it is important first to define what is meant by increasing public awareness. This refers to efforts to educate and inform the general public about the role of CSOs in promoting democracy and social justice and the importance of their work in promoting social change and improving the lives of community members.

Increasing public awareness of the role of CSOs in promoting democracy and social justice can be done in several ways:

Communication: CSOs can use communication channels such as social media, local newspapers, and community radio stations to raise awareness of their work and their impact on promoting democracy and social justice.

Outreach activities: CSOs can organise outreach activities to engage with community members, such as public meetings, community dialogues, and door-to-door campaigns to discuss their work and its impact on the community.

Partnership building: CSOs can build partnerships with other organisations, such as churches, youth organisations, and women's groups, to increase their reach and engage a broader audience.

Capacity building: CSOs can provide training and resources to community members to enhance their knowledge and understanding of democracy and social justice issues.

Increasing public awareness of the role of CSOs in promoting democracy and social justice in Emfuleni Municipality can have several benefits. It can increase the visibility and credibility of

CSOs, build trust and understanding between the community and CSOs, and encourage community members to engage more actively in policy making processes. Additionally, it can help promote a culture of democracy and social justice in the community, leading to greater social cohesion and more vibrant civil society. The recommendations outlined above can strengthen the role of CSOs in policy formulation in local government in Emfuleni Municipality and ensure that policies are developed and implemented in a way that is responsive to the community's needs.

5.14 Suggestions for further studies

A comparative study of the impact of CSOs in policy formulation in different municipalities in South Africa: This study could compare the CSOs' impact in policy formulation in Emfuleni Municipality with other municipalities in South Africa. The study could examine the factors contributing to the varying impact of CSOs in different municipalities, such as the level of engagement between CSOs and local government officials, the resources available to CSOs, and each municipality's political and social context.

An analysis of the challenges faced by CSOs in policy formulation in Emfuleni Municipality: This study could examine the challenges that CSOs face in influencing policy formulation in Emfuleni Municipality, such as limited resources, inadequate access to information, and limited opportunities for engagement with local government officials. The study could explore potential solutions to these challenges and ways to improve the impact of CSOs on policy formulation.

A study on the impact of CSOs on specific policy areas in Emfuleni Municipality: This study could examine the impact of CSOs on specific policy areas, such as health, education, or environmental policy, in Emfuleni Municipality. The study could explore the CSO's role in shaping policy in these areas, the factors contributing to their impact, and the challenges they face in influencing policy in these areas.

An analysis of the impact of citizen participation on policy formulation in Emfuleni Municipality: This study could examine the role that citizen participation plays in policy formulation in Emfuleni Municipality, including the impact of public meetings, community dialogues, and other engagement activities. The study could explore the factors contributing to effective citizen participation in policy formulation and the challenges and limitations of citizen participation in local government decision-making.

5.15 Conclusion

In conclusion, CSOs play a significant role in policy making, central to formulating and implementing public policies. Their engagement in policy making through educating society and

the government, followed by lobbying the government to translate certain issues into policies. Notably, CSOs advocate and lobby in policy making based on the societal information they possess. Their involvement spans various stages of policy making, but it can be constrained by the agendas they are promoting or the government's stance. In the context of Emfuleni Municipality, civil society organisations ensure that environmental policies are effectively implemented and polluters accountable through legal actions. Their efforts aim to create an environment suitable for the well-being of all inhabitants.

CSOs' role in policy formulation within local government is crucial, as they provide a platform for citizens to voice their concerns and actively participate in decision-making processes. Additionally, CSOs represent the interests of marginalised communities, advocate for policy change, and offer valuable feedback to local government officials. The impact of CSOs on policy formulation in Emfuleni Municipality may be influenced by several factors, including the level of engagement and collaboration between CSOs and local government officials, the capacity of CSOs to advocate for policy change effectively, and the prevailing political and social context. A strong and effective partnership between CSOs and local government officials can significantly impact policy formulation. Conversely, obstacles to collaboration or limited capacity and resources may hinder their influence. Overall, the impact of CSOs on policy formulation in local government is contingent upon various contextual factors. A detailed analysis of the specific case of Emfuleni Municipality would be necessary to draw more precise conclusions.

It is discovered that ELM operates in line with the proposals of institutionalism theory. Citizens are taken into consideration during policy processes, particularly policy formulation and policy implementation. This gives ELM's policies legitimacy and brings about citizens loyalty. Rational choice institutionalism is also employed by ELM during stakeholder meetings and policy awareness campaigns in order to resolve complains of the residents regarding policies so as to maximize their utility and to enable ELM as an institution to impact citizens' behaviour in a positive manner.

With regard to functionalism theory, ELM, CSOs, CBOs and the society at large, each plays their role in policy formulation, implementation and evaluation. Therefore, showing the interconnectedness and unity among the four for the sake of improving the standard of living for residents through policy making and implementation.

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