# POWER-SHARING IN SOUTH AFRICA'S MUNICIPALITIES: THE CASE OF EKURHULENI AND NELSON MANDELA BAY METROPOLITAN MUNICIPALITIES FROM 2016

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#### **DECLARATION**

I, <u>Neo Samuel Maneng</u> (student number 2009066537), declare that the dissertation that I herewith submit for the Master of Philosophy in Africa Studies in the Centre for Gender and Africa Studies at the University of the Free State, is my independent work, and that I have not previously submitted it for a qualification at another institution of higher education.

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Signed: \_\_\_\_\_ Date: \_\_15 November 2022

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## **DEDICATION**

I dedicate this dissertation to my Mother, Lizzy Kennetseone Maneng.

#### **ABSTRACT**

Local government power-sharing and coalitions are likely to increase in South Africa given the ANC's declining electoral dominance as demonstrated by the 2016 and 2021 election outcomes. This has sparked increased academic debate and research in this field. This study contributes to this research by identifying power-sharing trends and assessing the stability and performance of municipalities governed through power-sharing in South Africa between 2016 and August 2022, using the case studies of Ekurhuleni and Nelson Mandela Bay metropolitan municipalities. It finds that coalitions have had a mixed impact on municipal stability and performance, with some municipalities showing stability and others instability. Therefore, it argues that while coalitions come with an inherent risk of greater political and administrative instability, it is the conduct of political parties and individuals in these coalitions and affected municipal councils that often exacerbates this risk. This study uses the case study approach and is primarily qualitative and inductive. It uses semi-structured interviews with open-ended questions to collect primary data from political actors in the two case studies. It then triangulates this data with document analysis while using the systematic review method.

#### TSHOBOKANYO YA PATLISISO

Go kgonagalo ya gore makoko a a farologaneng a ka tshwaraganela tsamaiso ya di-Puso tsa selegae kgotsa bommasepala mo Afrika Borwa. Seno ke ka ntlha ya kwelotlase ya kemonokeng ya lekoko la ANC jaaka go bonagetse ka tiragatso ya lekoko ya ditlhopo tsa selegae tsa 2016 le 2021. Seno se dirile gore go nne le kgatlego e e ileng magoletsa ya dingangisano tsa baitseanape le barutegi ba ba dirang dipatlisiso mo temeng e. Maitlhomo a patlisiso e, ke go oketsa dipatlisiso tse di leng gone ka go supa tsepamo ya seemo le seelo sa Puso tshwaraganelo mo nageng. Seno ke tshaketsheko ya tiragatso ya dimmasepala tse di tsamaisiwang ka tshwaraganelo ke makoko a a farologaneng fa gare ga 2016 le Phwatwe wa 2022. Tshekatsheko e kobisitswe mo dimmasepaleng tsa Ekurhuleni le Nelson Mandela Bay. Phitlhelelo ke gore tsamaiso ya makoko tshwaraganelo e nnile le katlego e potlana mo letlhakoreng lengwe, fa go le le lengwe go nnile le ketsaetsego le go tlhoka tsepamo. Fela se se tlhagelelang sentle ke gore tsamaiso tshwaraganelo e amiwa thata ka maitsholo a makoko a dipolotiki le baeteledipele ba o ne. Seno se etegetsa go tlhoka tsepamo mo makgotla taolong a bommasepala. Patlisiso e, e fitlheletswe ka go buisana le baamegi le go kokoanya tshedimosetso go tswa mo go botlhe ba ba nang le maitemogelo ka puso tshwaraganelo ya tsamaiso ya dimmasepala. Tshekatsheko e kopanya patlisiso e, ka se se kwadilweng kgotsa se phasaladitswe mme re dirisa mokgwa o o dumeletsweng le go amogelesega wa go kwala dipatlisiso.

## **TABLE OF CONTENTS**

DECLARATI	ON	i
ACKNOWLE	DGEMENTS	ii
DEDICATION	Ν	iii
ABSTRACT.		iv
TSHOBOKA	NYO YA PATLISISO	v
TABLE OF C	CONTENTS	vi
LIST OF TAE	BLES	xi
LIST OF FIG	URES	xi
LIST OF DIA	GRAMS	xi
	AND ABBREVIATIONS	
CHAPTER 1	: INTRODUCTION	1
1.1. INT	RODUCTION	1
1.2. DEF	FINITION OF CONCEPTS	
1.2.1.	Power-sharing	
1.2.2.	Coalitions and alliances	
1.2.3.	Local government (Municipalities)	
1.2.4.	Trends, stability, and performance	
	CKGROUND	
	EORETICAL FRAMEWORK	
	OBLEM STATEMENT	
	SEARCH QUESTIONS	
	JECTIVES OF THE STUDY	
	SEARCH METHODOLOGY	
1.8.1.	Introduction	
1.8.2.	Research Paradigm	
1.8.3.	Research Design	
1.8.4.	Data Collection and Analysis	
1.8.5.	Sources	
1.8.6.	Chapter Layout	
1.8.7.	Ethical Considerations	
1.9. CO	NCLUSION	23

CHAPT	TER 2: L	LITERATURE REVIEW	.24
2.1.	INTRO	DDUCTION	.24
2.2.	THEO	RETICAL FRAMEWORK	.24
2.3.	POWE	ER SHARING AND COALITIONS: AN OVERVIEW OF INTERNATIONAL AND	
	REGIO	ONAL EXPERIENCES	.29
2.3	3.1. E	xamples from the international scene	.30
2.3	3.2. E	xamples from Africa	.31
2.4.	SOUT	TH AFRICA'S EXPERIENCE WITH POWER SHARING, COALITIONS, AND	
	ALLIA	NCES: AN OVERVIEW	.33
2.4	l.1. H	listorical and political context	.33
2.4	l.2. P	ower sharing and coalitions in South Africa	.35
2.4	l.3. N	lelson Mandela Bay's experience with power sharing	.42
2.4	l.4. E	kurhuleni's experience with power sharing	.44
2.5.	CONC	CLUSION	.44
CHAPT	_	EGISLATIVE FRAMEWORK FOR POWER SHARING AND PARTY	
	C	COALITIONS IN LOCAL GOVERNMENT	.46
3.1.	INTRO	DDUCTION	.46
3.2.	HISTO	ORICAL CONTEXT	.47
3.2	2.1. L	ocal government in pre-1994 South Africa	.47
3.2	2.2. T	he transitional phase of local government	.49
(	3.2.2.1.	Pre-interim phase	.50
(	3.2.2.2.	Interim phase	.50
	3.2.2.3.	Final phase	
3.3.	LEGIS	SLATIVE FRAMEWORK	.51
3.3	3.1. C	constitutional principles underpinning local government	.51
3.3		ocal government provisions in the 1996 Constitution	
3.3	3.3. Lo	ocal Government: Municipal Structures Act	.55
(	3.3.3.1.	Schedule 1 of the Act (electoral system)	
3.3	3.4. La	ack of provisions for coalition agreements	.58
3.4.	CONC	CLUSION	.59
СНАРТ		POWER SHARING AND PARTY COALITIONS/ALLIANCES IN EKURHULEN	I
		AND NELSON MANDELA BAY METROPOLITAN MUNICIPALITIES SINCE	
	Т	HE 2016 LOCAL GOVERNMENT ELECTIONS	.61

4.1. IN	ITROI	DUCTION	61
4.2. P	OLITI	CAL BACKGROUND	61
4.2.1.	Ek	urhuleni	63
4.2.2.	Ne	Ison Mandela Bay	66
4.3. D	ATA A	NALYSIS	68
4.3.1.	Wh	nat has been your experience with power sharing and party coalitions/alliar	nces
	in	Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 l	ocal
	go	vernment elections?	70
4.3.1	1.1.	Self-interest and opportunism	70
4.3.1	1.2.	Centrality of coalition agreements	71
4.3.1	1.3.	Political and ideological identities	72
4.3.1	1.4.	Partisanship and infighting	73
4.3.2.	Wo	uld you say there has been stability or instability in the municipal council s	ince
	201	6 and why?	75
4.3.2	2.1.	Leadership changes	75
4.3.2	2.2.	Governance	76
4.3.3.	ln y	our view, has the municipality's performance/service delivery improved or	
	de	clined under power sharing since 2016 and why?	77
4.3.3	3.1.	Quality of leadership and nature of coalition	77
4.3.3	3.2.	Corruption, mismanagement, and collusion	79
4.3.4.	Wh	at recommendations would you make to improve municipal governance,	
	sta	bility, and performance in a power sharing arrangement?	80
4.3.4		Coalition agreement	
4.3.4	4.2.	Shared political and ideological principles	81
4.3.4	4.3.	Putting the public first	81
4.3.4	4.4.	Executive control	82
4.4. C	ONCL	USION	82
CHAPTER	5: TF	RENDS OF POWER SHARING IN SOUTH AFRICA'S MUNICIPALITIES	
	SI	NCE 2016	83
		DUCTION	
5.2. B	ACKG	ROUND	83
5.3. TI		S	
5.3.1.	Co	alitions have had a mixed impact on the stability of municipalities	86

5.3	3.2.	Instability impacts performance and service delivery negatively	88
5.3	3.3.	Intra-party politics contributes to instability	90
5.3	3.4.	A rise in minority governments	90
5.3	3.5.	The "kingmaker" phenomenon intensifies	92
5.3	3.6.	A greater focus on coalition agreements and management	95
5.3	3.7.	Ideology plays a less salient role, but still causes tension	97
5.4.	СО	NCLUSION	99
CHAP	TER 6	: FACTORS AFFECTING STABILITY AND PERFORMANCE OF SOUTH	
		AFRICA'S MUNICIPALITIES GOVERNED THROUGH COALITIONS SINCE	Ξ
		2016	100
6.1.	INT	RODUCTION	100
6.2.	FAG	CTORS THAT STABILISE OR DESTABILISE COALITION MUNICIPALITIES	100
6.2	2.1.	Inherent risk of coalitions	100
6.2	2.2.	Self-interest and opportunism	101
6.2	2.3.	Coalition agreements	102
6.2	2.4.	Political and ideological commonality or differences	105
6.2	2.5.	Infighting and internal party dynamics	106
6.2	2.6.	Partisanship	107
6.2	2.7.	By-elections	108
6.3.	FAG	CTORS THAT PROMOTE OR UNDERMINE THE PERFORMANCE OF	
	CO	ALITION MUNICIPALITIES	108
6.3	3.1.	Leadership changes	108
6.3	3.2.	Governance	109
6.3	3.3.	Corruption, mismanagement, and collusion	111
6.3	3.4.	Quality of leadership	111
6.3	3.5.	Executive control	113
6.4.	СО	NCLUSION	114
CHAP	TER 7	: CONCLUSION, IMPLICATIONS AND RECOMMENDATIONS	115
7.1.	INT	RODUCTION	115
7.2.	SU	MMARY	115
7.3.	FIN	DINGS	117
7.3	3.1.	What trends can be established from South Africa's power sharing and coalition	on
		politics at the local government level since the 2016 local government	

ele	ections?	117
7.3.1.1.	Mixed impact of coalitions on stability of municipalities	117
7.3.1.2.	Instability impacts performance and service delivery negative	ly117
7.3.1.3.	Intra-party politics contributes to instability	118
7.3.1.4.	A rise in minority governments	118
7.3.1.5.	A rising "kingmaker" phenomenon	118
7.3.1.6.	More emphasis on coalition agreements	119
7.3.1.7.	Ideology continues to cause tension	119
7.3.2. Wh	nat factors have contributed to or undermined the stability and	performance of
mu	unicipalities governed through power sharing in South Africa si	nce the 2016
loc	cal government elections?	119
7.3.2.1.	Inherent risk of coalitions	119
7.3.2.2.	Self-interest and opportunism	119
7.3.2.3.	Coalition agreements	120
7.3.2.4.	Political and ideological commonality or differences	120
7.3.2.5.	Infighting and internal party dynamics	120
7.3.2.6.	Partisanship	121
7.3.2.7.	By-elections	121
7.3.2.8.	Leadership changes	121
7.3.2.9.	Governance	121
7.3.2.10.	Corruption, mismanagement and collusion	122
7.3.2.11.	Quality of leadership	122
7.3.2.12.	Executive control.	122
7.4. CONCL	USIONS AND IMPLICATIONS	123
7.5. RECOM	MENDATIONS	124
7.5.1. Pol	litical conduct	124
7.5.2. Co	alition agreements	124
7.5.3. Go	vernance	125
7.6. SUGGE	ESTIONS FOR FURTHER RESEARCH	126
LIST OF REFER	Error! Boo	kmark not defined.
APPENDICES		154

### **LIST OF TABLES**

Table 1: ANC provincial vote decline, 2014-2019	8
Table 2: Ekurhuleni metro distribution of seats after 2016 elections	63
Table 3: Ekurhuleni metro distribution of seats after 2021 elections	64
Table 4: Nelson Mandela Bay distribution of seats after 2016 elections	66
Table 5: Nelson Mandela Bay distribution of seats after 2021 elections	67
Table 6: Example of thematic content analysis used by researcher	69
Table 7: 2016 hung municipalities	84
Table 8: 2021 hung municipalities	84
Table 9: Distribution of seats in 2016 and 2021 elections	94
LIST OF FIGURES	
Figure 1: Ekurhuleni map	62
Figure 2: Nelson Mandela Bay map	63
LIST OF DIAGRAMS	
Diagram 1: Theoretical framework	29

#### **ACRONYMS AND ABBREVIATIONS**

ABC : Abantu Batho Congress

AIC : African Independent Congress

AIM : Abantu Integrity Movement

ACCORD : African Centre for the Constructive Resolution of Disputes

ACDP : African Christian Democratic Party

ANC : African National Congress

ANCYL : African National Congress Youth League

ATM : African Transformation Movement

AUF : Active United Front

BCM : Botho Community Movement

BLA : Black Local Authority

COGTA : Cooperative Governance and Traditional Affairs

COPE : Congress of the People

COSATU : Congress of South African Trade Unions

CSA : Compatriots of South Africa

DA : Democratic Alliance

DOP : Defenders of the People

EFF : Economic Freedom Fighters

F4SD : Forum For Service Delivery

FF+ : Freedom Front Plus

GCRO : Gauteng City-Region Observatory

GNU : Government of National Unity

ICM : Independent Citizens Movement

ICOSA : Independent Civic Organisation of South Africa

IEC : Independent Electoral Commission

IFP : Inkatha Freedom Party

IRASA : Independent Ratepayers Association of South Africa

KDF : Karoo Democratic Force

KGP : Karoo Gemeenskap Party

KOP : Karoo Ontwikkelings Party

KZN: KwaZulu-Natal

LGNF : Local Government Negotiating Forum

LGTA: Local Government Transitional Act

MCA : Metsimaholo Community Association

MMC : Member of Mayoral Committee

MPNP : Multi-Party Negotiating Process

NA : Northern Alliance

NCOP : National Council of Provinces

NFP : National Freedom Party

NNP : New National Party

NP : National Party

NUM : National Union of Mineworkers

OVP : Austrian Peoples Party

PA : Patriotic Alliance

PAC : Pan-Africanist Congress

RSC : Regional Services Council

SACP : South African Communist Party

SALGA : South African Local Government Association

SANCO : South African National Civic Organisation

SMMEs : Small, medium, and micro-enterprises

SPO : Socialist Party of Austria

SVT : Single Transferrable Vote

TRA: Thabazimbi Residents Association

UDF : United Democratic Front

UDM : United Democratic Movement

UFEC : United Front of the Eastern Cape

VF Plus : Freedom Front Plus

#### **CHAPTER 1: INTRODUCTION**

#### 1.1. INTRODUCTION

South Africa's relatively smooth transition from apartheid to a democratic state has largely been attributed to the power-sharing and consociational provisions contained in the 1993 Interim Constitution Pact (Traniello, 2008: 36). The most notable of these provisions were the Government of National Unity (GNU) and proportional representation in the electoral system. The latter was eventually adopted in South Africa's 1996 Constitution and has become a prominent feature of the country's electoral system at national, provincial, and local government (municipal) levels. The GNU was led by the African National Congress (ANC) and included the National Party (NP) and the Inkatha Freedom Party (IFP). Although the 1996 Constitution no longer provided for a GNU, the ANC still incorporated the IFP in its government after the 1999 elections.

While power-sharing at the national level faded after the 2004 elections, it remained in a small number of South Africa's municipalities based on proportional representation. The 2016 local government elections were a watershed moment that ushered in power-sharing in municipalities on a much wider scale across South Africa. In view of the outcomes of the 2019 national and provincial elections as well as the 2021 local government elections, there are strong indications that power-sharing at the local level may become a much more regular feature. This study, therefore, seeks to identify power-sharing trends and assess the stability and performance of municipalities governed through power-sharing in South Africa using the case studies of Ekurhuleni and Nelson Mandela Bay Metropolitan municipalities from 2016. Given the fluid nature of coalition politics, the study uses August 2022 as its end date in terms of citing the latest events.

#### 1.2. DEFINITION OF CONCEPTS

#### 1.2.1. Power-sharing

Power-sharing has often been used to resolve seemingly intractable conflicts, especially in Africa. As Jarstad and Sundberg (2008: 82) established, 70 out of 83 peace agreements concluded between 1989 and 2004 had power-sharing elements. Hoddie and

Hartzell (2005: 83) have a broad view of power-sharing that features both constitutional provisions and informal rules put in place by peace settlements in attempts to resolve conflict. They also argue that power-sharing is often applied in various spheres, such as political, territorial (devolution or decentralisation), military, and economic. According to Sisk (2003), power-sharing is a system of government that offers a share of power to the major protagonists in a conflict. This can take various forms, including formation of grand coalition governments, protection of minority rights, decentralisation of power, and collective decision-making.

Rothchild and Roeder (2005: 30) further explain that power-sharing often refers to "institutions, an elite culture, informal decision-making practices, or policies." In their view, it takes the form of a set of formal institutions that establish how decision-making is managed in ethnically or racially diverse societies. These institutions establish rules that promote "inclusive decision-making" or implement "predetermined decisions" (Rothchild and Roeder, 2005: 30). While South Africa is ethnically diverse, racial conflict played the greatest role in the establishment of power-sharing mechanisms during the transition to democracy. Therefore, this is the definition that this study most closely adopts.

#### 1.2.2. Coalitions and alliances

Kadima (2014: 2) acknowledges that the terms "coalitions" and "alliances" are sometimes used interchangeably. However, he makes a distinction that alliances are generally formed before an election because the parties involved are uncertain about their electoral strengths, while coalitions are often formed after an election based on the established electoral mandates won. In this regard, he defines alliances as the "coming together" of two or more political parties prior to an election to maximise their electoral performances. On the other hand, coalitions are agreements between two or more political parties to form a government or support each other in legislative processes based on their respective electoral mandates.

In the same vein, Jolobe (2018: 74) views political coalitions as a partnership or alliance between two or more parties to pursue a common political objective. This often involves entering into certain binding agreements, such as pursuing agreed policies and sharing

cabinet posts. Given the fact that both alliances (such as the ANC-South African Communist Party (SACP)-Congress of South African Trade Unions (COSATU) Tripartite alliance) and more formal coalitions have been formed in post-apartheid South Africa, this study identifies with the definitions outlined above.

#### 1.2.3. Local government (Municipalities)

According to Section 40 (1) of the South African Constitution, the South African government is "constituted as national, provincial and local spheres of government which are distinctive, interrelated and interdependent" (South African Government, 1996: 21). Section 151 (1) further states that local government consists of municipalities (South African Government, 1996: 74). As can be discerned, local government is the sphere of government that is most closely in contact with communities, especially in their residential settings.

Koma (2010: 113) adds that local government is "well placed to appropriately respond to local needs, interests and expectations of communities." Thornhill (2008: 492) echoes this view and argues that in many cases, local government constitutes the first point of contact between a citizen and the government. In other words, a citizen's most immediate services delivery needs, such as water provision and refuse collection, are usually overseen or coordinated by local government. Section 152 (1) of the Constitution (South African Government, 1996: 74) outlines the objectives of local government as follows:

- To provide democratic and accountable government for local communities;
- To ensure the provision of services to communities in a sustainable manner;
- To promote social and economic development;
- To promote a safe and healthy environment; and
- To encourage the involvement of communities and community organisations in the matters of local government.

The Constitution further assigns municipalities developmental duties, including participating in national and provincial development programmes. It also outlines three categories of municipalities:

- Category A: A municipality that has exclusive municipal executive and legislative authority in its area;
- Category B: A municipality that shares municipal executive and legislative authority in its area with a category C municipality within whose area it falls; and
- Category C: A municipality that has municipal executive and legislative authority in an area that includes more than one municipality (South African Government, 1996: 75).

This study includes all three categories of municipalities in its purview. Section 151 (2) confers both legislative and executive powers on the Municipal Councils of municipalities. It is within these Councils that opportunities for power-sharing exist in various forms as outlined below.

#### 1.2.4. Trends, stability, and performance

This study understands trends to mean broad patterns that can be established in the operation of power-sharing in South Africa's municipalities over time. These broad patterns would also more specifically relate to how power-sharing affects the stability and performance of municipalities. Establishing trends requires a timeframe, and this study, therefore, focuses on the period between 1994 and the present.

In assessing stability, this research focuses on whether, and to what extent, power-sharing has an impact on the election and functioning of municipalities' political leadership, which usually consists of the mayor, speaker of the municipal council, chief whip, and mayoral committee. The mayor is the political head of the municipality, presides over the mayoral committee, and performs other functions including ceremonial tasks. The speaker is elected from among councillors to be the chairperson of the council. His/her role is to "ensure oversight, accountability, integrity, discipline of office, and the efficient running of council meetings." (SALGA, 2011: 16) The chief whip, who is also a councillor, is assigned roles by the council such as coordination of council meetings and advising the speaker and mayor on urgent motions. Mayoral committees are provided for in municipalities that have a mayoral executive system and an executive mayor. Its role

is to "assist and advise the executive mayor" (SALGA, 2011: 41). The executive mayor appoints the committee's members from among councillors.

Recent developments point to a higher degree of uncertainty in municipalities where no political party has an outright majority and, therefore, some form of power-sharing is necessary. For instance, opposition parties, with the help of a DA "rebel" councillor, voted to remove the Democratic Alliance's (DA) Athol Trollip and Jonathan Lawack as Mayor and Speaker of Nelson Mandela Bay's council respectively in August 2018 (TimesLIVE, 2018a). Another example happened in Matzikama municipality in the Western Cape in July 2019 where the Economic Freedom Fighters (EFF) and the ANC voted to remove the speaker and mayor (Daily Maverick, 2019a)

A number of studies have explored the question of performance of public organisations in general and municipalities in particular. Asmah-andoh defines performance as "a progress towards goal achievement," adding that it also refers to outcomes (Asmah-andoh, 2009: 201). Some of the factors Asmah-andoh considers in measuring municipalities' performance include their responsiveness, effectiveness, and sensitivity to the demands of their constituents. Another factor he includes is the municipalities' efficiency in using limited resources to meet those demands (Asmah-andoh, 2009: 201).

Van Dooren, Bouckaert, and Halligan (2010: 2-4) view performance as a multidimensional concept. The first is performance as "intentional behaviour" or "deliberate actions" by an individual or organisation. The second is performance as a value judgement, that is, a consideration of whether a public organisation (such as a municipality) is competent or not in the execution of its tasks or deliberate actions. In other words, the focus is mainly on the quality of those actions. Their third dimension of performance focuses on the quality of achievements. This means that a municipality's performance can also be measured mainly by the outcomes of its actions. Finally, they argue that performance encompasses both the quality of an organisation's actions as well as the quality of the outcomes achieved. Van Dooren, Bouckaert, and Halligan (2010: 4), therefore, define performance as "the productive organisation, that is, an organisation that has the capacity to perform and converts this capacity into results – outputs and outcomes."

This study broadly aligns itself with these definitions of performance. As outlined in the previous section, the Constitution assigns municipalities' specific objectives as well as developmental duties. These duties include managing the municipalities' administration, budgeting, and planning processes "to give priority to the basic needs of the community, and to promote the social and economic development of the community" (South African Government, 1996: 74). It also involves participating in national and provincial development programmes. A municipality's performance would therefore refer to the quality of its processes and actions in the fulfilment of these objectives and developmental duties, as well as the quality of the outcomes it achieves.

As De Bruijn (2007: 8) illustrates, performance measurement fulfils several important functions that this study also seeks to promote. It promotes transparency and accountability; creates a learning mechanism through which municipalities can improve; promotes performance appraisal, especially by third parties such as auditors; and finally, makes it possible to have positive outcomes or negative sanctions for the municipalities based on the appraisal conducted.

#### 1.3. BACKGROUND

Studies have characterised South Africa as having a dominant-party political system because of the dominance of the ANC since 1994 (Brooks, 2004: 126). Matlosa and Karume (2004: 9-10) define a dominant-party system as one in which a political party enjoys electoral and state power hegemony over a fairly long period of time. Before the 2019 general election, the ANC had garnered more than 60 percent of the vote in every general election since 1994. This dominance has also manifested itself in the majority of provinces and municipalities.

Despite this dominance, coalitions emerged in several municipalities, especially in the Western Cape and KwaZulu-Natal provinces. For instance, the ANC formed a coalition with the New National Party (NNP) to win power in the City of Cape Town in 2002 (Jolobe, 2018: 95). The ANC and the National Freedom Party (NFP) also formed coalitions in several KwaZulu-Natal municipalities in 2011 (Booysen, 2014: 76).

The ANC's dominance, however, declined in the 2016 local government elections, where it won 54.48 percent nationally, down from 62.93 percent in the 2011 local government elections (IEC, 2011; 2016). Furthermore, no political party won an absolute majority in a total of 27 municipalities across South Africa. This, therefore, necessitated the formation of party coalitions and alliances in municipalities on a scale that had not been seen in South Africa before (Jolobe, 2018: 102).

A major reason for the ANC's dramatic decline in the 2016 local government elections was the entry of the EFF to electoral dynamics. As Mbete (2016: 603) notes, the EFF won 8.19 percent of the vote at the 2016 contest. Although it did not win a municipality outright, it became "kingmaker" in 13 hung municipalities, including the Johannesburg, Tshwane and Nelson Mandela Bay metros. In this regard, it succeeded in significantly reducing the ANC's majority. Between 2014 and 2016, the EFF had captured the public's attention through its outspoken opposition against the controversial Gupta family's links with former President Jacob Zuma. It effectively exploited public perceptions against the family, which was alleged to have "captured" the President for their own private financial interests. The EFF further seized on the public's dismay at huge amounts of public funds reportedly spent on security upgrades on Nkandla, former President Zuma's private home in KwaZulu-Natal. Its dramatic "pay back the money" chants against Zuma in Parliament further galvanised public attention. Consequently, many analysts pinned the ANC's electoral decline in 2016 on strong, EFF-fuelled anti-Zuma public perceptions.

These dynamics eventually affected how the EFF approached coalition negotiations after the 2016 elections. As a matter of principle, it refused to enter coalition talks with the ANC because it did not wish to "legitimise the Zuma administration," which it had painted as corrupt (Mbete, 2016: 606). It could also be argued that the EFF's leaders' antipathy toward Zuma had a lot to do with their history in the ANC. Julius Malema and Floyd Shivambu, the party's president and deputy president respectively, were expelled and suspended from the ANC in 2012 following their controversial public comments as ANC Youth League (ANCYL) leaders. One of the grounds for Malema's expulsion was "unfavourably comparing the leadership style of President Jacob Zuma to that of former president Thabo Mbeki" (Polity, 2012). They, therefore, blamed their expulsion/suspension

on Zuma. Furthermore, after the 2016 elections, the EFF reportedly demanded that Zuma first had to resign as President before the party could enter coalition talks with the ANC (News24, 2016).

As a result of its hard-line stance against the ANC, the EFF eventually decided to vote for the DA in municipalities without being in a formal power-sharing arrangement with it. Ideological considerations thus played a less salient role than would be expected in coalition politics. As will be demonstrated below, this loose arrangement led to some measure of instability in several municipalities, particularly the Nelson Mandela Bay metro. This instability is often associated with a decline in the affected municipalities' performance because of uncertainties sustained over a period of time. For instance, a meeting between the National Council of Provinces (NCOP) Finance Committee with the Nelson Mandela Bay's political leadership in August 2018 noted that "a volatile political environment had spilled over into administration." (Parliamentary Monitoring Group, 2018). In an open letter in September 2019, the Nelson Mandela Bay Chamber of Commerce said the metro's "political instability and a dysfunctional administration is driving business away." (HeraldLIVE, 2019)

The ANC's decline was further evident in the 2019 general election. The party won 57 percent of the vote in the 2019 general election, which is still a fairly large majority given the higher number of political parties that contested compared to previous elections (IEC, 2019). This was down the from 62.15 percent majority it won in 2014. Although the party held on to eight out of nine provinces in 2019, its majority declined in each of them. In the case of Gauteng province, it won with a razor-thin 50.19 percent majority compared to 53.59 percent in 2014 (IEC, 2019). The table below illustrates the general decline in the ANC's electoral support on the provincial ballot across the nine provinces between 2014 and 2019.

Table 1: ANC provincial vote decline, 2014-2019. Source: IEC

African National Congress (ANC) decline on the provincial ballot, 2014-2019			
Province	2014 (%)	2019 (%)	
Eastern Cape	70.09	68.74	
Free State	68.85	61.14	
Gauteng	53.59	50.19	

KwaZulu-Natal	64.52	54.22
Limpopo	78.60	75.49
Mpumalanga	78.23	70.58
North West	67.39	61.87
Western Cape	32.89	28.63
Northern Cape	64.40	57.54

Furthermore, municipal by-election results in 2019 painted a picture of intense contestation among political parties. For instance, the DA lost one out of four wards it sought to defend in the 24 July 2019 round of by-elections in the City of Johannesburg, with the ANC winning Ward 109 from it (Sussman, 2019). The EFF's support declined in three of the four wards, while the Freedom Front Plus (FF+) registered a surge of support from 2016's 3.78 percent to 23.27 percent (News24, 2019a). In the round of by-elections in eight provinces held on 7 August 2019, the ANC retained 12 seats and won a further four from the DA, which in turn retained 10 seats. Although the ANC was seemingly on a rebound from its 2016 losses, the overall picture was one of winning with reduced majorities. This heralded the increase in party coalitions and alliances after the 2021 local government elections.

Against this background, research into party coalitions and alliances becomes even more significant. A number of studies (Jolobe, 2018; Booysen, 2014; Kadima, 2006a) have already delved into various aspects of this area of research. However, few studies have focused on establishing trends of power-sharing at the local government level or focused strongly on factors affecting their stability and performance. The primary purpose of this research is, therefore, to establish these trends with a particular focus on the stability and performance of municipalities governed through power-sharing across South Africa. The Ekurhuleni and Nelson Mandela Bay municipalities, as they existed between the 2016 local government elections and August 2022, will be used as case studies.

This will help bridge the gap in the research and enrich theoretical and empirical debates on power-sharing at the local government level. It will also highlight advantages, lessons, pitfalls, and limitations of party coalitions in this sphere of government. In the end, the research makes policy-oriented recommendations based on its findings and conclusions.

These recommendations could improve knowledge regarding municipal governance and local power-sharing.

A more substantive historical and political background of Ekurhuleni and Nelson Mandela Bay metropolitan municipalities is outlined in Chapter 4. At this stage, it is briefly noted that the two metros came into being in the year 2000 following an amalgamation process by the Municipal Demarcation Board. The Board was established in 1998 as part of the transitional phase from the apartheid local government system to the democratic local government system. This amalgamation process reduced the number of municipalities at the time from 843 to 278, including eight metropolitan municipalities, of which two were Ekurhuleni and Nelson Mandela Bay (Koma, 2016: 128, 131).

The ANC won an outright majority in both Ekurhuleni and Nelson Mandela Bay metros in the first democratic local government elections held in 2000. It maintained its majorities in subsequent elections until the 2016 elections, which produced hung councils in both metros and was a reflection of the ANC's continued loss of electoral dominance discussed earlier in this Chapter. This necessitated coalition/alliance formation in the two metros that has persisted after the 2021 elections (Independent Electoral Commission, 2021).

#### 1.4. THEORETICAL FRAMEWORK

This study aligns itself with the broad theoretical framework of consociationalism under which power-sharing falls. Consociationalism is a political system that ensures the inclusion of minorities in institutions of government (Lemarchand, 2006: 3). According to Lijphart (1977: 25-52), consociational democracy has four defining features – grand coalition, proportional representation, minority veto, and group autonomy. A grand coalition cabinet, or sometimes government of national unity, fosters elite cooperation among representatives of both majority and minority political parties. Proportional representation gives minorities a greater likelihood of a share of government or legislative power. It, therefore, acts as an incentive for minorities to participate in political processes and institutions as a way of discouraging conflict. In certain political systems, minority vetoes give minorities the power to block majoritarian excesses, while group autonomy grants minorities a degree of flexibility on matters on which they are unable to agree with majority groups (Lijphart, 1990: 491-509).

Given its emphasis on inclusion, the consociational framework has found widespread applicability in ethnically and/or racially plural societies. As Rothchild (1997: 3) argues, fears of political or economic exclusion or a perceived shift in the balance of power in a society often trigger conflict. Consociational elements of power-sharing are, therefore, often applied to promote inclusion. However, Traniello (2008: 32-34) points out that certain conditions make it more likely for power-sharing to succeed. The first is that groups in a divided state must accept that they must co-exist to prevent further violence or conflict. Identifying moderates who command loyalty and influence from each contending group is, therefore, necessary. At the same time, it is crucial to isolate "extremists" who might delay or even derail a peaceful transition. Furthermore, strong leadership that shows a commitment to overcome divisions is crucial.

In its transition to democracy, South Africa was a classic case of an ethnically and racially divided society. The country's pronounced racial schism was the most salient factor in the

negotiations to end apartheid. While the previously marginalised Black majority appeared poised to take power, the need to allay fears of exclusion among the white minority became imperative to achieve a democratic breakthrough. Against this background, the consociational elements of proportional representation and government of national unity were applied to promote inclusion and avoid a winner-takes-all transition that was likely to prolong the conflict (Traniello, 2008: 36). These elements featured strongly in the 1993 Interim Constitution Pact and the subsequent GNU alongside proportional representation in national, provincial, and local government legislatures. While the 1996 Constitution no longer has a provision for a GNU, it retains proportional representation.

At a more specific level, various coalition theories feature in the literature. Kadima (2006a: 5, 2014: 4) points out that these theories are mostly inspired by political experiences in Western Europe and may sometimes have limited applicability in African political systems. They fall under two broad categories – size and ideology, and the new institutionalism.

Under the size and ideology category, the predicted electoral and ideological strength of a potential coalition plays a major role on whether such a coalition is eventually formed. Kadima (2014: 4) identifies two theories that fall under this category – office-seeking and policy-seeking theories. The office-seeking theory postulates that political parties are primarily driven by the need to win power and political office (Strom, 1990: 567). Office-seeking parties often have policy goals, but these are subordinated to the need to access government portfolios. On the other hand, policy-seeking parties have a more instrumental approach to competitive politics – they seek political office primarily as a means to achieve policy objectives (Strom, 1990: 567-568; Kadima, 2006a: 6). These parties are more likely to form coalitions with other parties that have similar ideologies to maximise their chances of policy achievement.

Under the new institutionalism category, the focus is primarily on the formation, functioning, and stability of coalitions. The institutionalist approach gives priority to institutional mechanisms, processes, rules, and norms that govern how decision-making

takes place in coalitions (Kadima, 2014: 6-7). These often extend to government decision-making rather than merely the party coalition itself.

South Africa's dominant-party political system at the national level presents an obvious challenge to these theories because the ANC's dominance has meant that there have been no coalition governments beyond the 1994-1999 GNU. It is, therefore, uncertain at this stage whether political parties would be primarily office seeking, policy seeking, or institutionalist in their approaches to coalition politics at the national level. In contrast, political parties have exhibited one or more of these approaches since South Africa's first local government elections that took place between 1995 and 1996. As will be revealed in the literature review, the office-seeking and policy-seeking approaches have been the most notable among political parties that have formed part of coalitions or alliances so far. This study, therefore, adopts these theoretical frameworks as well.

Coalition theories have given rise to a typology of political coalitions. Jolobe (2018: 75-82) outlines six types of coalitions that have been formed in post-apartheid South Africa. The first is the cabinet coalition, which comes about when two or more parties share executive portfolios in government, provided they achieve a legislative majority to form the government. Cabinet coalitions may also result from peace or transition processes, as was the case with the formation of the GNU in 1994. The second is a legislative coalition, which denotes a general agreement between two or more parties to support their common ideological or policy objectives during legislative processes or debates. These parties may not necessarily be in government together. A recent example is the alliance between the EFF and the DA in Johannesburg, Tshwane, and Nelson Mandela Bay municipalities after the 2016 local government elections (Mbete, 2016: 606-608).

Jolobe (2018: 77) identifies a third type of coalition, namely electoral coalitions. These are formed prior to elections to broaden the parties' electoral mandates and increase their chances of winning an electoral majority. The fourth type is the minimum winning coalition, which occurs when none of the parties in a ruling coalition can be removed from the coalition without losing a legislative majority, which could cause a collapse of government. This situation arises out of the need to minimise bargaining costs associated

with many coalition partners. Parties, therefore, seek a coalition with as few other parties as possible, thus forming a minimum winning coalition.

The fifth type of coalition is the surplus majority coalition, which is characterised by the inclusion of parties that are not absolutely essential to the ruling coalition. Policy-seeking parties often enter this type of coalition to maximise their chances of achieving policy goals. Finally, the sixth type is the minority government. According to Strom and McClean (2015: 2), two or more parties in a parliamentary system can sometimes establish a government cabinet without having a legislative majority. The two authors concede that such governments are a "puzzle" because existing parliamentary majorities, which could in fact have formed a government in the first place, can easily remove them through a vote of no confidence. However, they also argue that under certain conditions, minority governments find ways to "survive." Partisan allegiances to the minority government may sometimes deny an opposition coalition the sufficient majority to dislodge the government from power (Strom and McClean, 2015: 3).

#### 1.5. PROBLEM STATEMENT

While party coalitions and alliances have flourished at the provincial and municipality levels, most studies on these coalitions have been mainly descriptive in nature. Few studies have sought to identify broad trends of power-sharing at the local government level based on South Africa's experience since 1994. In addition, the factors that contribute to, or undermine, the stability and performance of municipalities governed through power-sharing remain largely unexplored in the literature. The challenge, therefore, lies in identifying these trends and factors to bridge this gap at a time when South Africa is poised to wade deeper into power-sharing and coalition politics. This endeavour therefore constitutes this research's problem statement.

This study explores the trends of power-sharing in South Africa's municipalities as well as the stability and performance of municipalities governed through power-sharing using the case studies of Ekurhuleni and Nelson Mandela Bay metropolitan municipalities from 2016 until August 2022. This period was chosen because, as noted earlier, the 2016 local government elections was a watershed moment that ushered in a period of greater power

sharing in municipalities. The two case studies were chosen because both were governed through coalitions, but one (Ekurhuleni) appeared relatively stable after the 2016 elections while the second (Nelson Mandela Bay) appeared relatively less stable during the same period.

This study, therefore, seeks to assist in bridging the gap in the literature while contributing to theoretical and empirical research on power-sharing at the local government level. In the process, it helps to highlight the advantages, disadvantages, lessons, and limitations of power-sharing at this level of government. Ultimately, it makes policy recommendations in the sphere of municipal governance and local power-sharing using its findings and conclusions. Given the strong likelihood that power sharing may become a more widespread feature of municipalities in South Africa beyond the 2021 local government elections, this study could form a body of research work that would inform societal perceptions on power-sharing as a political process. For instance, if a broad trend of instability emerges and appears to negatively affect municipal performance or service delivery, policy makers and the broader society might well find it advantageous to consider this study and other similar studies' policy recommendations.

#### 1.6. RESEARCH QUESTIONS

This study's main research questions are:

- What trends can be established from South Africa's power-sharing and coalition politics at the local government level since the 2016 local government elections?
- What factors have contributed to or undermined the stability and performance of municipalities governed through power-sharing in South Africa since the 2016 local government elections?

#### 1.7. OBJECTIVES OF THE STUDY

In attempting to address the research questions outlined above, this study has the following objectives:

- Explore power-sharing and party coalitions/alliances in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities since the 2016 local government elections.
- Establish trends in South Africa's power-sharing and coalition politics at the local government level since the 2016 local government elections.
- Investigate the factors affecting the stability and performance of municipalities governed through power-sharing in South Africa since the 2016 local government elections.
- Present implications and recommendations for future studies.

#### 1.8. RESEARCH METHODOLOGY

#### 1.8.1. Introduction

This section looks at the research paradigm used in this study, including the research design, limitations, sources, and ethical considerations.

#### 1.8.2. Research Paradigm

While empirical studies can be qualitative, quantitative, or mixed, non-empirical studies are generally qualitative in nature. Taylor, Bogdan, and DeVault (2015: 7) define qualitative methodology as "research that produces descriptive data – people's own written or spoken words and observable behaviour." They further view qualitative research as understanding people or phenomena "from their own frames of reference."

Marais (2012: 66) also explains that qualitative research "approaches phenomena from the perspective of the insider or subject in order to understand the phenomena in their context." As a result, its indicators are not subject to the more rigid and formal requirements of quantitative research. In addition, data collected in qualitative research is drawn directly from subjects in their natural settings (Creswell, 2007: 37; Denzin and Lincoln, 2000: 3). Snape and Spencer (2003: 3) state that qualitative research's naturalistic approach is widely accepted among researchers.

Further, qualitative research adopts a flexible research strategy that involves a real-world, naturalistic inquiry as opposed to experimental inquiry in modified settings (Snape and

Spencer, 2003: 4). This flexibility enables collection of "data which are very detailed, information rich and extensive" (Snape and Spencer, 2003: 5). Furthermore, it enables the researcher to make analyses which may produce thick and detailed descriptions as well in-depth insights. Qualitative research therefore uses various sources and techniques to collect data. These include analysis of documentation, interviews, and observations. The aim is often to establish broad patterns or themes arising from a process of systematic review and synthesis of the data (Creswell, 2007: 38). According to Denyer and Tranfield (2009: 671), systematic review uses a pre-planned strategy to locate existing literature, evaluate the contribution, analyse and synthesise findings, and report on evidence to allow conclusions to be reached about "what is known and what is not known."

Qualitative research also primarily employs inductive data analysis, a process that involves a "bottom-up" (as opposed to "top-down") approach to understanding phenomena (Creswell, 2007: 39). As Taylor, Bogdan, and DeVault (2015: 8) add, this means that qualitative researchers develop concepts and insights based on patterns they observe rather than gathering data with the aim of assessing pre-conceived hypotheses. In this regard, deductive analysis begins from the more general (theory) to the more specific (hypothesis) as a way of testing the theory. In contrast, inductive analysis amalgamates specific data to establish whether or not broad themes or trends emerge. Therefore, this study analyses and interprets data collected from multiple sources in the two case studies, Ekurhuleni and Nelson Mandela Bay municipalities, to discover the broad themes or trends that may emerge from power-sharing in municipalities in South Africa.

As a result, qualitative research also takes the shape of interpretive inquiry. This is because researchers interpret what they observe and provide holistic accounts of these observations. Essentially, qualitative researchers report their findings from multiple perspectives that identify the complexities of any given situation, a process known as triangulation (Creswell, 2007: 39). Therefore, the research output often places emphasis on process, meanings and contexts, and answers "what", "how", and "why" questions (Snape and Spencer, 2003: 5). This study therefore seeks to provide a holistic account

of its observations on the power-sharing experiences of Ekurhuleni and Nelson Mandela Bay municipalities and report its findings from multiple perspectives, that is, from the perspective of research participants drawn from different political parties as well as from other primary and secondary data sources. Based on this, it seeks to answer the "what" research questions.

With the research questions outlined above in mind, this study adopts the qualitative research paradigm. In order to establish broad patterns, this study uses inductive data analysis. This research would therefore be primarily inductive.

#### 1.8.3. Research Design

This study uses the case study approach as its specific research design. According to Yin (1994: 13), the case study approach is an "empirical enquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident." This approach is best suited to research that poses "why" and "how" questions, when the researcher has little control over events, and "when the focus is on a contemporary phenomenon within some real-life context" (Yin, 1994: 1). In this study's case, power-sharing in local government in South Africa is the phenomenon, and the focus is on how this phenomenon produces certain trends and how/why it impacts on the performance and stability of municipalities. Yin (1994: 1) therefore notes that case studies are explanatory in nature in addition to being exploratory and descriptive. This approach further enables the researcher to view social phenomena from different angles, allowing their different aspects to be revealed and understood, and thus enabling a more holistic research approach (Baxter & Jack, 2008: 544).

Tellis (1997: 3) outlines more benefits of the case study approach, noting that researchers must select cases in a way that maximises "what can be learned in the period of time available for the study." Furthermore, the fact that case studies are "multi-perspectival analyses" means that researchers using this approach consider "not just the voice and perspective of the actors, but also of the relevant groups of actors and the interaction between them" (Tellis, 1997: 3). Researchers can also choose between single or multiple

case study designs depending on the subject under research or the availability of cases. According to Zainal (2007: 2), the single-case design is often used when there are no other cases available for replication. The multiple-case design is however more applicable where there are "numerous sources of evidence through replication rather than sampling logic" (Zainal, 2007: 2). Given the availability of applicable cases, and to add to the richness of data, this study adopts the multiple-case study method.

#### 1.8.4. Data Collection and Analysis

Given the preceding outline, this study uses telephonic and written (via email) interviews with political actors at the local government level to gather their views on power-sharing and party coalitions/alliances. It also relies on the available literature.

As Ritchie, Lewis & El am (2003: 78) note, non-probability sampling for interviews is more suited to qualitative research than probability sampling, and this study therefore adopts the former. In non-probability sampling, sample units "are deliberately selected to reflect particular features of, or groups within, the sampled population" (Ritchie, Lewis & El am, 2003: 78). They further note that the characteristics of the population often determine the basis of selection of these units, and that this feature makes non-probability sampling suitable for qualitative research.

This study further uses the purposive sampling method, which involves choosing members of a sample "with a 'purpose' to represent a location or type in relation to a key criterion" (Ritchie, Lewis & El am, 2003: 79). This means that the researcher chooses sample members based on their features or characteristics that enable an in-depth exploration of the phenomenon being studied. In the case of this study, the main features or characteristics would be the roles members of the sample play in municipalities governed by power-sharing — or their experiences thereof. The sample is largely homogenous; in other words, individuals chosen are drawn from the same power-sharing setting or environment to enable an in-depth investigation of the phenomenon. As Devers & Frankel (2000: 264) further note, purposive sampling enables the researcher to select "information-rich cases, that is individuals, groups, organisations, or behaviours that provide the greatest insight into the research question."

Based on these considerations and given the fact that a case study approach has been adopted, this study's sample population comprises key political actors in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities, namely, serving councillors as they are closely involved in the councils' activities and processes.

Semi-structured interviews with open-ended questions are used for this study. In semi-structured interviews, the researcher prepares a list of pre-determined questions but conducts the actual interview in a conversational manner, allowing both the researcher and interviewee to explore issues in a more holistic manner (Longhurst, 2010: 103). Semi-structured interviews also use "a blend of closed- and open-ended questions, often accompanied by follow-up why and how questions" (Adams, 2015: 493). In the case of this study, the emphasis is on open-ended questions, whose responses were captured by way of written interviews and audio recordings. The data is then analysed through a combination of coding and thematic analysis. In line with inductive data analysis, this study is guided by what is in the data to develop codes, broad themes and patterns. As Braun & Clarke (2012: 58) note, this means that "the codes and themes derive from the content of the data themselves — so that what is mapped by the researcher closely matches the content of the data." Data from the interviews is then triangulated with data from document analysis. In this regard, this study does not use statistical techniques.

#### **1.8.5. Sources**

This research relies on both primary and secondary sources. Primary sources include interviews; national, provincial, and local government records; constitutional documents; political party documents and/or public pronouncements of their leaders; and parliamentary, provincial legislature, and/or municipal council records.

Secondary sources include previous research and studies on party coalitions, alliances, and power-sharing in South Africa with a particular focus on municipalities. These are books, peer-reviewed journals, and online research reports from research organisations such as the Electoral Institute of South Africa and the African Centre for the Constructive Resolution of Disputes (ACCORD). In addition, news and current affairs periodicals (newspapers and magazines) are consulted.

#### 1.8.6. Chapter Layout

#### Chapter 1: Introduction

This chapter presents the background and motivation of the study, its scope, limitations, research questions, objectives, and methodology.

#### Chapter 2: Literature Review

This chapter reviews the literature from previous studies on power-sharing, party coalitions, and alliances in South Africa, with the focus on municipalities.

# <u>Chapter 3: Legislative Framework for Power-Sharing and Party Coalitions in Local</u> <u>Government</u>

This chapter outlines the legislative framework that enables proportional representation and party coalitions in South Africa's municipalities.

# Chapter 4: Power- Sharing and Party Coalitions/Alliances in Ekurhuleni and Nelson Mandela Bay Metropolitan Municipalities Since the 2016 Local Government Elections

This chapter explores power-sharing and party coalitions/alliances in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities since the 2016 local government elections.

#### Chapter 5: Trends of Power-Sharing in South Africa's Municipalities Since 2016

This chapter identifies broad trends, themes, and/or patterns of power-sharing and coalition politics in South Africa's municipalities since 2016 using the Ekurhuleni and Nelson Mandela Bay metropolitan municipalities case studies.

# <u>Chapter 6: Factors Affecting Stability and Performance of South Africa's Municipalities</u> <u>Governed Through Coalitions Since 2016</u>

This chapter identifies elements that stabilise or destabilise coalition municipalities and factors that promote or undermine the performance of coalition municipalities since 2016 using the Ekurhuleni and Nelson Mandela Bay metropolitan municipalities case studies.

#### Chapter 7: Conclusion, Implications and Recommendations

This chapter presents a summary of the dissertation's findings as presented in chapters 4, 5 and 6, conclusions based on these findings, recommendations for possible future research and development.

#### 1.8.7. Ethical Considerations

As already noted, this study seeks to bridge the gap in the literature while contributing to theoretical and empirical research on power-sharing at the local government level. In so doing, it helps highlight advantages, disadvantages, lessons, and limitations of power-sharing in South Africa's municipalities. Furthermore, it makes policy recommendations on municipal governance and power-sharing using its findings and conclusions. These are significant benefits that pose minimal political, physical and/or emotional risks to participants in the research and indeed outweigh any such risks.

Nevertheless, to address risk concerns such as loss of privacy, reputational damage or negative impact on relationships, this study guaranteed anonymity to all participants/interviewees and allocated them fictitious codes or synonyms unless a participant expressly agreed to have his/her name used in the research. This study further developed informed consent forms to further alleviate potential risk perceptions on the part of participants. The law already provides for power-sharing/party coalitions in hung municipalities, and electoral outcomes are usually accepted by political parties. Potential risks for participants in a power-sharing study were therefore deemed to be minimal.

Despite the likelihood of minimal risk, the researcher endeavoured to put in place strategies to mitigate or address unforeseen risks that may arise. Furthermore, efforts were made to conduct interviews at the convenience of interviewees to minimise risk of loss of work/study time or of incurring financial costs. The researcher therefore planned with the participants in this regard, which resulted in written interviews and audio

recordings made in the participants' own time. Given the risks and inter-provincial travel restrictions associated with COVID-19 at the time, only telephonic (recorded) and written (questionnaires submitted via email) interviews were used to keep both the researcher and participants safe. The study did not involve vulnerable participants because the researcher did not work within the same political sphere as the identified participants and therefore held no authority over them.

In addition, the researcher had no vested interest in the outcome of the research, received no specific funding to conduct this research, and therefore had no conflict of interest to declare. It is anticipated that the study will benefit the participants, their municipalities and communities by making policy recommendations that could improve governance. Research participants will also benefit directly by getting an opportunity to provide invaluable insights into the practice of power-sharing and municipal governance.

Where possible, the outcomes of this research will be disseminated to the participants via email. This study did not offer remuneration for their participation. Since the participants took part in the research voluntarily, there was no reciprocity required from the researcher. Furthermore, the informed consent letter informed participants of the true purpose of the research, thus precluding deception. The researcher discussed findings and interview interpretations with supervisors to ensure fairness and integrity of the findings.

The participants were formally approached via email as well as follow-up telephone calls. The researcher's background in ANC politics and personal acquaintance with some ANC politicians in both municipalities was an added advantage in establishing rapport with some of the participants. The interview consent form, recruitment email and interviewing schedule (semi-structured questions) are included as appendices to this study. The researcher did not make use of a research assistant. The researcher endeavoured to acknowledge the work of other authors and researchers used in any part of this study by using the appropriate referencing system at all times. Further, the researcher undertook to maintain the highest level of objectivity in discussions and analyses throughout this study while using secondary data.

### 1.9. CONCLUSION

This chapter discussed background and motivation of the study, its scope, limitations, research questions, objectives, and methodology. Chapter 2 will explore available literature on power-sharing in South Africa, the African continent and internationally.

### **CHAPTER 2: LITERATURE REVIEW**

#### 2.1. INTRODUCTION

This literature review explores notable prior research on power-sharing as it has been applied in South Africa at national, provincial, and municipal levels since 1994 (with an August 2022 end date). This integrative approach maintains its focus on power-sharing at the local government level. It also enables the inference of broad patterns and themes that would in turn help to highlight factors that enhance or hinder the stability and performance of municipalities governed by coalitions or alliances.

Flowing from Chapter 1, this literature review starts by discussing the broad theoretical framework of consociationalism under which power-sharing falls. Next, it explores literature on the concept of power-sharing and coalitions internationally as well as from regional, national and local perspectives. It then provides historical and political context that paved the way for power-sharing at national, provincial and local levels before discussing literature on Ekurhuleni and Nelson Mandela Bay metropolitan municipalities as case studies. Based on the literature, it is argued that in general, municipalities governed through power-sharing are more politically unstable compared to those governed by one political party. This often becomes an additional factor behind poor performance and service delivery.

#### 2.2. THEORETICAL FRAMEWORK

As discussed in Chapter 1, this study is broadly based on the theoretical framework of consociationalism, which is defined as a political system that ensures the inclusion of minorities in institutions of government (Lemarchand, 2006: 3). Consociational democracy has four defining features – grand coalition, proportional representation, minority veto, and group autonomy (Lijphart, 1977: 25-52). These features are all aimed at fostering power-sharing, inclusion and participation in political processes among groups in an ethnically or racially divided society, thus discouraging conflict and promoting peace. For it to work, consociational democracy requires elite cooperation; that is, a recognition by political elites in a divided society that conflict is not sustainable, accompanied by a

willingness and commitment among them to cooperate to resolve the conflict (Lijphart, 2008: 31-34).

The first feature, a grand coalition, brings together representatives of various conflicting societal groups to form a government with the aim of defusing a conflict and providing a framework for resolving its underlying issues. This often takes the form of a coalition cabinet – also known as a government of national unity – as happened in South Africa after the 1994 elections (discussed further below) and in Kenya in 2008 after the contested 2007 elections (Amadi, 2009).

Furthermore, coalition theories in the literature fall under two broad categories - size and ideology, and the new institutionalism (Kadima, 2014: 4). The size and ideology theory argues that the formation of a coalition depends on its predicted electoral and ideological strength. In other words, a coalition is more likely to be formed when its size is limited to only the required number of partners to form a government, a phenomenon referred to as a minimum winning coalition (Riker, 1962: 32-33). Proponents of Riker's "size principle", therefore, argue that the fewer the number of political parties in a coalition, the higher the benefits they derive from it. These benefits are often categorised as office-seeking and policy-pursuit benefits, meaning that two political parties forming a coalition will get more cabinet portfolios and/or are more likely to achieve their policy objectives than three or more political parties in a coalition (Martin and Vanberg, 2003: 325-327; Leiserson, 1968: 775; Gamson, 1961: 376).

Kadima (2014: 5) argues that while the policy-seeking approach is "sound," it is not wholly applicable to the African context where most political parties have less-than-rigid ideological positions – if at all – and does not account for social cleavages. However, the office-seeking and policy-pursuit approaches are sometimes intertwined because a political party may be office-seeking in a coalition to achieve policy objectives and not merely hold the office for its own sake (Budge and Laver, 1986: 490-494). In the South African situation, both approaches have been observed as this literature review will show. This study, therefore, adopts the view that both approaches are applicable during coalition formation and that ignoring one or the other would weaken research in this field.

Closely related to this is the debate in the literature between proponents of size on the one hand and ideology on the other. For instance, Riker's "size principle" has faced criticism for being "policy blind" and ignoring the ideological or policy motivations of political parties during coalition formation (Sened, 1996: 352; Tsebelis and Ha, 2013: 2). Since Gamson (1961) and Riker (1968), a number of studies have emphasised the role of ideology in coalition formation, postulating that coalition negotiations are quicker when the negotiating parties are closer to each other ideologically than when they are distant (Axelrod, 1970; Martin and Vanberg, 2003: 325-327; Tsebelis and Ha, 2013: 8-9; Franklin and Mackie, 1984: 673).

The new institutionalism category of coalition theories primarily focuses on institutional mechanisms, processes, rules, and norms that govern coalition negotiations/formation and how decision-making takes place in coalitions (Kadima, 2006a: 6-7). This mostly occurs in post-election coalitions, although such mechanisms may be negotiated prior to elections and may also involve formal decision-making in government. According to the new institutionalist theory, the coalition formation process starts when a *formateur* – an institutionally designated actor such as a political party – makes a formal coalition proposal to another party or other parties which must then either accept or reject it before bargaining can begin. It is often assumed that *formateurs*, who may include incumbent prime ministers or parties eyeing re-election, are able to influence the negotiations to suit their ideological or office-seeking objectives because of their relative electoral advantage or incumbency (Martin and Stevenson, 2001: 35-36).

Institutions, notably a parliament or legislature, are often involved because political parties in a coalition must collectively form a majority to avoid being removed from power in a vote of no confidence. Some political systems may also require an investiture vote in parliament to prove that a newly established coalition government – or one that is about to be formed – has parliamentary support (Rasch, Martin and Cheibub, 2015: 3-4). Literature on the South African power-sharing experience outlined below shows that provincial legislatures and municipal councils are often involved in coalition formation or dissolution. In some instances, political parties enter into formal coalition agreements that

have proven to enhance stability. The new institutionalist theory is, therefore, relevant for this study.

A second feature of consociational democracy is proportional representation, a powersharing electoral system that seeks to represent both majorities and minorities in governance processes by translating votes into legislative seats proportionally (Lijphart, 1999: 143). This is designed to not only promote inclusion of minorities, but also to encourage citizen engagement in political processes (Kittilson and Schwindt-Bayer, 2010: 994).

Generally, there are three types of proportional representation systems. The first, the list system, involves political parties nominating lists of candidates to parliamentary or legislative bodies, voters subsequently voting for their preferred parties, and seats being allocated to the parties in proportion to the votes they received. The second type is a hybrid of the list system and the direct election of individual candidates. An example is New Zealand's "mixed-member proportional" system where voters have two votes – one for a party and one for a parliamentary candidate (electorate vote). The third type is the less-common single transferrable vote (SVT) system, which is similar to the list system, but voters in an electoral district or constituency vote for candidates instead of parties. Voters are asked to rank candidates in a list, with surplus votes achieved by winning candidates being "transferred" to the next candidates until all seats are filled. This system is often applied in electoral systems that have multiple representatives from a single constituency, such as those in Ireland and Australia (Lijphart, 1999: 147-149).

As noted below, proportional representation is a strong feature of South Africa's electoral system. At the local government level, it becomes a mixed system where political parties vie for half of the seats in a municipal council on a proportional representation basis and the other half on a "first-past-the-post" basis.

A third feature of consociational democracy is the minority veto, which acts as a deterrent against the infringement of vital minority rights by majority groups in a divided society. It is aimed at promoting inclusion by encouraging decision-making that is acceptable to both majority and minority groups. Proponents of minority veto, however, argue that it is best

used sparingly and only when a group's fundamental interests are threatened (Lijphart, 1990: 495; Kelleher, 2005: 3-4). Vetoes have been included in power-sharing arrangements in countries such as Northern Ireland, Macedonia and Burundi (*de facto*), but such systems often face challenges such as lack of mediation mechanisms to resolve deadlocks when vetoes are exercised (Kelleher, 2005; Vandeginste, 2009: 77). South Africa's 1993 interim constitution and 1996 constitution notably did not provide for a minority veto. Instead, the 1996 constitution sought to protect minority interests through proportional representation, provincial governments and a bill of rights that applied equally to all (Alence, 2004: 81).

The final feature of consociational democracy is group autonomy, sometimes known as cultural or segmental autonomy. It occurs where a minority group in a political system is granted territorial or non-territorial autonomy to make decisions on issues that predominantly affect it (Lijphart, 1979: 500-505). For instance, non-territorial autonomy may be granted to a minority group to have jurisdictional authority over its cultural affairs, with group-based family law in India being a notable example (McGarry and Moore, 2005: 68). Territorial autonomy is often associated with federalism. Larin and Roggla (2019) discuss in detail the example of South Tyrol, an autonomous and predominantly Germanspeaking region in Italy. The 1972 Autonomy Statute granted wide legislative powers to the German-speaking majority in this region to regulate matters that directly affect them, such as language, culture, housing policy and public spending. However, the region shares some competencies, such as policing and education, with the Italian state, while issues such as foreign policy, defence and immigration are the preserve of the state.

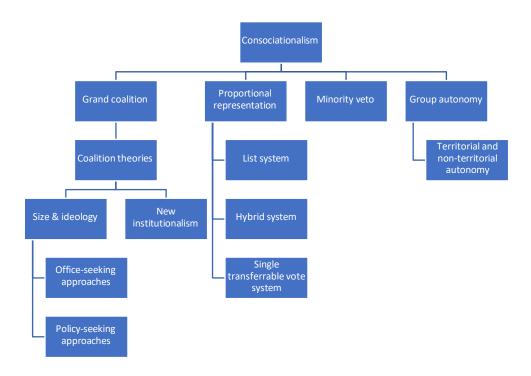


Diagram 1: Theoretical framework

# 2.3. POWER SHARING AND COALITIONS: AN OVERVIEW OF INTERNATIONAL AND REGIONAL EXPERIENCES

Given their emphasis on inclusion and power-sharing, features of consociationalism have found widespread applicability across the world in societies experiencing deep ethnic or racial divisions. Among the first countries to be described as consociational were the Netherlands (1917-1967), Austria (1945-1966) and Belgium from 1918 (Andeweg, 2000: 514). As the application of consociational elements grew, so did the literature on consociationalism which reached a record 33 peer-reviewed articles in a single year in 2018 (Bogaards, Helms and Lijphart, 2019: 343). While much of the early literature focused on European countries, more studies on other countries, including South Africa, began to emerge in the 1970s and 1980s. Although this is an overview of literature on power-sharing and coalitions in general, an attempt is made to discuss power-sharing at the local government level as much as possible. It is argued that based on the literature, consociational elements have had mixed success in terms of engendering political stability and have sometimes been applied for brief periods only.

#### 2.3.1. Examples from the international scene

The Austrian political system between 1945 and 1966 is widely regarded as a "classic" case of consociationalism (Luther and Muller, 1992: 10). During this period, a grand coalition federal government between the Austrian Peoples Party (OVP) and the Socialist Party of Austria (SPO) was credited with bringing stability to the country after World War II. It was able to overcome challenges posed by a segmented society with "mutually hostile subcultures" – mainly composed of OVP's "Christian-socials" on the one hand and socialists on the other – largely because of the two parties' elites' commitment to cooperation (Luther and Muller, 1992: 9).

The 1998 Good Friday Agreement in Northern Ireland has also been hailed for its consociational elements. Its objective was to establish a devolved government in which nationalists and unionists would share power and end a decades-long conflict. Most of the country's political parties were part of the Agreement, with the main ones being the Ulster Unionist Party and the Social Democratic and Labour Party. Besides power-sharing at the executive level (First Minister and First Deputy Minister have equal powers, with one either nationalist and the other unionist), the Agreement also contained proportional representation and minority veto provisions. Although hailed largely a success, it had varying support between 1998 and 2001, leading to its characterisation as a "concurrent consociation" (majority support in the respective societal groups) and "weak consociation" (McGarry and O'Leary, 2006: 47-63). It also experienced significant instability until 2007, including suspensions of the executive by the UK government, before enjoying a period of relative stability between 2007 and 2015 (McGarry and O'Leary, 2015: 11).

Before the Agreement, Northern Ireland had already implemented power-sharing at the local government level since 1973. Mueller and Rohner (2018: 12-13) shared data that showed that as power-sharing increased in Northern Ireland's council districts from 1973, violence associated with nationalist and unionist divisions decreased. This experience created a climate of cooperation between political parties, including through arrangements such as "responsibility sharing," ultimately creating conditions for the implementation of the Agreement's provisions (Knox, 1998: 12).

Outside Europe, consociationalism in Lebanon has received widespread attention in the literature. It first emerged in 1943 when power was shared on a sectarian basis between a Christian Maronite (president), Muslim Sunni (prime minister) and Muslim Shi'ite (speaker), as well as at other levels of government (cabinet, national assembly, armed forces and civil service). Along with veto rights, this, however, created conditions for a dysfunctional government and ultimately instability and conflict, reflecting a failure of consociationalism (Salamey, 2009: 83-84). Demographic changes in segmented groups, notably the growth of the Shi'a population, contributed to the repeated crises in Lebanon's consociational system, leading to an outbreak of violence in 2008 (Salamey, 2009: 88-89).

India, a vast country with numerous social groups, has also exhibited both *de facto* and *de jure* elements of consociationalism since 1947. For instance, although it does not have a formal grand coalition, there is often group representation it its cabinet, including Hindus (majority), Muslims, Christians and Sikhs. Most groups are also represented in Lok Sabha, the legislative body, via proportionality provisions such as reserved seats. India's constitution also protects certain linguistic, religious and caste rights from potential revision by the majority, something that amounts to minority veto. In addition, the constitution provides for linguistic autonomy for Scheduled Tribes, which enjoy certain cultural protections and exemptions from national laws. All these measures have brought a measure of stability in India, although recent resurgences of Hindu nationalism have negatively impacted on some of them (Adeney and Swenden, 2019).

#### 2.3.2. Examples from Africa

Kenya provides another example of how consociational features can bring about mixed results. A grand coalition government formed in 2008 and lasted until 2013, effectively ended ethnic violence that had engulfed the country following the disputed 2007 election. The power-sharing agreement between the Orange Democratic Movement and the Party of National Unity made provisions for addressing the underlying causes of the conflict, including historical injustices such as land dispossession, concentration of power in the presidency and weak institutions. The coalition government led to the adoption of a new constitution in 2010 that provided for more checks and balances, and the establishment

of a new electoral body. However, it was characterised by endless wrangling and failure to address certain key issues. For instance, land issues that often-caused ethnic animosity remained unaddressed, there was lack of justice against alleged masterminds of the post-election violence and the 2013 election was still disputed, although there was minimal violence (Amadi, 2009; Kagwanja and Southall, 2009).

At the local level, Elfversson and Sjogren (2020: 51-54) found that a power-sharing agreement struck in 2012 reduced ethno-political hostility in the Rift Valley county of Nakuru between the Kikuyu and Kalenjin communities in the 2013 and 2017 elections. Under the Nakuru Peace Accord, the two communities agreed that the Kikuyu community would field a candidate for Governor while the Deputy Governor position would be reserved for a Kalenjin candidate. Other positions, such as Member of Parliament and senator, were similarly shared.

Like Kenya, Zimbabwe also had a brief period of power-sharing between 2009 and 2013 under the Global Political Agreement, again after a disputed election in 2008. A government of national unity brought together the ruling Zimbabwe African National Union-Patriotic Front, which kept the presidency, and opposition Movement for Democratic Change, which took up the prime minister position. Cabinet positions were similarly shared, and the agreement required the president to consult the prime minister on other key state appointments. The power-sharing arrangement was nevertheless characterised by instability when the late President Robert Mugabe routinely failed to consult the late Prime Minister Morgan Tsvangirai, leading to near-collapse of the GNU in 2010 (Bratton, 2014: 4). The GNU also largely failed to implement media and security reforms prior to the 2013 elections, leading to the same suppressive conditions that contributed to the disputed 2008 election debacle. Constant tension and suspicion between the rival coalition partners also cascaded to the local government level, hampering service delivery and undermining professionalism in the public administration (Nhede, 2012: 187).

In Burundi, consociationalism failed in 1993 despite the representation of the Tutsi minority in several high-ranking state position, including prime minister. This led to a coup,

the assassination of President Melchior Ndadaye (from the dominant Hutu ethnic group) and the outbreak of widespread killings. The failure was attributed to a lack of adequate minority overrepresentation and a breakdown of elite cooperation (Sullivan, 2005: 91). In contrast, the consociational Arusha Accords in 2000 created a power-sharing system in Burundi that was widely hailed as a success. It emphasised minority overrepresentation, with the Hutu and Tutsi groups sharing government positions on a 60:40 percent basis, respectively. Positions in the security forces were shared equally, while at the local community level, either group could not constitute more than 67 percent of mayors. These and other provisions led to the successful 2005 elections and a considerable decrease in ethnic tensions (Lemarchand, 2006: 7-12; Reyntjens, 2016: 69-71).

# 2.4. SOUTH AFRICA'S EXPERIENCE WITH POWER SHARING, COALITIONS, AND ALLIANCES: AN OVERVIEW

#### 2.4.1. Historical and political context

Apartheid institutionalised a system of racial segregation in South Africa from 1948 until 1994, thereby creating deep social and racial divisions. As the struggle against apartheid gained momentum through the decades, consociationalism was increasingly viewed as a way of reconciling the white minority and the segregated Black majority (Africans, Coloureds and Indians) (Southall, 1983: 77). South Africa's earliest consideration of consociational elements started in 1977 when the NP, the ruling party at the time, initiated constitutional proposals that were eventually adopted in the 1983 constitution. The new provisions, which amounted to some form of group autonomy, created separate parliaments for the Coloured and Indian groups, but still left out Africans (Bogaards, 2014: 82). However, Lijphart (1985: 61) referred to this system as "quasi-consociational" at best because it maintained white dominance, excluded the majority African population and did not involve minority veto for Coloured and Indian groups.

Another attempt came in 1980 when Gatsha Buthelezi, the Chief Minister of the KwaZulu Homeland at the time, established the "Buthelezi Commission on the Future of Natal and KwaZulu." The Commission submitted its report in 1981 and recommended, among others, a consociational form of government for KwaZulu and Natal. This government would have provisions such as proportional representation (including "minimum group

representation") as well as "absolute veto" for minority groups on vital interests and "suspensive veto" on other rights (Boulle, 1982: 265-267). The NP, however, rejected the report.

As the internal and external opposition against apartheid grew in the 1980s, the apartheid state also became weaker. The formation of the United Democratic Front (UDF) in 1983 and growth in strength of labour unions, such as the National Union of Mineworkers (NUM), signalled a much more organised and widespread mobilisation of internal resistance. Frequent worker strikes, including the historic 1987 NUM strike that involved up to 300,000 miners, and mass demonstrations worsened the apartheid state's crisis of legitimacy while crippling its economy. The government declared a state of emergency in 1985 and again in 1986, and banned political movements including the UDF (Harvey, 2001: 89-100; Moodie, 2009: 45).

At the international level, South Africa also faced increasing hostility as economic sanctions intensified and the Free Mandela movement garnered widespread support. A broad coalition led by the ANC led to further international isolation of the apartheid regime, with the cost of disinvestment and sanctions between 1985 and 1990 estimated at R40 billion (Harvey, 2001: 102). The regime was also embroiled in a costly war in Namibia, while the end of the Cold War signalled a growing global emphasis on democracy and human rights. These factors led to an acceptance within the NP elites that apartheid was unsustainable, paving the way for negotiations with the ANC and other groups representing the Black majority. When the NP's hard-line leader P.W. Botha suffered a mild stroke in 1989, F.W. de Klerk emerged as its new leader and he pushed for change, including unbanning of the ANC and other parties as well as releasing political prisoners such as Nelson Mandela (Traniello, 2008: 35).

Despite these positive steps, the path towards transition was still fraught with risks, including intransigence from groups such as the IFP and the Afrikaner Weerstandsbeweging. South Africa's pronounced racial schism was the most salient factor in the negotiations to end apartheid. While the previously marginalised Black majority appeared poised to take power, the need to allay fears of exclusion among the

white minority became imperative to achieve the democratic breakthrough. Against this background, the consociational elements of proportional representation and government of national unity were applied to promote inclusion and avoid a winner-takes-all transition that was likely to prolong the conflict (Traniello, 2008: 36).

#### 2.4.2. Power-sharing and coalitions in South Africa

The 1993 Interim Constitution Pact provided for proportional representation and a GNU. Any party that won 80 seats in the 400-member National Assembly was entitled to nominate an Executive Deputy President from among members of the National Assembly. Furthermore, a party holding 20 or more seats in the National Assembly was entitled to at least one Cabinet portfolio in the 27-member Cabinet. At the provincial level, a party holding at least 10 percent of the seats in a provincial legislature was entitled to at least one provincial government portfolio (South African Government, 1993a).

As a result of these proportional representation provisions, the ANC, the NP, and the IFP formed a GNU. The ANC's Nelson Mandela and Thabo Mbeki became President and Executive Deputy President, respectively. The NP's F. W. de Klerk also became Executive Deputy President and the IFP's Mangosuthu Buthelezi became Minister of Home Affairs. Jolobe (2018: 83) refers to the GNU as a surplus majority coalition because the ANC had won 62 percent of the vote and thus could have governed on its own. The NP indeed pulled out of the GNU after two years without any risk to the ANC's legislative majority. Although the 1996 Constitution did not have GNU provisions, the ANC and the IFP voluntarily established another surplus majority coalition for a further five years after the 1999 elections. As of 1994, the ANC was already in a Tripartite Alliance with COSATU and the SACP in which the South African National Civic Organisation (SANCO) also played a role (Kadima, 2006b: 18).

The ANC-led surplus-majority coalitions reflected its dominance in electoral politics and effectively meant that South Africa had a dominant-party system at the time and until 2016, at least at national level. Brooks (2004) extensively discusses this system and its implications for South Africa's democracy. Regarding local government, the ANC was able to use its position to further strengthen its dominance in municipalities through the

floor-crossing legislation passed in 2002 (Brooks, 2004: 144). This legislation allowed members of Parliament and councillors to defect to other political parties without losing their seats. Booysen (2006) further discusses floor-crossing and defections during the period between 2002 and 2004. She argues that the overall result of this phenomenon was the strengthening of the dominant-party system with the ANC being the primary beneficiary. Its electoral dominance in national elections increased from 66 percent in 1999 to 69 percent in 2004 (Booysen, 2006: 735). Similarly, the ANC increased its share of the provincial vote from 42 percent in 1999 to 46 percent in 2004 in the Western Cape, and from 40 percent in 1999 to 47 percent in 2004 in KwaZulu-Natal (Booysen, 2006: 737).

At the local government level, the ANC was once again the main beneficiary, gaining a total of 128 councillors after the first round of defections in 2002. Out of the 21 municipalities where defections and floor crossing occurred, the ANC became the new majority party in eight (Booysen, 2006: 740). In the second round of defections and floor crossing in 2004, the ANC gained a further 336 councillors, mostly from the NNP, which was eventually dissolved and absorbed into the ANC in 2006. In overall terms, these processes led to "party-system stabilisation" in South Africa. Local government election results strengthen Booysen's argument, as the ANC's majority vote increased from 59 percent in 2000 to 64 percent in 2006, before declining to 62 percent in 2011 and sharply to 54 percent in 2016 (Independent Electoral Commission (IEC), 2016a). However, both Brooks (2004) and Booysen (2006) do not delve into how alliances, defections and floor crossings affected the performance and stability of the affected municipalities.

An enduring legacy of the 1993 Interim Pact was the retention of proportional representation. As a result, a number of coalitions were formed at the provincial level, such as the ANC-IFP coalition in KwaZulu-Natal between 1999 and 2004 as well as the Democratic Party-NNP coalition in the Western Cape between 1999 and 2000 (Booysen, 2006: 736). The electoral system at the local government level is a mixed one. Parties contest for half of the available seats on a proportional representation basis and the other half on a "first-past-the-post" system (Kadima, 2006c: 226). This has sometimes led to pre-election alliances, as happened in Cape Town's metropolitan council during the 2000

local government elections. In this instance, the Federal Alliance, the DP, and the NNP formed a winning alliance. In KwaZulu-Natal, the ANC formed coalitions with the NFP in 19 hung municipalities after the 2011 local government elections, including in AbaQulusi, Big Five False Bay and Dannhauser. Under the agreement, the ANC secured 16 Mayoral seats and NFP three (Tshishonga, 2012: 166-167).

Kadima (2006b: 46) also discusses how the DA, African Christian Democratic Party (ACDP) and FF+ formed a coalition in Cape Town's metropolitan council after the 2006 local government elections, with the DA's Helen Zille winning the Mayoral seat. This period – until September 2007 – was characterised by political instability in the council because of "internal rivalries and incessant jockeying for positions" (Dubresson and Jaglin, 2014: 159). Although the ANC and the DA were on the opposite sides of post-2006 election negotiations in Cape Town, they formed "power-sharing arrangements" in other Western Cape municipalities. For instance, DA candidates became Mayor and Deputy Mayor in Laingsburg while an ANC candidate was elected Speaker, and in Beaufort West, the ANC's candidates became Mayor and Deputy Mayor while a DA candidate became Speaker. Similar arrangements were made in the Karoo District Municipality and Knysna (Kadima, 2006b: 47).

The 2016 local government elections ushered in a period of even more power-sharing at the local government level after the ANC's dominance shrunk to 54 percent. No political party won an absolute majority in a total of 27 municipalities across the country (Jolobe, 2018: 102). The ANC's decline was the result of a combination of factors, the most salient of which were public discontent with former President Jacob Zuma's leadership and the entry of the EFF into electoral contestation. Ironically, the EFF did not win a single municipality outright. However, it won 8.19 percent of the vote nationally, which was enough for it to become a "kingmaker" in 13 hung municipalities, including the Johannesburg, Tshwane and Nelson Mandela Bay metropolitan municipalities (Mbete, 2016: 603). Its fraught relationship with Zuma informed its approach towards coalition negotiations. As a matter of principle, it refused to enter coalition talks with the ANC because it did not wish to "legitimise the Zuma administration," which it had painted as corrupt (Mbete, 2016: 606).

As a result, the EFF decided to vote for the DA in municipalities without being in a formal power-sharing arrangement with it. The DA subsequently won power in the Johannesburg and Tshwane metropolitan municipalities with the help of the EFF. The DA-EFF alliance at the local level indicated that ideological considerations have played a much less salient role than would be expected at, for instance, the national level. The EFF espouses radical left-wing policies such as nationalisation of land and natural resources while the DA favours liberal free-market and private property policies. In this instance, the EFF did not adopt an office-seeking posture and chose to only vote for DA candidates in the councils, thereby allowing the DA to form minority governments in those jurisdictions (Mbete, 2016: 606-608).

Jolobe (2018: 76) also refers to this arrangement as a "legislative coalition" where cooperation is based on policies that are mutually agreeable. Indeed, the EFF did not abandon its policy-seeking approach and, for instance, pushed for its policy of insourcing of workers in the City of Johannesburg (EWN, 2018a). Such legislative coalitions are "not as comprehensive and binding as cabinet coalitions" and therefore "do not pose a threat to political stability when they collapse" (Jolobe, 2018: 76). However, legislative coalitions can prove destabilising where there are profound ideological differences as was the case between the EFF and the DA. Their differences over land expropriation led to the EFF voting to remove the DA's Nelson Mandela Bay metropolitan council Mayor Athol Trollip from office in August 2018 (TimesLIVE, 2018a). Citing the DA-EFF informal arrangements in Tshwane and Johannesburg, Khambule et al. (2019) argue that opposition parties have seen the need to "co-exist" to counter the ANC's electoral dominance (albeit declining), especially after the 2016 local government elections and despite their ideological differences. They cite the DA's coalition with the United Democratic Movement (UDM), Patriotic Alliance (PA) and other smaller parties as another example of this co-existence. While they argue that co-existence and coalition-building can promote consensus on policies as well as more efficient oversight, they concede that it all depends on the ability and willingness of political parties to compromise (Khambule et al., 2019: 12-13).

Although the EFF signalled its intention to adopt an expressly office-seeking posture prior to the 2019 elections, it abandoned it after those elections. Its leader, Julius Malema, had

said that the EFF would negotiate for Member of Mayoral Committee (MMC) in Johannesburg and Tshwane (City Press, 2019). However, the EFF and the DA failed to reach an agreement following negotiations held after the election. This prompted the EFF to declare that it would in future abstain from voting in municipalities where it previously voted for DA candidates (BusinessLIVE, 2019). The ANC in the City of Johannesburg seemingly viewed this decision as an opportunity to oust Mayor Herman Mashaba through a vote of no confidence. However, it withdrew the motion on the day of voting (22 August 2019) after failing to reach agreement with other opposition parties on the sharing of executive positions (The Citizen, 2019a). Ultimately, the ANC seized power again in Johannesburg after the DA's internal dynamics led to the resignation of former Mayor Herman Mashaba in November 2019. Geoff Makhubo was elected Mayor in December 2019 after the ANC won the support of smaller parties. The DA, which had previously counted on the EFF's support, lost the position. The EFF's councillors voted for their own candidate (The Citizen, 2019b).

This EFF-DA schism falls within Jolobe's (2018: 105) argument that coalitions or alliances in one level of government sometimes have negative implications for overall party relations. The fluid nature of party alliances and coalitions at the local government level was further emphasised in Matzikama municipality in the Western Cape in July 2019. The EFF went back on its vow to abstain from voting and allied itself with the ANC to vote out the DA's mayor and speaker of council (Daily Maverick, 2019a). The fluid nature of these coalitions reflects the elitist nature of coalition making. Voters usually do not have a say on who they want their political parties to form a coalition with. This is often the prerogative of party leaders and may be based on ideological considerations or sometimes opportunistic reasons (Mokgosi, Shai and Ogunnubi, 2017: 43).

Using examples from coalition governments in Tshwane, Johannesburg and Ekurhuleni metros after 2016, Mokgosi, Shai and Ogunnubi (2017: 48-54) further argue that coalitions present both opportunities and challenges. For instance, the election of DA Mayors in Johannesburg and Tshwane gave the party an opportunity to showcase its ability and, therefore, strengthen its competitiveness at the next local government elections in 2021. In theory, this could, therefore, lead to improved service delivery and municipal

performance. The EFF's "kingmaker" role also gave it an opportunity to advance its policy preferences, such as insourcing in the City of Johannesburg. However, it became a challenge for the DA in some instances because it could not make unilateral decisions on key policy issues. For example, the EFF effectively blocked former Johannesburg Mayor Herman Mashaba's attempt to privatise PIKITUP, the City's waste collection company, by threatening to remove him from office if he went ahead with the plan (Mokgosi, Shai and Ogunnubi, 2017: 51). The EFF opposed the proposal because it went against their ideological principles which, among others, advocate for nationalisation and against privatisation.

Maseremule, Mokate, and Vil-Nkomo (2016) posit that despite the ANC's decline at the local level signalled in the 2016 local government election, patronage politics is likely to persist. This is often manifested in the appointment of administrative municipal officials along party lines through party deployment mechanisms. For instance, in 2009, the high court in the Eastern Cape found that the ANC-dominated Amathole District Municipality took instructions from the ANC's regional executive committee to appoint a particular candidate (SAFLII, 2008). Maseremule, Mokate, and Vil-Nkomo (2016) argue that an increase in coalition politics is unlikely to herald a more professional municipal bureaucracy because patronage politics would simply "change hands." The fact that the position of municipal/city manager has become heavily politicised, especially in Tshwane and Nelson Mandela Metropolitan Councils, seems to support their view. Similarly, the possibility of new coalitions removing officials based on perceived party affiliation also remains. This happened in 2000 when a DA-led alliance won the Cape Metro and removed some senior officials appointed during the ANC's rule (Maseremule, Mokate, and Vil-Nkomo, 2016).

The coalition governance crisis in the Cape Metropolitan Council between 2000 and 2006 demonstrated how power-sharing can negatively affect the stability of municipalities. After the local government elections in 2000, the main political parties in the Cape – the ANC, the DA and the NNP – failed to establish sustainable coalitions. This resulted in the election of three mayors within a period of just three years, thereby creating a sustained period of political uncertainty and instability in the municipality. This in turn affected the

morale of the municipality's civil servants and impacted on performance. Nevertheless, coalitions that have effective and comprehensive agreements in place can help stabilise municipalities. An example is the 2002 National Co-operative Agreement between the ANC and the NNP, which brought about a period of stability in the Cape Metro, albeit a brief one (Jolobe, 2007: 82).

While discussing the political-administrative interface in South Africa's municipalities, De Visser (2010: 92) notes that in some instances, political considerations influence how municipal council speakers perform their duties. This often occurs when the positions of Speaker and Mayor have been allocated to cement coalitions or alliances, or according to internal party factions. For instance, the ANC and the EFF in the Tshwane metropolitan council attempted to remove DA Speaker Katlego Mathebe several times in 2020 over allegations of abuse of office. The impasse, brought about by EFF's decision to turn against its former alliance partner the DA, led to the Gauteng provincial government placing the city under administration in March 2020, a decision the DA contested in court (New Frame, 2020). As the impasse continued, the city remained without a mayor following the resignation of Stevens Mokgalapa in February 2020. The EFF and the ANC staged walkouts or failed to attend council sittings several times, resulting in the lack of a quorum and a failure to elect a new Mayor, among other council tasks. This sustained crisis is yet another example of how loose alliances can prove destabilising for hung municipalities, thereby affecting performance and service delivery.

A similar situation happened in the Western Cape's Oudtshoorn municipality after the 2011 local government elections. The DA and the ANC each formed several minimum winning coalitions with smaller parties which nevertheless collapsed each time one or more councillors changed their minds. Municipal governance subsequently collapsed because of a failure to convene regular council meetings, compelling the provincial government to place the municipality under administration in 2015. The DA won an outright majority in Oudtshoorn in the 2016 local government elections and there has been relative stability since then (Jolobe, 2018: 101).

Pieterse (2019) discusses another notable dimension in South Africa's experience with power-sharing at the local government level – the fact that by falling into opposition control in 2016, the Tshwane, Johannesburg and Nelson Mandela Bay metros operated under ANC-led provincial and national governments that could potentially be hostile to them. Having won these metros, the new coalitions sought to be "assertive" and chart a new path to distinguish themselves from the previous ANC-led administrations. For instance, the new leadership in Nelson Mandela Bay ended the use of "blue light" motorcades, while the leadership in Tshwane sought to make tender processes public and to reform public projects inherited from the previous administration. There were also instances of defiance of provincial or national government policies, such as then-Tshwane Mayor Solly Msimanga's trip to Taiwan's capital Taipei in 2017. The national government expressed concern that the trip went against its "One China" policy and could, therefore, antagonise its relations with China. Nevertheless, such instances of direct confrontation were few and far between (Pieterse, 2019: 61-62).

In March 2020, however, the DA claimed that the ANC-led provincial government's decision to place Tshwane under administration was influenced by political considerations aimed at removing its leadership in the city (Democratic Alliance, 2020). The DA subsequently challenged the decision in court, which then ruled in its favour and criticised the Gauteng provincial government for failing to apply other constitutional provisions first before dissolving the Tshwane council. Notably, the court observed that the council's inability to conduct its business was in fact caused by constant ANC and EFF walkouts or boycotts that resulted in lack of quorums (SAFLII, 2020). According to the DA, this was a deliberate plot between the two parties and the provincial government to orchestrate a "power grab" in the City. It is, therefore, apparent that tensions between metros led by opposition alliances or coalitions and the ANC-led provincial governments have the potential to exacerbate instability in such metros. This could further lead to poor performance and service delivery.

#### 2.4.3. Nelson Mandela Bay's experience with power-sharing

Hanabe and Malinzi (2019) is one of the few studies in the literature that attempts to discuss the link between municipal power-sharing and stability of such municipalities,

using the case study of Nelson Mandela Bay. The two authors posit that coalitions often result in unstable governance and hence poor service delivery. They further argue that coalitions result in weakened party identity, ineffective local governance and compromised citizen engagement (Hanabe and Malinzi, 2019: 48). For instance, although the UDM performed poorly in the 2016 local government elections, its candidate was elected Executive Mayor in 2018 through political-party deal-making that arguably did not reflect the will of voters. The authors also cite adverse municipal audit findings in Nelson Mandela Bay's leadership matters between 2016 and 2018 as evidence of ineffective governance. On the other side, coalitions can promote consensus-based politics and by extension, more responsible governments. Finally, they recommend a review of South Africa's electoral system to ensure that voters' mandates are not overlooked by municipal governments formed through coalition politics (Hanabe and Malinzi, 2019).

In their study, Bradshaw and Ntsikeleko (2019) mostly focus on how the ANC lost its majority in Nelson Mandela Bay at the 2016 elections and the resultant coalition. However, they make a notable contribution to the debate on the management of coalitions and power-sharing at the local government level. In their view, power-sharing arrangements, such as those seen in Nelson Mandela Bay, should have conflict management mechanisms to enhance the stability of metros. Coalition partners should sign coalition agreements that, for instance, make provisions for the appointment of a third-party mediator to resolve disagreements (Bradshaw and Ntsikeleko, 2019: 133). They further recommend the introduction of training for party leaders and members on conflict-management, negotiation and mediation skills. For instance, party leaders could be encouraged to use less confrontational methods in pursuit of their political objectives, something that could be "policed" by the IEC.

In some instances, however, coalition agreements may only serve as a "gentleman's agreement" with little to deter any party in the coalition from withdrawing whenever there is a disagreement. For instance, UDM simply walked out of a coalition with Congress of the People (COPE), the DA and the ACDP and teamed up with the ANC and the EFF to oust then-Mayor Athol Trollip (Beukes, 2021: 64-65). Power-sharing in Nelson Mandela Bay will be explored in more depth in the case study chapters to follow.

#### 2.4.4. Ekurhuleni's experience with power-sharing

Power-sharing in Ekurhuleni metropolitan municipality has mostly been given only a passing reference in the literature. Two reasons could be advanced for this apparent lack of research interest: one, the ANC was still able to form a coalition with smaller parties and retain control of the metro between 2016 and 2021 despite losing its majority; and two, the metro enjoyed relative stability in that period compared to Johannesburg, Tshwane and Nelson Mandela Bay metros. For instance, Pietersen (2021) assessed the performance of Gauteng metros, including Ekurhuleni, between 2016 and 2021, arguing that the political parties involved focused more on politics than their coalition agreements, governance, stability, and service delivery. Mawere, Matoane and Khalo (2022) similarly included Ekurhuleni in their study on coalition governance and governance stability in Gauteng metros, arguing that political parties' divergent policy agendas often hamper service delivery.

Political analyst Ralph Mathekga (News24, 2020a) offers a plausible argument for why the metro achieved relative stability between 2016 and 2021. According to him, what set Ekurhuleni apart from Johannesburg and Tshwane metros during this period was the absence of the DA and the EFF in the power-sharing arrangement. He, therefore, argues that one of the preconditions for a stable coalition government is that it should not involve more than one of the large parties (ANC, EFF or DA) at the same time. This is because the larger parties are less likely to compromise in a coalition with each other given their more established electoral support and ideological positions.

#### 2.5. CONCLUSION

This chapter explored the available literature on South Africa's experience with power-sharing since 1994 with a focus on municipal power-sharing. Studies consulted are mostly in agreement that coalitions at the local government level are likely to increase because of the ANC's gradual loss of electoral dominance. Coalitions, therefore, present both challenges and opportunities for political parties as well as municipalities. Broadly speaking, a notable trend of political instability in municipalities governed through power-sharing emerges from the literature. Some studies have linked this instability to poor

municipal performance and service delivery. Consequently, some of them have made proposals on how to enhance coalition stability, such as signing of formal agreements that provide for mediation and conflict resolution.

The literature also shows that ideological considerations play a less salient role in municipal coalitions than at the national level. However, ideological differences at the national level can also cause friction between coalition/alliance partners at the local level, sometimes leading to complete fallouts and collapse of the coalition/alliance.

Another notable observation is that antagonistic relations between an opposition coalition-led metropolitan municipality and an ANC-led provincial government may worsen political instability in the metro rather than resolve it. Finally, there are few studies in the literature that focus on Nelson Mandela Bay and Ekurhuleni's experiences with power-sharing, or which use the two as case studies in this regard. This study aims to help fill this gap.

Having explored the literature in this chapter, the next chapter will focus on the South African legislative framework for power-sharing and party coalitions in local government.

## CHAPTER 3: LEGISLATIVE FRAMEWORK FOR POWER-SHARING AND PARTY COALITIONS IN LOCAL GOVERNMENT

#### 3.1. INTRODUCTION

This Chapter outlines the legislative framework that enables proportional representation, power-sharing and party coalitions in local government in South Africa. As outlined in Chapter 2, proportional representation falls within the broad theoretical framework of consociationalism, which was adopted during the transition from apartheid to promote inclusion and avoid conflict risks associated with a winner-takes-all approach. It was noted that proportional representation is a strong feature of South Africa's electoral system. However, at the local government level, it becomes a mixed system where political parties vie for half of the seats in a municipal council on a proportional representation basis and the other half on a "first-past-the-post" basis. This Chapter, therefore, explores the constitutional and legal provisions underpinning this system, relying on primary documents such as the Constitution and the 1998 White Paper on Local Government, as well as available literature and court judgements. On this basis, the Chapter attempts to make broad inferences on how the legislative framework impacts the stability and performance of municipalities governed by coalitions or alliances.

This Chapter starts by providing a broad historical context of local government, exploring how apartheid's exclusionary provisions led to the transitional phase of local government and finally to the current system. Next, it outlines the legislative framework of the current system based on the 1996 Constitution and national legislation. It argues that although proportional representation provisions that enable power-sharing offer greater representation for minorities, they also create conditions for greater political instability in municipalities governed through power-sharing compared to those governed by one political party. This in turn affects performance and service delivery in those municipalities.

#### 3.2. HISTORICAL CONTEXT

#### 3.2.1. Local government in pre-1994 South Africa

The earliest local councils in South Africa emerged at the Cape of Good Hope soon after the arrival of Dutch immigrants led by Jan van Riebeeck in 1652. These councils governed the Cape colony until 1827 when the British, who had started colonising South Africa in 1806, abolished them (Tsatsire, et al, 2009: 131). The British government subsequently adopted the Cape Municipal Ordinance No. 9 of 1836, which enabled property owners to elect a board of commissioners for their respective towns for terms of three years. The boards were empowered to administer property taxes and regulate the provision of services. The Cape Municipal Ordinance provided a framework for similar ordinances for Natal (1847), Orange Free State (1856) and Transvaal (1877) (Tsatsire, et al, 2009: 131).

Senior positions in municipalities within these four provinces (Cape, Natal, Orange Free State and the Transvaal) were mainly occupied by British civil servants deployed to South Africa, marking the beginning of exclusion of various social groups as a distinct feature of local government in pre-1994 South Africa (Binza, 2005: 73). In 1909, the British Parliament passed the South Africa Act, which formed the basis for the establishment of the Union of South Africa in 1910. The Act further cemented exclusionary policies in South Africa, as it granted the right to vote to white people only and barred Black, Indian and Coloured people from participating in decision-making processes at all government levels. It also gave provincial councils powers to oversee the affairs of local authorities across the country, with white municipalities also having powers to oversee advisory committees established for Black townships (Tsatsire, et al, 2009: 132; Binza, 2005: 74).

In 1948, the NP won elections in South Africa and legalised apartheid, a system of racial segregation disguised as "separate development" whose effect was to buttress the political and economic dominance of the white minority over other races. In particular, the Group Areas Act of 1950 reserved specific areas for each racial group and regulated movement across reserved areas. For instance, Black people were required to carry passes in urban areas and faced imprisonment if they remained in such areas for 72 hours without a pass (Aremu, 2011: 497-498). These segregationist policies, including

"own management for own areas," were implemented mostly at the local government level. Areas reserved for white people had their own local authorities, as did those reserved for Indian and Coloured people (Tsatsire, et al, 2009: 133-134; Binza, 2005: 76; South African Government, 1998a: 12).

The apartheid government continued using local government to keep race groups separate even after South Africa became a Republic with the adoption of Act 32 of 1961. However, it progressively started decentralising control, beginning with the establishment of Urban Bantu Councils in 1961 through the Urban Bantu Councils Act. Although the Councils remained under the ultimate control of white local authorities like the advisory committees before them, white local authorities could now delegate administrative powers to them. The Act nevertheless retained finance and tax powers in the hands of white local authorities and vested overall responsibility for local authorities in provincial councils (Tsatsire, et al, 2009: 135). Through the Black Affairs Administration Act of 1971, the apartheid government further established administration boards to exercise administrative and executive powers over Black urban authorities that were previously the preserve of while local authorities (Ndlovu, 1989: 44).

This process of decentralisation of control continued with the establishment of Black Local Authorities (BLAs) in 1982 and Regional Services Councils (RSCs) in 1985 (Cameron, 1995: 396). However, apartheid legislation, such as limits on retail and industrial developments in Black areas, deprived BLAs of adequate tax bases, leading to poor service delivery and subsequent rejection of BLAs by Black people living in their jurisdictions (South African Government, 1998a: 12; Tsatsire, et al, 2009: 136-137). RSCs were established to enable multi-racial decision making in local government through nominations of local authorities' councillors, including those from BLAs, to serve as RSC members. They were also aimed at providing new sources of tax revenue – and ultimately better services and infrastructure development – for Black, Coloured and Indian townships. However, representation to RSCs was still biased towards white local authorities because it was determined by how much local authorities paid for services as opposed to their population numbers. This ensured that white local authorities had more

representation in RCS, relative to their respective populations, compared to other local authorities (Lemon, 1992: 13-14).

As the 1980s progressed, resistance against apartheid became increasingly sustained and widespread, forcing the government to declare states of emergency several times. Boycotts of rent and services payments were particularly used in urban local authorities as a means of protest, which meant that local government was a focal point of resistance because it had been, for decades, the primary tool of segregation, exclusion and deprivation of political, social and economic rights (Reddy, Nzimakwe and Ramlucken, 2012: 44). Eventually, these boycotts began to have a financial impact on white local authorities, forcing them to start negotiations with representatives from townships. This ultimately led to the formation of the Local Government Negotiating Forum (LGNF) in 1993 which in turn ushered in the transitional phase of local government in South Africa. All this happened against the backdrop of a collapsing apartheid regime, which made several momentous concessions such as the release of political prisoners and unbanning of political parties (Binza, 2005: 77-78). As discussed in Chapter 2, the spectre of Black majority government became inevitable, leading to the adoption of consociationalism's proportional representation to allay fears of the white minority by promoting inclusion.

#### 3.2.2. The transitional phase of local government

In 1992, the ANC and the NP agreed to establish the LGNF, a platform composed of representatives from local authorities countrywide and advocacy groups such as SANCO. The LGNF, which was part of the broader Multi-Party Negotiating Council, was eventually launched in 1993 and produced three main agreements. The first was that local government finances should reflect the principle of "one city, one tax base" that had been championed by the ANC and organisations aligned to it. This was aimed at addressing the unequal distribution of tax revenue that had benefitted white local authorities at the expense of other local authorities (De Visser, 2005: 60). The second agreement was the inclusion of a chapter on local government in the Interim Constitution, while the third was the adoption of the Local Government Transitional Act (LGTA) of 1993, which provided the broad framework for the transition from apartheid local government to democratic local government (De Visser, 2005: 60-61; Tsatsire et al., 2009: 141-142). The LGTA

provided for three transitional phases – the pre-interim phase, the interim phase and the final phase.

#### 3.2.2.1. Pre-interim phase

The LGTA and the 1993 Interim Constitution governed the pre-interim phase, which started in February 1994 and ended in 1995/1996 when South Africa held its first democratic local government elections. The LGTA disbanded race-based local authorities and provided a framework for the establishment of negotiating forums in the various local authorities. In turn, these forums established non-racial local authorities that had 50 percent non-statutory membership, which comprised SANCO and ANC representatives, and 50 percent statutory membership, which comprised representatives from the previous race-based authorities as well as NP, local government associations and provinces (Koma, 2012: 107; De Visser, 2005: 61). These authorities served communities until the 1995/1996 local government elections. Demarcation of municipal boundaries also took place during this phase, resulting in approximately 1,200 municipalities (Sikhakane and Reddy, 2009: 234).

#### 3.2.2.2. Interim phase

The interim phase commenced with the establishment of transitional local authorities in November 1995 following the first local government elections after apartheid. In the urban areas, these authorities were known as Transitional Metropolitan Councils (such as the Greater Johannesburg and Pretoria Metropolitan Councils at the time) and Transitional Local Councils. In the rural areas, they were known as Transitional Rural Councils, while District Councils were also established to perform functions related to the development of rural areas (South African Government, 1998a: 14-16; Sikhakane and Reddy, 2009: 234).

The Councils were elected though a hybrid electoral system of 60 percent ward representation and 40 percent proportional representation. Pursuant to the Local Government Municipal Demarcation Act of 1998, a Municipal Demarcation Board was established to further consolidate old municipal boundaries. This led to the reduction of municipalities from approximately 1,200 to 843. It was also during this phase that the

White Paper on Local Government was published in 1998 as a guide towards a democratic and developmental local government system (De Visser, 2005: 61). The White Paper identified various weaknesses of the interim local government system, including a persistent urban bias and "infrastructural disparities and inequalities resulting from apartheid local government," and called for a new institutional framework (South African Government, 1998a: 14). The interim phase came to an end in December 2000 when local government elections were held based on the 1996 Constitution.

#### **3.2.2.3.** Final phase

The final phase began in 2000 after the first local government elections held under the democratic Constitution adopted in 1996. The elections were also held after an amalgamation process conducted by the Municipal Demarcation Board, which further reduced the number of municipalities from 843 to 284 (Sikhakane and Reddy, 2009: 234). It is this phase that ushered in the current system of local government in South Africa, with the 1996 Constitution, Municipal Demarcation Act of 1998, Local Government: Municipal Structures Act 117 of 1998, and Local Government: Municipal Systems Act of 2000 underpinning the legislative framework discussed below.

#### 3.3. LEGISLATIVE FRAMEWORK

#### 3.3.1. Constitutional principles underpinning local government

In 1993, political parties participating in talks to end apartheid established a Multi-Party Negotiating Process (MPNP), which subsequently agreed to adopt a set of 34 Constitutional Principles that guided the Constitutional Assembly in its constitution-making process (South African History Online, 2011). The MPNP also agreed that the Constitutional Court would not certify the final democratic Constitution if it did not follow and include all the 34 principles. Several of these principles focused on local government and reflected a desire to break from the exclusionary, exploitative and discriminatory local government system of apartheid while promoting inclusion of minorities. They include:

 Principle XVI: Government shall be structured at national, provincial and local levels.

- Principle XVII: At each level of government there shall be democratic representation.
- Principle XX: Each level of government shall have appropriate and adequate legislative and executive powers and functions that will enable each level to function effectively. The allocation of powers between different levels of government shall be made on a basis which is conducive to financial viability at each level of government and to effective public administration, and which recognises the need for and promotes national unity and legitimate provincial autonomy and acknowledges cultural diversity.
- Principle XXIV: A framework for local government powers, functions and structures shall be set out in the Constitution. The comprehensive powers, functions and other features of local government shall be set out in parliamentary statutes or in provincial legislation or in both.
- Principle XXV: The national government and provincial governments shall have fiscal powers and functions which will be defined in the Constitution. The framework for local government referred to in Principle XXIV shall make provision for appropriate fiscal powers and functions for different categories of local government.
- Principle XXVI: Each level of government shall have a constitutional right to an
  equitable share of revenue collected nationally to ensure that provinces and local
  governments are able to provide basic services and execute the functions
  allocated to them.
- Principle XXVII: A Financial and Fiscal Commission, in which each province shall be represented, shall recommend equitable fiscal and financial allocations to the provincial and local governments from revenue collected nationally, after taking into account the national interest, economic disparities between the provinces as well as the population and developmental needs, administrative responsibilities and other legitimate interests of each of the provinces (South African Government, 1993b).

It is these principles that underpinned local government provisions in the 1996 Constitution and various national and provincial legislations.

#### 3.3.2. Local government provisions in the 1996 Constitution

Section 40 (1) of the 1996 Constitution provides for a co-operative system of government in South Africa, stating that the government is constituted at national, provincial and local spheres, and that these spheres are "distinctive, interrelated and interdependent" (South African Government, 1996: 21). However, it is Chapter 7 of the Constitution that fully outlines South Africa's current system of local government, including status, powers, functions, objects and categories of municipalities. This study focuses on provisions that enable proportional representation, power-sharing, and party coalitions and alliances at the local level.

Section 151 (2) vests a municipality's executive and legislative authority in its Municipal Council, which, according to section 157 (1) (a), consists of elected members. Section 157 (2) and (3) prescribe that the election of such members must be through a system of proportional representation based on a list of party candidates, or proportional representation combined with a system of ward representation (South African Government, 1996: 74, 77). This, along with national legislation enacted to give effect to it (discussed below), forms the main basis for South Africa's mixed proportional representation and "first-past-the-post" electoral system at the local government level as discussed in Chapter 2.

In terms of section 160 (1) (b) and (c), the Municipal Council must elect a chairperson (who also serves as the Speaker) and may elect an executive committee and other committees, subject to national legislation. Section 160 (3) (a) stipulates that a majority of the members of a Municipal Council must be present before a vote may be taken on any matter, while (b) states that Council decisions regarding the passing of by-laws, approval of budgets, imposition of rates and taxes, and raising of loans must be supported by a majority vote of the Council's members (South African Government, 1996: 79). While these provisions are aimed at promoting broad-based decision making and inclusion

pursuant to consociationalism's principles, they may cause instability and uncertainty in municipalities where no single political party commands an outright majority.

A case in point is the Tshwane metropolitan council, where no party managed to win an outright majority in the 2016 local government elections. Soon after those elections, the EFF decided to support the DA's mayoral candidates without being in a formal alliance with the DA, which subsequently governed Tshwane with the EFF's support in the council. However, their loose alliance unravelled within a few years, and when DA Mayor Stevens Mokgalapa resigned in February 2020, the EFF and the ANC staged several walkouts from the council or failed to attend council meetings to elect a new Mayor. This meant that the council could not elect a Mayor for several weeks because there was no majority as required by section 160 (3) (a). In the preceding months, the ANC and the EFF had also attempted to vote out the DA Speaker Katlego Mathebe over allegations of abuse of office but had failed. This sustained crisis had implications for the City of Tshwane's political stability, performance and service delivery (New Frame, 2020; SABC News, 2020a).

Section 139 enables a provincial government to intervene in a municipality that has failed to fulfil an executive obligation under the Constitution or legislation, including election of a Mayor or committee and passing a budget or revenue-raising measures. Included among the potential interventions are dissolving the municipal council and appointing an administrator until a new council is elected, as stipulated in Section 139 (1) (c) (South African Government, 1996: 67). While this provision is intended to bring stability in a municipality that may be affected by power-sharing wrangles, it may spark accusations of partisan intervention and lead to even more instability. This was the case with the prolonged impasse in Tshwane described above. The ANC-led Gauteng provincial government attempted to resolve the impasse by dissolving the municipal council in March 2020. Ordinarily, this would have triggered a by-election in the municipality within 90 days (Mail & Guardian, 2020).

However, the DA accused the provincial government of intervening in a manner that favoured the ANC in Tshwane and launched a court application opposing the

municipality's dissolution. The North Gauteng High Court upheld the DA's challenge, ruling that there was no guarantee that a fresh election would resolve the deadlock in the Tshwane municipal council. It added:

A mandamus, to the effect that errant councillors must attend meetings and stay in attendance absent a lawful excuse, would be an immediate and certain remedy to the inability of the Council to appoint a Mayor, Mayoral Committee and a Municipal Manager. A mandamus will also solve the deadlock of the Municipal council due to a lack of a quorum. (SAFLII, 2020: paragraph 90).

The court did not rule on whether the Gauteng provincial government's decision to dissolve the Tshwane municipal council was driven by ulterior motive or not. However, the case illustrates potential problems that may arise when a political party that leads a hung municipality is different from the party that leads a province under which the municipality falls. Potentially, for instance, the ANC in Tshwane could have been accused of deliberately paralysing the municipal council's activities to invoke a dissolution intervention from the ANC-led Gauteng provincial government. Such conduct would negatively affect the stability, performance and ultimately service delivery in a municipality governed through an alliance or power-sharing (De Vos, 2021: 244-246).

#### 3.3.3. Local Government: Municipal Structures Act

The Local Government Municipal Structures Act 117 of 1998 is the national legislation that, among other measures, gives effect to the provisions in section 160 (1) (b) and (c) (internal procedures of municipal councils) as well as Section 157 (2) and (3) (election of municipal councils) of the Constitution (De Vos, 2021: 241). Section 7 of the Act also establishes five systems of municipal government as follows:

- Collective executive system: Vests executive authority in an executive committee as a collective.
- Mayoral executive system: Vests executive authority in an executive mayor assisted by a mayoral committee.
- Plenary executive system: Vests executive authority in the municipal council itself.

- Sub-council participatory system: Enables sub-councils established for parts of the municipality to exercise delegated powers.
- Ward participatory system: Enables committees established for wards to deal with matters of local concern to wards (South African Government, 1998b: 18).

The Act's provisions enable power-sharing and party coalitions in municipalities where no single party has obtained an outright majority, especially in the collective executive system and mayoral executive system. Regarding the collective executive system, section 43 (2) of the Act stipulates that the executive committee's composition must substantially reflect the representation of political parties or interests in the municipal council. In the mayoral executive system, section 55 (1) states that a municipal council must elect a mayor from among its members within 14 days of the council's election. According to section 60 (1) (a), if the council has more than nine members, the executive mayor must subsequently appoint a mayoral committee from among councillors to assist him/her. This provision further empowers the executive mayor to delegate specific responsibilities or mayoral powers to any of the committee's members and to dismiss a committee member (South African Government, 1998b: 40, 44-46, 48).

Section 36 (2) further provides for the election of a municipal council's speaker from among the councillors. Both the speaker and executive mayor require an absolute majority of votes cast for election into office. The speaker (section 40) and executive mayor (section 58) can also be removed from office via votes of no confidence, which require a simple majority of votes cast (De Vos, 2021: 242-244).

In hung municipalities, the provisions outlined above require political parties to form coalitions or loose alliances to achieve their objectives, which may be office-seeking or policy-pursuit. As discussed in Chapter 2, the EFF and the DA formed loose alliances in Tshwane, Johannesburg and Nelson Mandela Bay metropolitan municipalities that enabled the DA to form minority governments. The unravelling of these alliances due to policy or ideological differences led to political instability, especially in Tshwane and Nelson Mandela Bay. This further underlines the argument that while proportional representation and power-sharing provisions promote inclusion and give greater say to

smaller political parties, they can also be the basis for instability. In some instances, however, even political parties that have an absolute majority may have internal disagreements that result in the removal of their own members who had been elected as executive mayor or speaker. This happened in Mangaung municipality in the Free State in August 2020 when some ANC councillors voted with the opposition in a secret ballot to oust then-Mayor Olly Mlamleli (News24, 2020b).

Section 37 of the Act also gives wide-ranging functions and powers to the speaker, including presiding over council meetings and applying its rules and orders, ensuring compliance with the Code of Conduct, ensuring that the council meets at least quarterly, and deciding on timing of votes. In municipalities governed through coalitions or power-sharing, the speaker's position can become highly contested, leading to frequent removal attempts. For instance, in August 2018, the UDM and the EFF succeeded in marshalling votes to remove then-Speaker Jonathan Lawack over allegations of being biased in favour of the DA. Barely three years later in March 2021, Buyelwa Mayafa was eventually voted out as speaker following several failed attempts (SABC News, 2018; HeraldLIVE, 2021). Such developments contribute to the overall instability of hung municipalities.

As De Vos (2021: 243) points out, the Act creates legal uncertainty on the question of electing a new mayor when there is a vacancy. Section 55 (2) only states that a vacancy in the office of the executive mayor or executive deputy mayor (if applicable) must be filled "when necessary." It therefore does not specify a period within which the vacancy must be filled, as opposed to the 14 days after the election of the municipal council as prescribed in the Act. This legal uncertainty could potentially result in a municipality governed through power-sharing failing to elect a new mayor for long periods, thereby affecting stability, performance and service delivery.

#### 3.3.3.1. Schedule 1 of the Act (electoral system)

Schedule 1 of the Local Government: Municipal Structures Act of 1998 outlines in greater detail the electoral system for metropolitan and local councils (South African Government, 1998b: 66-76). Section 6 (a) and (b) of the Schedule provide that a number of councillors equal to the number of wards in the municipality must be directly elected to represent

such wards in the council, and that the rest of the councillors must be elected from party lists to represent parties proportionally in the council. If a local council has no wards, all the councillors must be elected from party lists to represent their parties proportionally (section 7).

This mixed system therefore brings about two sets of elections – ward elections and proportional representation elections. In ward elections, each voter has one vote only for a single councillor candidate, and the candidate with the highest number of votes becomes the ward councillor (section 8). In proportional representation elections for metropolitan or local councils that have wards, each voter has two votes – one for a ward candidate and the second for a political party. In case the council has no wards, the voter then has one vote for his preferred party (section 9). Once elections are concluded, council seats are allocated to political parties based on the following calculation:

The total number of valid votes cast for each party on the party vote and for the ward candidates representing the party must be divided by the quota of votes for a seat. The result is the total number of seats to which each party is entitled before any adjustment (section 12 (1) (a) of Schedule 1) (South African Government, 1998b: 70).

#### 3.3.4. Lack of provisions for coalition agreements

Although the constitution and afore-mentioned legislation have provisions that give rise to coalitions and power-sharing, they do not outline a framework or specific provisions that govern how those coalitions operate in practical terms. In addition, they do not offer provisions governing coalition agreements or guidelines for political parties to follow when entering or exiting such agreements (Beukes and De Visser, 2021: 5; De Vos, 2021: 259). As a result, there is legal uncertainty on whether coalition agreements are legally enforceable or not, which means that a political party in a coalition may not have legal recourse in case its partners breach such agreements (Beukes and De Visser, 2021: 40).

Consequently, there is often considerable uncertainty in hung municipalities during and after coalition making. For instance, after the 2021 local government elections, the EFF elected to vote for DA-led minority governments in Tshwane, Johannesburg and Ekurhuleni metropolitan municipalities without actually entering a formal coalition

agreement with the DA or the other parties (News24, 2021a). The EFF indicated that it would vote on issues (such as budgets) based on their service-delivery potential and not ideology. However, this only perpetuates a sense of uncertainty, which was only partly remedied by the DA's coalition agreements with other minority parties such as ActionSA. In February 2022, for instance, there was uncertainty about the passing of budgets in the three metros (expected in May 2022), prompting ActionSA to call on its coalition partners to work with the EFF (IOL, 2022a). Such instances of uncertainty have the potential to cause instability in power-sharing arrangements in municipalities, thereby negatively impacting the municipalities' performance and service delivery.

To help reduce instability in hung municipalities, De Vos (2021: 260) suggests that an aspiring government must be legally required to demonstrate that it is "likely to enjoy a working majority to pass important legislation and to function as a government by submitting a formal coalition agreement reached between the parties that will constitute the coalition." Such a requirement could be established via ordinary legislation regulating the process of forming a municipal government. However, it could be a long time before such a suggestion gets the attention of political parties for possible discussion. Until then, coalition agreements are likely to remain documents that rely less on constitutional or legal provisions and more on political parties acting in the best interests of the coalition stability.

#### 3.4. CONCLUSION

This Chapter has broadly outlined the legislative framework for proportional representation, power-sharing and political party coalitions in South Africa's local government sphere. It started off by providing a historical background of local authorities in South Africa before and during apartheid, highlighting exclusionary practices that emerged in local authorities administered by the British in South Africa. Exclusionary provisions, including barring Black, Indian and Coloured people from voting, were cemented when the Union of South Africa was established in 1910. Racial segregation was intensified after 1948 when the NP government began implementing apartheid policies such as the Group Areas Act, which made local authorities the focus of racial discrimination and exploitation.

This Chapter also explored how the apartheid government began decentralising control of local authorities as resistance against apartheid intensified during the 1970s and 1980s. Through the LGNF, the transition from apartheid to democratic local government gathered pace and reflected the need to break away from exclusionary and exploitative practices to more inclusive and financially viable local authorities. Against this background, consociational features of proportional representation gained prominence in the local government legislative framework that emerged from the transition.

While discussing this legislative framework, this Chapter argued that while proportional representation, power-sharing and coalitions were meant to promote inclusion of previous antagonists in the post-apartheid political system, they created conditions for political instability in municipalities governed through power-sharing and coalitions. This in turn affects performance and service delivery. The absence of constitutional or legislative provisions underpinning coalition agreements between political parties also contributes to such instability.

The next Chapter will explore power-sharing and party coalitions/alliances in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities since the 2016 local government elections.

# CHAPTER 4: POWER-SHARING AND PARTY COALITIONS/ALLIANCES IN EKURHULENI AND NELSON MANDELA BAY METROPOLITAN MUNICIPALITIES SINCE THE 2016 LOCAL GOVERNMENT ELECTIONS

#### 4.1. INTRODUCTION

This Chapter seeks to explore power-sharing and party coalitions/alliances in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities since the 2016 local government elections, with an end date of August 2022. It begins by providing a brief political background of the two municipalities. Next, it analyses data obtained from semi-structured written interviews with key political actors involved in power-sharing arrangements in the two municipalities since 2016. This analysis is aimed at extracting broad themes and patterns on how power-sharing has affected the stability and performance of Ekurhuleni and Nelson Mandela Bay municipalities.

#### 4.2. POLITICAL BACKGROUND

As discussed in Chapter 3, the final transitional phase of democratic local government formation in South Africa started in 2000 after the first local government elections held under the 1996 Constitution. Earlier in the same year, the Municipal Demarcation Board conducted an amalgamation process that reduced the number of municipalities from 843 to 284, of which six were metropolitan municipalities. In subsequent reviews, the Board further reduced the number of municipalities to 278, adding two more metropolitan municipalities in the process. Both Ekurhuleni and Nelson Mandela Bay metropolitan municipalities were established in 2000 after the amalgamation process and elections (Koma, 2016: 128, 131).

In establishing Ekurhuleni metro in Gauteng's East Rand area, the Board amalgamated nine local administrations, including Alberton, Benoni, Boksburg, Brakpan, Edenvale/Lethabong, Germiston, Kempton Park/Tembisa, Nigel and Springs, as well as two other councils – the Kyalami Metropolitan Council and the Eastern Gauteng Services Council. It is located north of the City of Johannesburg and southeast of the City of

Tshwane. To its east is Mpumalanga province and to its south is the Sedibeng district municipality (Ekurhuleni Metropolitan Municipality, 2011: 11).

The Board similarly combined transitional local councils of Gqeberha (previously Port Elizabeth), Kariega (previously Uitenhage) and Despatch to form the Nelson Mandela Bay metropolitan council. The metro is located along South Africa's southern coast on the shores of Algoa Bay in the Eastern Cape province (Sutcliffe, 2002: 3).

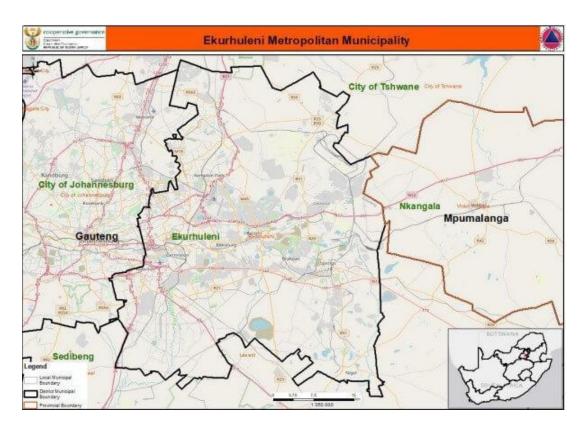


Figure 1: Ekurhuleni map. Source: COGTA



Figure 2: Nelson Mandela Bay map. Source: COGTA

#### 4.2.1. Ekurhuleni

In the 2016 local government elections, the ANC won 48.64% of the vote in Ekurhuleni, followed by the DA with 34.15% and the EFF with 11.23%. In terms of number of seats in the council, this translated to 109, 77 and 25 respectively (Independent Electoral Commission, 2016b). Table 2 below shows the political parties that won at least one seat (Independent Electoral Commission, 2016b).

Table 2: Ekurhuleni metro distribution of seats after 2016 elections: Source: Compiled by researcher with data from IEC

Party	Percentage of votes won	Number of seats
ANC	48.64	109
DA	34.15	77
EFF	11.23	25
AIC	1.64	4
IFP	1.02	2
VF Plus	0.89	2
ACDP	0.43	1
PAC	0.42	1
PA	0.27	1
COPE	0.26	1
IRASA	0.24	1

The results meant that the ANC had failed to regain outright control of the metro, which it won by 61.63% in the 2011 local government elections. The council has a total of 224 seats, which means that the ANC needed at least four more seats – a total of 113 – to form a coalition. It subsequently formed a coalition with the African Independent Congress (AIC), Pan-Africanist Congress (PAC), PA, IFP and Independent Ratepayers Association of South Africa (IRASA). In the end, ANC candidate Mzwandile Masina was elected Mayor with 117 votes. The ANC also won the Speaker and Chief Whip positions (Mail & Guardian, 2016). An interviewee further confirmed that the ANC filled all the mayoral committee positions while other parties in the coalition filled the chairperson positions in oversight and standing committees of the council (Interviewee 4).

For the most part, this coalition was stable throughout the council's term of office between 2016 and 2021. However, the AIC threatened to withdraw from it several times, alleging that the ANC was not honouring its promise to ensure that Matatiele local municipality is incorporated to KwaZulu-Natal from the Eastern Cape. The promise was part of the ANC's agreement with AIC after the 2016 local government elections to cooperate in several municipalities across South Africa, including Ekurhuleni, Rustenburg in the North West and Umkhanyakude in KwaZulu-Natal (Mail & Guardian, 2017a). Nevertheless, the AIC remained in the coalition to the end.

In the 2021 local government elections, the ANC's support declined further to 38.19% of the vote, with the DA also declining to 28.72% and EFF improving to 13.47%. A notable new entrant was ActionSA, which won 6.6% of the vote, while VF Plus notably improved to 3.33% (Independent Electoral Commission, 2021). Table 3 below shows the distribution of seats after the elections.

Table 3: Ekurhuleni metro distribution of seats after 2021 elections. Source: Compiled by researcher with data from IEC

Party	Percentage of votes won	Number of seats
ANC	38.19	86
DA	28.72	65
EFF	13.47	31
ActionSA	6.6	15
VF Plus	3.33	8
PA	1.88	4

IFP	1.36	3
AIC	1.29	3
ACDP	0.84	2
IRASA	0.57	1
ICM	0.45	1
PAC	0.37	1
Other	2.24	4

The ANC's decline by around 10% meant that it was much harder for it to form a coalition even though it was the party with the highest percentage of votes won. At the same time, the next two largest parties failed to capitalise on this decline, with support for the DA also declining and support for the EFF growing by around 2% only. Compared to the 2016 elections where 11 parties won seats, 16 parties won at least one seat in the council after proportional representation calculations in the 2021 elections. As a result, coalition/alliance building became comparatively more complicated, with the parties heading to the council's first meeting, where the law required them to elect the Mayor, Speaker and Chief Whip within 14 days of being elected, without a formal coalition in place (News24, 2021b).

However, to the DA's own surprise, its candidate Tania Campbell won the mayoral contest with 116 votes, beating the ANC's Masina, who received 105 votes. The DA also won the Speaker and Chief Whip positions. Their election would not have been possible without the support of the EFF, which continued its 2016 position of supporting DA-led minority governments in Gauteng metros without entering formal coalitions with the DA. Several smaller parties, led by ActionSA, also supported the DA in Ekurhuleni (News24, 2021b).

After weeks of negotiations and uncertainty, Campbell announced a new mayoral committee that included several small parties, indicating that the DA had reached a coalition agreement with them. Out of the 10 mayoral committee members she announced, the DA took five positions, PA two, and ActionSA, COPE and IFP one each (Ekurhuleni Metropolitan Municipality, 2021). A major bone of contention soon after this agreement was ActionSA's proposal, which emanated from the EFF, that the latter's councillors should be elected chairpersons of the council's oversight committees. The DA was opposed to this proposal, while ActionSA argued that the coalition could not survive without the EFF's support and that it was, therefore, important to placate them (ActionSA,

2022). Despite this disagreement, the coalition was able to pass an adjustment budget in February 2022 and its 2022/2023 financial year budget in May 2022 in the council, both with the EFF's support (Democratic Alliance, 2022a).

#### 4.2.2. Nelson Mandela Bay

The 2016 local government elections produced a hung council in the Nelson Mandela Bay metro, which the ANC had previously controlled outright with 51.91% after the 2011 elections. The DA became the leading party with 46.71% of the vote, followed by the ANC with 40.92% and the EFF with 5.13%. A total of nine political parties won at least one seat in the council as indicated in Table 4 below (Independent Electoral Commission, 2016b).

Table 4: Nelson Mandela Bay distribution of seats after 2016 elections. Source: Compiled by researcher with data from IEC

Party	Percentage of votes won	Number of seats
DA	46.71	57
ANC	40.92	50
EFF	5.13	6
UDM	1.91	2
AIC	0.95	1
UFEC	0.94	1
COPE	0.73	1
ACDP	0.36	1
PA	0.27	1

Following the elections, the DA formed a coalition with the COPE, UDM and the ACDP, obtaining a controlling 61 seats in the 120-member council. The DA's Athol Trollip was elected Mayor and the party also clinched the Speaker and Chief Whip positions. Out of the 10 mayoral committee positions, the DA filled eight and the ACDP and COPE one each. The UDM's Mongameli Bobani became the Deputy Mayor (Nelson Mandela Bay Municipality, 2017:62).

However, the coalition lasted just two years after successful motions of no confidence against the Speaker and Mayor moved by the EFF in August 2018. With the support of the ANC and EFF, the UDM's Bobani was elected Mayor. Notably, the motions of no confidence succeeded after a DA councillor, Victor Manyati, abstained and the UDM turned against the DA, its coalition partner up to that point. Trollip challenged his removal

in court but was ultimately unsuccessful (Daily Maverick, 2018). This sequence of events indicated that coalitions that rely on razor-thin majorities can easily be destabilised by both internal party factors (Manyati's abstention against party instructions) and external factors, especially the DA-UDM fallout. This fallout arose from disagreements over a PricewaterhouseCoopers audit report and UDM's allegation that the DA was forming a deal with the PA to remove Bobani from his position as Deputy Mayor (United Democratic Movement, 2018).

In December 2019, the metro's political leadership was destabilised again when the DA, ANC, COPE, ACDP, AIC, PA voted to remove Bobani through a motion of no confidence tabled by the DA. The EFF abstained. The DA cited several allegations against Bobani in its motion, including corruption and unlawfully reinstating suspended municipal officials (News24, 2019b). The metro was subsequently without a full-time Mayor for nearly a year until the DA's Nqaba Bhanga was elected in December 2020 – and again in January 2021 after his December election was nullified by a court. The DA managed to hold on to the mayor position until the 2021 local government elections (News24, 2021c).

In the 2021 elections, the DA and the ANC won nearly identical vote percentages – 39.92% and 39.43% respectively – indicating the DA's notable decline from the 46.71% it had received in 2016. The EFF won 6.4% and the Northern Alliance (NA) 2.13%. 13 Political parties won at least one seat as shown in Table 5 below (Independent Electoral Commission, 2021).

Table 5: Nelson Mandela Bay distribution of seats after 2021 elections. Source: Compiled by researcher with data from IEC\_\_\_\_

<u> </u>		
Party	Percentage of votes won	Number of seats
DA	39.92	48
ANC	39.43	48
EFF	6.4	8
NA	2.13	3
ACDP	1.66	2
VF Plus	1.57	2
DOP	1.43	2
PA	1.37	2
AIM	1.08	1
UDM	1.04	1
AIC	0.53	1

GOOD	0.53	1
Other	2.39	1

The subsequent mayoral election was similarly a close contest between the DA and the ANC, with the latter winning by a single vote after a DA councillor was absent. The ANC's Eugene Johnson was elected mayor and NA's Gary van Niekerk elected Speaker (News24, 2021d). The ANC had managed to strike a coalition agreement with NA, AIC, Defenders of the People (DOP), Abantu Integrity Movement (AIM), PAC, GOOD, PA and UDM. The ANC filled the Chief Whip, Deputy Speaker and three MMC positions, while the rest of the parties in the coalition got one MMC position each (Nelson Mandela Bay Municipality, 2021).

The coalition was stable as of August 2022, although there was uncertainty about whether the metro's 2021/22 adjustment budget would pass or not after three postponements of council meetings that were meant to discuss it in February 2022. The budget also failed to garner the required 61 votes out of 120 during a council meeting in March 2022, prompting Eastern Cape MEC for Cooperative Governance and Traditional Affairs (COGTA) to threaten to place the metro under administration. It was finally passed in late April 2022 after the DA issued a statement pledging to ensure its passing. This further underlines the persistent uncertainties that arise from razor-thin coalition majorities (HeraldLIVE, 2022a and 2022b; Polity, 2022).

In July 2022, the DA, ACDP, FF+, AIM, AIC, PAC and UDM announced that they had signed a coalition agreement aimed at unseating the ANC-led coalition, although they had not yet initiated a vote of no confidence process in the council as of August 2022. This could point to further political instability in the metro (Daily Maverick, 2022a).

#### 4.3. DATA ANALYSIS

This study obtained primary data through written interviews (two interviewees responded via voice notes which were then transcribed) with key role players in the two municipalities used as case studies – Nelson Mandela Bay and Ekurhuleni metropolitan municipalities. These were primarily councillors who have either been part of coalition governments or have served in the respective councils when coalition governments were in place at

various times since 2016. Originally, the sample size was eight interviewees drawn from various political parties – four from each metro. However, the researcher was able to obtain one additional interview from Ekurhuleni, bringing the sample size to nine. The researcher approached them primarily via email and/or telephone and sent the questionnaire and participant consent form to those who agreed to participate.

The study assigned a number, to each questionnaire received from the participants. This means that there were interviewees 1, 2, 3, 4, 5, 6, 7, 8 and 9. The questionnaire had four open-ended questions, and the researcher read the responses from each interviewee for each question, proceeding systematically. This process of thematic content analysis was aimed at extracting broad themes and/or patterns that may arise from the responses (Braun & Clarke, 2012: 58). Data from interviews was then triangulated with data from documentary analysis. For instance, the table below illustrates the process used:

Table 6: Example of thematic content analysis used by researcher.

<b>Question</b> : What has been your experience with power-sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?								
			,	2016 local go	overnment ele	ections?		
Theme: Self-interest and opportunism								
Interview	Interview	Interview	Interview	Interview	Interview	Interview	Interview	Interview
ee 1	ee 2	ee 3	ee 4	ee 5	ee 6	ee 7	ee 8	ee 9
"A few				"The	"Smaller	"Individua	"Issues of	
individual				alliances	parties	Is put	discussin	
s were				that are	were	themselv	g	
negotiatin				concluded	more in it	es above	interests	
g for their				with each	for the big	their	of	
own				other are	positions	parties	individual	
interest"				unfortunat	than	and the	s become	
				ely not for	delivering	needs of	more	
				the best of	services"	the	prominent	
				the voters,		people of	rather	
				but for		the	than	
				their own		metro."	council	
				gain."			issues."	

The various thematic issues that emerged from the data analysis are discussed below. They are grouped according to the interview questions, which were formulated with the study's research questions in mind.

# 4.3.1. What has been your experience with power-sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?

#### 4.3.1.1. Self-interest and opportunism

Self-interest and opportunism emerged as a key thematic issue from five of the nine responses. From the five interviewees who observed this issue, one was from Ekurhuleni metro, which was relatively stable between 2016 and 2021 as observed earlier in the study, and four were from Nelson Mandela Bay metro, which was relatively less stable. For example, interviewee 5 stated, "The alliances that are concluded with each other are unfortunately not for the best [interests] of the voters, but for their own gain." Interviewee 6 said the DA-led coalition formed in 2016 in the Nelson Mandela Bay metro was difficult to manage because "smaller parties was more in [it] for the big positions than delivering services to the people because they were not accountable to anyone."

Interviewee 7 added, "The biggest problem with power-sharing in my opinion was that individuals put themselves above their parties and the needs of the people of the metro. It became position hunting rather than serving the residents." For interviewee 8, opportunism is manifested when "smaller parties are looking to have seats that their constituency could not give in terms of voter turnout." According to him, such smaller parties view themselves as "kingmakers" and this creates political instability when they put individual interests above the metro's interests. He cited a recent impasse in electing a new city manager in the Nelson Mandela Bay metro as an example. Prior to the election of Lonwabo Ngoqo in June 2022, the metro had not had a permanent city manager since 2018 (HeraldLIVE, 2022c). Ngoqo's election, which was supported by a majority in the council, ended a period of uncertainty during which two individuals, Noxolo Nqwazi and Anele Qwaba, both claimed to have been elected by the council at different sittings "by feuding groups of city councillors" (Ndletyana, 2022a).

As Tables 3 and 4 above show, Nelson Mandela Bay metro had six small parties that won two or fewer seats in the council after the 2016 elections. This number rose to 10 small parties that won three or fewer seats after the 2021 elections. In Ekurhuleni, the figure was seven after the 2016 elections and nine after the 2021 elections (see Tables 1 and

2 above). It is, therefore, evident that both metros have had several small parties but only one (Nelson Mandela Bay) has been politically unstable, pointing to a relatively lower incidence of self-interest and opportunism in the 2016-2021 coalition in Ekurhuleni. It is notable that of the five interviewees in Ekurhuleni, only interviewee 1 cited self-interest as a factor that undermined the stability or performance of the metro. It is also notable that the UDM, which had only two seats in the council after the 2016 elections but was in a coalition with the DA which had 57 seats, was at the centre of the political instability in Nelson Mandela Bay metro as discussed earlier in this chapter. It was also able to claim the Deputy Mayor position between 2016 and 2018.

#### 4.3.1.2. Centrality of coalition agreements

Five interviewees – four from Ekurhuleni and one from Nelson Mandela Bay – spoke about coalition agreements as a key factor affecting the stability of coalitions. Interviewee 1 suggested that Ekurhuleni's coalition partners between 2016 and 2021 only had an agreement to govern together "without [clearly considering] the how part" and that "a clear programme was not presented." However, her view was not shared by her colleagues. Interviewee 2 outlined the overall agreement as follows: "Our success was based in that the biggest party fill[s] all the MMC, Mayor, Speaker and Chief Whip positions and that the other coalition parties fill the Chairperson positions on oversight and standing committees. In other words, the oversight over the executive was independent. It worked very well in the City of Ekurhuleni as we had the same mayor for 5 years." This was corroborated by interviewee 9, who added that the ANC "largely remained and enjoyed power and dominance within the coalition arrangement and to a large extent, it was business as usual."

Similarly, interviewee 3 stated that the coalition agreement was based "on the spirit of compromise, trade-offs and political management" and "on service delivery objectives and in line with manifestos of coalition partners." She added, "The City of Ekurhuleni is one of metropolitan cities that [have] been on a coalition arrangement that has not led to dissolution of council, change of political heads through motions of no confidence and/or due to breakdown of coalition management. This is mainly due to the maturity demonstrated by coalition partners to focus on service delivery and resolving their

differences where such arises from time to time." Although this study was unable to interview former Ekurhuleni Mayor Mzwandile Masina, he adds in his book that the coalition partners agreed to hold monthly meetings and regular "coalition summits" to "assess the implementation of coalition agreements and issues of common interest" (Masina, 2021: 78).

Similarly, parties to the post-2021 election coalition in Ekurhuleni formed a "Coalition Management Committee" as part of their agreement, according to interviewee 9. He stated, "The leadership of all caucuses meets once a month and the purpose of that meeting is to specifically identify the threats, weaknesses, strengths and opportunities of the agreement to manage any political fallout or dynamics and to advise the Mayor and MMCs on some of the coalition agreements that we have agreed upon, and this has since worked because what it does is that it manages the coalition." He added that although the EFF is not formally part of the coalition agreement, it has agreed to vote with the coalition agreement on an issue-by-issue basis "and that has meant that the government is stable and that there are consultations throughout the proceedings."

For interviewee 6, the DA-led coalition established in Nelson Mandela Bay in 2016 ended because the smaller parties in the coalition "were not accountable to anyone and after two years they were voted out because some did not stick to the coalition agreement anymore." An example was in 2017 when the UDM's coalition partners, led by the DA, accused it of violating the coalition agreement by voting with the ANC. They also said Bobani's use of "blue lights" on his official vehicle amounted to wasting council resources and, therefore, violated their agreement (Mail & Guardian, 2017b). From these responses, it can be inferred that coalition agreements are central to the stability of municipalities governed through power-sharing and that lack of adherence to such agreements is a key destabilising factor.

#### 4.3.1.3. Political and ideological identities

Political and ideological identities emerged as a thematic factor from the responses of three interviewees. "Once [the] reality of coalition relationship is inevitable after elections took place, parties have to look for a coalition partner who shares or who has visions aligned to theirs," interviewee 3 from Ekurhuleni said. She added, "Each political party represented in a coalition partnership would expect to be accorded some form of respect or power of recognition in order to advance its own agenda and/or political ideology." For interviewee 6 in Nelson Mandela Bay, if parties in a coalition have different "values and principles," it is "harder to deliver on their manifesto promises." Interviewee 8 echoed this view, pointing out that political and ideological differences between the two largest parties in Nelson Mandela Bay – the ANC and the DA – are a "barrier" to political stability in the metro.

As noted earlier in this study, ideological considerations play a less salient role at the local government level compared to the national level, even though differences at the national level may cause realignments at the local level, as happened when the EFF turned against the DA in Nelson Mandela Bay in 2018. The EFF also continued to prop up DA-led minority coalitions in Johannesburg, Tshwane and later Ekurhuleni despite its stark ideological differences with the DA. Masina (2021: 92), therefore, makes an important distinction between "ideological orientation" and "common political interest." According to him, to build a successful coalition like Ekurhuleni's government between 2016 and 2021, the parties in the coalition need to have a common political interest beyond sharing a similar ideological orientation. Common political interests can range from prioritising service delivery to keeping the ANC out of power, as seems to be the case in the DA-led minority coalitions propped up by the EFF.

Nevertheless, political parties often must explain to their constituencies their decision to enter a coalition – and this may prove difficult if ideological differences are at play. Interviewee 4 said he found himself in this predicament: "I received many threats from residents and other political parties because I was in a coalition with the ANC as a ratepayer's organisation, but I did it for stability. It took me nearly three years to explain it to my voters and the residents in Ekurhuleni."

#### 4.3.1.4. Partisanship and infighting

Partisanship and infighting within a coalition and in the broader metropolitan council featured in the responses of three interviewees. Interviewee 4, from Ekurhuleni, stated, "I

have noticed and observed poor service delivery in DA-run wards because the ANC-led coalition adopted a pro-poor budget stance and channelled the bulk of the budget towards stronghold areas of coalition partners. A sense of entitlement also increased among coalition partners to the detriment of rate payers in the more affluent areas. The current multiparty coalition under the leadership of the DA has adopted a back-to-basic[s] approach to service delivery. The budgeting process has delivered a budget that will definitely seek to reverse the damage caused to service delivery systems over the last term." This response appears to demonstrate the ideological differences between the DA (an apparent focus on "affluent areas") and the ANC along with its coalition partners (an apparent "pro-poor" focus) in the 2016-2021 government. These differences caused what interviewee 4 views as a partisan approach to service delivery, and further caused the post-2021 DA-led coalition to adopt a different approach "to reverse the damage" – a possible indication of further partisanship.

Interviewee 7 described power-sharing in Nelson Mandela Bay as a "cumbersome" arrangement that "has led to a focus on egos rather than actually serving the residents." He added, "Every item had to be discussed, so micromanaging was the biggest drawback. Something that would usually be approved and go out to assist the residents would take weeks/months or in some cases not even get approved because of the infighting." This has an impact on the metro's performance and ability to deliver services timeously.

According to interviewee 8, the two largest parties in Nelson Mandela Bay – the ANC and the DA – also have an "approach of unseating each other" which is causing political instability and ultimately affecting the metro's performance. For instance, the ANC was instrumental in the removal of the DA's Athol Trollip in 2018, although the two parties worked together to remove Bobani in 2019. As noted earlier, the DA and several other parties signed an agreement in July 2022 to form a coalition to unseat the ANC-led coalition formed after the 2021 elections. Some of the parties that signed the agreement were already in the ANC-led coalition, including AIC and AIM (Daily Maverick, 2022a).

### 4.3.2. Would you say there has been stability or instability in the municipal council since 2016 and why?

#### 4.3.2.1. Leadership changes

Four out of the five interviewees in Ekurhuleni said there was stability in the metro between 2016 and 2021, while all four interviewees in Nelson Mandela Bay said there was instability. A notable thematic factor that emerged from their responses was leadership changes. Interviewee 1 from Ekurhuleni said there was stability "in terms of compliance [with] governance programmes," but "politically there is no stability." She did not however elaborate further, and her colleagues had a different view. Interviewee 2 said, "The City of Ekurhuleni received the award as the most stable metro in South Africa, even more stable [than] the City of Cape Town because we had no leadership changes in 5 years. It was also how we structured the coalition as explained in the previous question. One must remember that the ANC only needed 4 extra seats to form a coalition." He was referring to the Gauteng City-Region Observatory (GCRO) Quality of Life Survey 2020/21, which found that Ekurhuleni was the most stable metropolitan municipality coalition government in South Africa (SALGA, 2021).

Interviewee 3 added: "City of Ekurhuleni would be one of the metros in South Africa where there has not been any change in leadership, dissolution of council or total collapse and failure [of the] council to discharge its mandate as per the Constitution." This stability enabled the metro to fulfil its constitutional obligations such as passing its annual budget and by-laws, reviewing rates and taxes, and holding successful public participation programmes, she explained. Interviewee 4 alluded to the failure of two DA-sponsored motions of no confidence in the then Mayor Masina as a sign of the metro's stability. The DA tabled the first motion in September 2018, accusing Masina of failing to provide basic services (EWN, 2018b). It tabled the second motion in June 2021 when the metro experienced frequent power cuts (The Citizen, 2021a). Both motions failed, as the ANC's coalition partners voted against them.

Interviewee 9 said although the entry of EFF in the Ekurhuleni council after the 2016 elections resulted in greater instability in the council because of its disruptive brand of politics, "there was no instability in the City of Ekurhuleni because the ANC was still the

dominant party and they were co-governing with the smaller parties who ultimately were one-seat or two-seat parties and were then swallowed up by the ANC caucus and the ANC bloc."

For interviewee 5, instability in Nelson Mandela Bay "is unfortunately the order of the day, as infighting from coalitions breaks up alliances. Again, it was driven by self-gain and a power game." Interviewee 6 stated that "different values and principles shared by political parties makes it difficult" to build stability in coalition governments, while interviewee 6 expressed concern that smaller parties ended up getting key positions in the Nelson Mandela Bay council because of their "kingmaker" status. "This then leads to instability because if the party isn't happy one day, they can leave the coalition and form a new coalition with someone else," he explained. Interviewee 8 further noted that frequent leadership changes at the political level cause administrative dysfunction and even corruption, because administrative officials "know that from any day now there will be a change in the regime, there will be a new boss, so whatever they would have done could fly under the radar of not being noticed." From these responses, it can be inferred that frequent leadership changes occasioned by unstable coalitions are more likely to negatively affect a municipality's performance and service delivery.

#### 4.3.2.2. Governance

As can be discerned from the responses themed under leadership changes, the stability or instability of a metropolitan municipality has a bearing on its governance, which can be viewed as a related theme. Interviewee 1's view that there was "compliance with governance programmes" during the ANC-led coalition in Ekurhuleni can be triangulated with the metro's achievement of several "clean audits" (unqualified audits with no findings) during its term, including the 2019/20 and 2020/21 financial years (Ekurhuleni Metropolitan Municipality, 2022: 455-456). Interviewee 9 also stated, "There was no instability insofar as the City of Ekurhuleni was concerned with its running, its operation and its administration."

Interviewee 8 elaborated on his response about political instability affecting administrative processes, noting that "there has been a tendering process diverted from normal

processes" in Nelson Mandela Bay. He added, "The lack of respect for councillors for work to be done affects that process because knowing that your boss could change any time there is [a] disagreement within that coalition feeds that because one MMC to another will have a different approach on how they see things." Certain policies were adopted during previous coalition governments even if they could "cause harm" later because coalition partners "would be afraid of losing power." He gave an example of the policy of insourcing security personnel in Nelson Mandela Bay which he says has cost the metro "close to a billion [rand] in losses" and has "tripled" its security bill. The insourcing took place in the 2017/18 financial year, but after vandalism of municipal assets because the insourced security personnel were not enough to secure them, the council approved a return to hiring private security in January 2022 (HeraldLIVE, 2022d). This is an example of how coalition politics can cause costly governance lapses.

Notably, Nelson Mandela Bay consistently obtained qualified audit outcomes from the Auditor-General between 2016 and 2021, an indication that its more unstable coalition arrangements during this period may have negatively impacted its governance processes (Municipalities of South Africa, 2022a).

## 4.3.3. In your view, has the municipality's performance/service delivery improved or declined under power-sharing since 2016 and why?

#### 4.3.3.1. Quality of leadership and nature of coalition

Two of the four councillors interviewed in Ekurhuleni said the metro's performance and/or service delivery improved, one said there was no improvement, while two said it declined. Three of the four from Nelson Mandela Bay said it declined, while one said it improved between 2016 and 2018 during the first DA-led coalition but declined afterwards. A notable thematic factor that emerged from their responses is how the quality of leadership and/or nature of coalition affected the metro's performance. According to interviewee 1, "nothing improved" in Ekurhuleni because "the crisis was not necessarily on service delivery issues, but the more democracy matured, everybody and every party believes that [they] can lead."

However, interviewee 2 stated that service delivery improved because "oversight came mostly from other parties and we could hold the ANC accountable. We had coalition summits to ensure that we can make sure that service delivery was a priority." He added that "the DA-led coalition in Ekurhuleni currently is falling apart because they are a minority party coalition and is currently kept into power by the EFF." Although his contrasting views of the two coalition governments may be partisan, they underscore the point that while one coalition was stable and could therefore perform relatively better, the minority coalition may experience greater uncertainty or instability, thus hampering its performance.

Interviewee 3 listed several achievements by the 2016-2021 coalition government in Ekurhuleni to demonstrate her view that the metro's performance improved. These include improving its cash reserves, delivering on its capital expenditure commitments, meeting its financial obligations and winning accolades such as GCRO Quality of Life Survey 2017/18 Best Performing Metro in Gauteng (Germiston City News, 2018). "All these cannot be achieved without agreement of majority of votes and stability in the municipality – the strength of coalition partnership," she explained. Interviewee 4 said Ekurhuleni's performance declined but did not provide reasons why.

For interviewee 5, service delivery in Nelson Mandela Bay has declined because "experts are being fired to make way for cadre appointments." Interviewee 6 singled out former Nelson Mandela Bay metro Mayor Athol Trollip's leadership as the main reason the metro's performance and service delivery improved during his tenure and then declined after his removal. She explained, "I must say the executive mayor we had in 2016 did a very good job by bringing [Nelson Mandela Bay] from the second last worst municipality in the country to the second-best municipality in the country. Service delivery improved for the first two years in 2016 after that it declined. So, it all depends on who are the government of the day." She was referring to Consulta's 2017 Customer Satisfaction Index which ranked Nelson Mandela Bay as the third-best metropolitan municipality and the second most trusted (Nelson Mandela Bay Municipality, 2017: 1).

Interviewee 7 had no doubt that service delivery declined because of the unstable nature of coalitions. "The instability of coalitions in Nelson Mandela Bay has left with everyone fearing making a decision that would lead to a political party leaving a coalition for another. Service delivery is impacted because many good ideas don't make it to council due to not every party being happy and thus a possibility of a party leaving the coalition." He also gave the example of insourcing security personnel discussed earlier. "That decision led to many people now earning a salary but not doing the work. The beachfront of Nelson Mandela Bay always had dedicated security but since the insourcing, these security [personnel] have vanished and millions rands of damage through vandalism has occurred." The EFF, which has been a key player in the installation or removal of various coalitions in the metro, is a notable proponent of insourcing (City Press, 2021).

#### 4.3.3.2. Corruption, mismanagement, and collusion

These thematic issues emerged as the interviewees explained the impact of unstable coalitions. "Because there is no stability at the political level, the administrative part exploits it by exercising corruption, theft, and poor control over their departments," interviewee 5 from Nelson Mandela Bay said. For interviewee 8, unstable coalitions have undermined Nelson Mandela Bay metro's ability to manage crises such as the drought, illegal land occupation and non-delivery of housing. He suggested that some council decisions, such as insourcing or outsourcing services, are influenced by collusion between certain political parties and private businesses, including small, medium, and micro-enterprises (SMMEs).

He explained, "So, all of those issues are causing a lack of service delivery because those major issues are playing into the gallery of the so-called coalitions because if SMMEs are aligning themselves with a certain political party that is seen to be a "kingmaker", their needs will be met. If private businesses align themselves with certain political parties that are "kingmakers", their needs will be met, therefore stripping the municipality of delivering basic services, giving opportunities to outside contractors that do not fully provide that service rather than the municipality employing individuals into those posts."

Although the Ekurhuleni coalition between 2016 and 2021 was relatively stable, its internal dynamics may have caused governance and service delivery problems in the metro, according to interviewee 9. He argued that service delivery declined because of the AIC's threats to leave the coalition in 2018 after the ANC failed to fulfil a coalition-related commitment. The ANC had promised to initiate constitutional amendments to incorporate Matatiele into KwaZulu-Natal from the Eastern Cape. According to interviewee 9, certain projects "were then granted to specific individuals who were aligned to the AIC" to placate them and keep the coalition intact. He added that these projects became the subject of investigations by the Public Protector and Auditor-General, during which "some projects had to be halted, overstaying their projected finalisation," thus affecting service delivery. The researcher was unable to find documentary corroboration of these allegations. However, an AIC faction accused its leader, Mandla Galo, "of being bribed by the ruling ANC to stay put in the coalition with the ANC in municipalities such as Ekurhuleni." Galo publicly denied the accusation (Daily Maverick, 2021a).

# 4.3.4. What recommendations would you make to improve municipal governance, stability, and performance in a power-sharing arrangement?

#### 4.3.4.1. Coalition agreement

Four of the eight interviewees cited coalition agreements as vital for the success of power-sharing arrangements in municipalities. Interviewee 1, from Ekurhuleni, said such an agreement must have a "guiding principles document" that governs the coalition and whose basis "must be to achieve the constitutional objective of local government." She also emphasised the need for the agreement to have dispute resolution mechanisms. According to interviewee 4, also from Ekurhuleni, the agreement must ensure accountability: "The party with the biggest share of the vote must be allowed to occupy all executive positions. Smaller coalition partners should occupy some of the section 79 and 80 portfolio committee chairperson positions to be able to hold the executive to account."

For interviewee 5, accountability must extend to administrative departments: "Strict action must be taken against those who are guilty of corruption, maladministration, and irregularities. Each department must also be held accountable and if they do not perform,

they must also be dismissed. The biggest problem is that councillors have no power over the administrative part, so most good intentions are out the back door if the departments do not have the will to provide services."

Interviewees 3 and 6 share the view that the agreement must promote shared responsibilities, openness, information sharing and regular consultations among coalition partners. Consequence management is important for interviewee 7: "The coalition agreement needs to be written in such a way that a breach of the agreement would lead to sanctions. Positions must be clearly discussed and a 5-year plan needs to be incorporated."

#### 4.3.4.2. Shared political and ideological principles

Four interviewees cited this factor as important for a coalition's success. They used various terms such as "same principles," "similar philosophies and policies," and "shared values, principles and beliefs." Interviewee 2 added an important but related factor – that "parties must form [a] coalition with minimum parties in the coalition" to minimise conflict that may be exacerbated by a coalition having many parties. Interviewee 4 was nevertheless sceptical: "I am of the view that South Africa is not ready for stable coalition agreements because party ideologies differ too much."

#### 4.3.4.3. Putting the public first

This recommendation emerged from the responses of four interviewees. "Party leaders must tolerate each other and understand [that] what put them together is service delivery. People have [more] interest in services than politics," interviewee 1 stated. "Political parties should not be power hungry, they must put the residents first," interviewee 2 said. Interviewee 5 advocated for greater inclusion: "All councillors must govern 'together' and this must happen on a sliding scale of how many seats a party has won in elections." Interviewee 7 echoed the view that proportional representation should be upheld to discourage small parties from making excessive demands in a coalition: "Coalition partners also must understand how many residents they represent. If you have one seat vs a political party that has 45 seats, then you have to understand that you speak for a small portion of the public."

#### 4.3.4.4. Executive control

Although only interviewee 4 made this recommendation, it may be useful for coalition-led municipalities to function better: "The executive mayor must have full control over the executive. As it currently stands, some members of the executive committee take instructions from their party bosses and must implement their manifestos simultaneously which cause wires of service delivery often crossing."

#### 4.4. CONCLUSION

This Chapter has offered a broad overview of power-sharing and party coalitions or alliances in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities since the 2016 local government elections. It started with a political background of the two case studies before discussing broad thematic factors that emerged from interviews with councillors in the two metros. These themes were grouped under the four semi-structured interview questions that sought to establish the factors that affect the stability and performance of the metropolitan municipalities' coalition governments, including recommendations for improvements. The data obtained was triangulated with document analysis and discussed in narrative and descriptive form.

The next Chapter will identify broad trends, themes, and/or patterns of power-sharing and coalition politics in South Africa's municipalities since 2016 using the Ekurhuleni and Nelson Mandela Bay metropolitan municipalities case studies.

# CHAPTER 5: TRENDS OF POWER-SHARING IN SOUTH AFRICA'S MUNICIPALITIES SINCE 2016

#### 5.1. INTRODUCTION

This Chapter seeks to identify broad trends, themes, and/or patterns of power-sharing and coalition politics in South Africa's municipalities since 2016 using the Ekurhuleni and Nelson Mandela Bay metropolitan municipalities case studies. It begins with a brief background that lists the number of hung municipalities across South Africa after the 2016 and 2021 local government elections before discussing the identified trends and patterns. The main trends touch on instability in the political and administrative leadership of municipalities and its impact on their performance, minority governments, intra-party politics, and the "kingmaker" phenomenon.

#### 5.2. BACKGROUND

As discussed earlier in this study, the 2016 local government elections resulted, at the time, in the highest number of hung municipalities in South Africa since the dawn of democracy. This signalled a weakening of the dominant party system in the country as the ANC's electoral performance began to decline. No political party won an outright majority in 27 councils, necessitating the formation of coalitions or alliances to form a government.

The hung municipalities are listed in the table below along with the number of seats required for a majority as well as the number of seats some of the largest parties obtained. It should be noted, however, that some of these municipalities later held by-elections that resulted in some political parties winning outright control of councils. For instance, the DA won control of Hessequa in a 2019 by-election (Daily Maverick, 2019b) while the IFP won outright control of Nquthu after a 2017 by-election (GroundUp, 2017). On the other side, at least one municipality – Oudtshoorn – started off with a political party winning outright majority (the DA) but subsequently had a coalition government after resignations of councillors and ward by-election losses resulted in the loss of this majority (Daily Maverick, 2021b).

Table 7: 2016 hung municipalities. Source: Compiled by researcher from IEC data.

	Municipality	Seats for majority	ANC	DA	EFF	Others
1	Johannesburg	136	121	104	30	15
2	Ekurhuleni	113	109	77	25	13
3	Tshwane	108	89	93	25	7
4	Nelson Mandela Bay	61	50	57	6	7
5	Mogale City	39	38	27	9	3
6	Rustenburg	45	43	14	24	8
7	Thabazimbi	12	10	5	5	3
8	Modimolle/Mookgophong	15	13	7	6	2
9	Metsimaholo	22	19	12	8	3
10	Jozini	21	19	1	1	19
11	Mtubatuba	21	18	2	1	19
12	Nquthu	17	14	1	1	17
13	eDumbe	9	8	5	0	3
14	eNdumeni	7	6	2	1	4
15	Estcourt/Loskop	24	23	2	1	20
16	AbaQulusi	23	21	3	1	19
17	Nama Khoi	9	8	7	0	2
18	Ubuntu	4	3	2	0	2
19	Kgatelopele	4	3	2	0	2
20	Witzenberg	12	8	11	1	3
21	Laingsburg	4	3	3	0	1
22	Prince Albert	4	2	3	0	2
23	Beaufort West	7	6	6	0	1
24	Knysna	12	7	10	0	4
25	Hessequa	9	8	8	0	1
26	Kannaland	4	2	2	0	3
27	Bitou	7	6	6	0	1

The 2021 elections yielded even more hung municipalities – a total of 70 countrywide as shown in the table below.

Table 8: 2021 hung municipalities. Source: Compiled by researcher from IEC data

	Municipality	Seats for majority	ANC	DA	EFF	Others
1	Johannesburg	136	91	71	29	79
2	Ekurhuleni	113	86	65	31	42
3	Tshwane	108	75	69	23	47
4	Mogale City	39	31	25	11	10
5	Rand West City	35	32	16	11	10
6	Merafong City	28	27	9	9	10
7	Emfuleni	46	38	24	14	14
8	Lesedi	14	13	5	4	4

9	Nelson Mandela Bay	61	48	48	8	16
10	Dr. Beyers Naude	13	11	10	1	2
11	Kou-Kamma	7	6	3	0	3
12	Matzikama	8	4	6	1	4
13	Cederberg	6	4	2	0	5
14	Witzenberg	12	7	9	1	6
15	Saldanha Bay	14	6	13	1	7
16	Theewaterskloof	14	8	11	1	7
17	Langeberg	12	6	10	0	7
18	Cape Agulhas	6	3	5	0	3
19	Laingsburg	4	2	3	0	2
20	Kannaland	4	2	1	0	4
21	Bitou	7	4	5	0	4
22	Knysna	11	7	8	1	5
23	Oudtshoorn	13	8	7	0	10
24	Prince Albert	4	3	1	0	3
25	George	28	10	26	2	17
26	Breede Valley	21	10	19	2	10
27	Beaufort West	7	4	4	0	5
28	Nama Khoi	9	7	5	0	5
29	Hantam	7	6	4	0	3
30	Karoo Hoogland	6	5	3	0	3
31	Kareeberg	6	5	2	2	2
32	!Kheis	6	5	2	1	3
33	Siyathemba	6	5	2	0	4
34	Thembelihle	6	5	1	3	2
35	Siyancuma	7	6	3	1	3
36	Kgatelopele	6	5	2	1	3
37	Gamagara	8	7	5	1	2
38	Lekwa-Teemane	8	7	1	4	2
39	JB Marks	34	33	17	6	11
40	Rustenburg	46	43	13	17	17
41	Thabazimbi	12	11	4	2	6
42	Modimolle/Mookgophong	15	14	7	4	3
43	Steve Tshwete	30	21	17	9	11
44	Govan Mbeki	32	26	17	13	7
45	Lekwa	16	13	4	3	10
46	Nala	13	12	2	6	4
47	Maluti-a-Phofung	36	28	5	7	30
48	Metsimaholo	24	16	12	12	6
49	Moqhaka	23	22	10	5	7
50	eDumbe	10	5	1	1	12
51	Dannhauser	13	9	1	3	12
52	Maphumulo	12	11	0	1	11
53	uMhlabuyalingana	21	18	1	2	19

54	Mtubatuba	23	16	1	4	24
55	Nongoma	23	8	0	2	35
56	AbaQulusi	23	14	2	3	26
57	Mthonjaneni	13	10	0	1	14
58	uMhlathuze	34	27	8	6	26
59	Newcastle	34	22	5	8	32
60	uMuziwabantu	11	10	1	2	8
61	uMdoni	19	17	7	5	8
62	Msunduzi	41	40	16	10	15
63	eThekwini	112	96	59	24	43
64	KwaDukuza	30	29	9	4	17
65	Inkosi Langalibalele	24	17	3	2	25
66	Okhahlamba	15	8	1	2	18
67	Alfred Duma	37	28	3	5	37
68	uMvoti	14	10	1	0	16
69	eMadlangeni	6	4	1	1	5
70	eNdumeni	7	5	2	0	6

All provinces saw an increase in the number of hung municipalities in the 2021 elections compared to 2016, with Mpumalanga having them for the first time. KwaZulu-Natal (from 7 to 21), Western Cape (from 8 to 16) and Northern Cape (from 3 to 10) recorded the highest increases in the number of hung municipalities.

#### 5.3. TRENDS

#### 5.3.1. Coalitions have had a mixed impact on the stability of municipalities

As discussed in Chapter 4, the Nelson Mandela Bay metropolitan municipality experienced greater instability in its political leadership between 2016 and 2021 compared to the Ekurhuleni metro. This is despite both metros being ruled under coalitions during the same period. Similarly, the experience in other coalitions across the country during the same period has been mixed, with some municipalities showing stability and others instability. Of the 27 hung municipalities after the 2016 elections, at least 11 experienced significant political uncertainty and instability. This uncertainty and instability included changes to the political leadership through votes of no-confidence, failure to perform council duties such as passing budgets or even electing the political or administrative leadership and being placed under administration. These municipalities included Tshwane, Nelson Mandela Bay, Mogale City, Metsimaholo, Nquthu, eNdumeni,

Laingsburg, Prince Albert, Beaufort West and Knysna. This section looks broadly at the dynamics of coalitions in some of these municipalities beyond the chosen case studies.

For instance, in the Tshwane metro, the EFF and the ANC often failed to attend council meetings or walked out of them for several months in late 2019 and early 2020. This precipitated a crisis that led to the Gauteng provincial government placing the metro under administration in 2020, although this decision was later overturned by the courts (New Frame, 2020). In Mogale City, the ANC's motion to remove the DA's Michael Holenstein as Mayor succeeded in June 2017 by a single vote despite a DA/EFF alliance. This was less than a year after the 2016 elections (ENCA, 2017). Similarly, the ANC partnered with the Karoo Gemeenskap Party (KGP) to edge the DA out of power in Prince Albert municipality in July 2020, with the KGP turning on its erstwhile coalition partner, the DA. Similar switches in coalition partners also happened in Laingsburg and Beaufort West earlier in 2020, with the DA losing out (Daily Maverick, 2020a).

In Knysna, power changed hands in June 2020 when two DA councillors defied their party's mandate and voted with the ANC-led opposition to vote out Eleanore Bouw-Spies as Mayor. COPE's Ricky Van Aswegen was subsequently elected Mayor with the ANC's backing (Daily Maverick, 2020b). In Metsimaholo, a post-2016 alliance between the DA, the EFF and the Metsimaholo Community Association (MCA) collapsed in May 2017 because of infighting among the partners, forcing a by-election later that year. This time, the ANC, the MCA and the Forum for Service Delivery (F4SD) worked together to vote for the SACP's Lindiwe Tshongwe as Mayor (New Frame, 2018). The municipality was later placed under administration in 2020 (Parliamentary Monitoring Group, 2020).

The ANC, the IFP and other political parties in Nquthu failed to form a coalition after the 2016 election, which meant that no council was established. This necessitated a by-election that was held in May 2017, after which the IFP gained outright majority (GroundUp, 2017). In eNdumeni, the KwaZulu-Natal provincial government placed the municipality under administration in December 2018 following months of "infighting and paralysis." An IFP-DA-EFF coalition unravelled after two IFP councillors defied their party's directive to vote for the ANC's Lucky Khumalo as Speaker (TimesLIVE, 2018b).

The post-2021 election period had not seen major upheavals in coalition-led municipalities as of August 2022. However, in July 2022, the DA, the ACDP, the FF+, the AIM, the AIC, the Pan Africanist Congress (PAC) and the UDM announced that they had signed a coalition agreement to unseat the ANC-led coalition in the Nelson Mandela Bay metro. The AIM, AIC, PAC and UDM were part of the ANC-led coalition, underscoring the fluid nature of coalition politics (Daily Maverick, 2022a).

Against this background, it is apparent that not all municipalities governed by coalitions have been politically unstable. Therefore, it is inferred that while coalitions and alliances come with an inherent risk of greater political and administrative instability in municipalities, it is the conduct of political parties and individuals in these coalitions – including the conduct of those who wish to dislodge existing coalitions – that often exacerbates this risk.

#### 5.3.2. Instability impacts performance and service delivery negatively

Interviewees in Chapter 4 highlighted the link between political instability in the Nelson Mandela Bay metro and relatively poor performance and service delivery. Similarly, instability in the municipalities discussed above led to poorer performance and service delivery. For instance, according to a Free State COGTA Department briefing in the NCOP in 2020, the Metsimaholo municipality was unable to pass its Integrated Development Plan (IDP) and budget because of its inability to hold council meetings. This effectively halted service delivery until an administrator was appointed (Parliamentary Monitoring Group, 2020). Differences among political parties in Mogale City led to a failure to appoint a municipal manager for more than a year after the 2016 elections, thereby breaking down the political-administrative interface and hampering service delivery in the municipality (Huffington Post, 2017).

As noted by an interviewee in Chapter 4, political instability in Nelson Mandela Bay was accompanied by alleged corruption, collusion between political parties and business interests, financial mismanagement, and other governance issues that persisted beyond the 2021 elections, further impacting performance and service delivery. This phenomenon was similarly seen in at least two other unstable coalition-led municipalities. In eNdumeni,

for example, the council failed to "process" a forensic investigation that had uncovered "rampant corruption" in the municipality in 2018. Incidents noted in the report included payments to individuals and business entities that contravened the municipality's own policies as well as irregular appointments of service providers. This was one of the reasons why the municipality was placed under administration, with the provincial government hoping that the decision would lead to criminal and disciplinary cases against those implicated (KwaZulu-Natal COGTA, 2018).

Another example is Beaufort West, where the then-Mayor Quinton Louw and Speaker Noel Constable were among suspects charged with fraud and corruption in September 2021. The charges related to a tender issued in 2019. Constable and his Karoo Democratic Force (KDF) initially formed a coalition with the DA after the 2016 elections but abandoned it in favour of another one with the ANC in 2018 (IOL, 2021a).

Additionally, coalition instability may result in poor audit outcomes as an indicator of a municipality's financial performance. Of the 11 municipalities mentioned above, six obtained qualified audits or worse in at least two financial years between 2016 and 2021. Laingsburg and Nelson Mandela Bay received qualified audits in every financial year during this period. Beaufort West had disclaimers in the 2016/17 and 2019/20 financial years, qualified audits in 2017/18 and 2018/19, and its audit was not finalised in 2020/21. While eNdumeni received financially unqualified audit opinions between 2016 and 2019, it regressed to qualified audits in the subsequent two years during which it had political instability. Metsimaholo received an unqualified audit in 2016/17 but regressed to qualified audits for four successive years between 2017/18 and 2020/21. Nquthu's disclaimers in 2019/20 and 2020/21 appear related to council instability caused by the IFP's internal politics because the IFP won outright control of the council in a by-election in 2017 (Municipalities of South Africa, 2022b).

Given the foregoing analysis, it is inferred that political instability in coalition-run municipalities often leads to poorer performance and service delivery in those municipalities. In some cases, instability is accompanied by corruption and financial mismanagement, further impacting performance negatively.

#### 5.3.3. Intra-party politics contributes to instability

Since 2016, intra-party dynamics have increasingly contributed to political instability in municipalities governed by coalitions. These dynamics, which are principally caused by individual councillors defying their respective parties' directives, have sometimes directly led to leadership changes in such municipalities as happened in Nelson Mandela Bay in 2018. In another instance in February 2022, the DOP suspended its two councillors in Nelson Mandela Bay for being part of a coalition with the ANC without approval from their party leaders (News24, 2022a).

As noted above, this also happened in eNdumeni where two IFP councillors voted for an ANC Speaker against their party's wishes, causing a prolonged crisis, as well as in Knysna in June 2020 when the DA lost power to an ANC-led coalition after two of its councillors voted with the ANC. In Kannaland, the ANC's Magdalene Barry and Phillips Antoine became Mayor and Deputy Mayor respectively after forming a coalition with the DA following the 2016 elections. However, the two reportedly had no approval from their party to form such a coalition, and an ANC branch secretary appealed to the party's national leadership to intervene in 2018 (TimesLIVE, 2018c). Following the resignation of then DA Mayor Herman Mashaba in Johannesburg in 2019, the ANC's Geoff Makhubo was elected Mayor with the help of three votes from DA councillors. The DA, which lost power in the metro in the process, subsequently expelled the three councillors (Rosebank Killarney Gazette, 2020).

Therefore, intra-party politics may sometimes directly lead to leadership changes in coalition-run municipalities, especially where a governing coalition relies on a razor-thin majority (sometimes one seat). This has negative implications for stability, performance and service delivery.

#### 5.3.4. A rise in minority governments

Although there were no minority governments in Ekurhuleni and Nelson Mandela Bay metros between 2016 and 2021, Ekurhuleni emerged from the 2021 elections with a DA-led minority coalition government supported by the EFF on an issue-by-issue basis. This trend of minority governments, however, started increasing after the 2016 elections and

was mostly underpinned by a common political interest of keeping the ANC out of power. Out of the 27 hung municipalities in the 2016-2021 period, at least six had minority coalitions. In Johannesburg and Tshwane, the DA formed coalitions with COPE, ACDP, FF+, UDM and IFP. However, these coalitions still failed to obtain outright majorities in the respective councils and relied on EFF support. As discussed earlier in this study, EFF's support was later unreliable in both metros, leading to the DA losing power in Johannesburg in 2019 (EFF fielded its own candidate and the ANC's Geoff Makhubo eventually won) and considerable instability in Tshwane (BusinessTech, 2016).

The EFF similarly propped up a DA-led minority coalition in Thabazimbi that included the Thabazimbi Residents Association (TRA) and FF+, as well as a DA and FF+ minority coalition in Modimolle-Mookgophong (SABC News, 2020b). The EFF also supported a minority coalition government in Metsimaholo that included the DA, F4SD and MCA, whose Sello Hlasa was elected Mayor. As noted earlier, this arrangement, however, unravelled in 2017 (Daily Maverick, 2021c).

Opposition parties, led by the DA, continued forming EFF-supported minority governments where possible after the 2021 elections, including in Thabazimbi (News24, 2021e), Modimolle-Mookgophong (Democratic Alliance, 2022b) and Metsimaholo. In the latter municipality, the EFF instructed its councillor Selloane Motjeane, who had been elected Mayor, to resign because the ANC's councillors had voted for her. In December 2021, the DA's Jeff Zwane was subsequently elected Mayor unopposed, but his stay in office depended on the EFF's support (The Citizen, 2021b).

In Tshwane, the DA, ActionSA, FF+, ACDP, IFP and COPE formed a coalition that gave them outright majority in the council, ending the pre-2021 minority government there. However, a similar coalition in Johannesburg gave them 131 seats in the council against a target of 136 to have a majority. DA's Gauteng leader Solly Msimang and Johannesburg Mayor Mpho Phalatse later claimed that the coalition had increased to 10 political parties and had, therefore, achieved a majority. However, they did not reveal who the additional four parties were (Daily Maverick, 2021d).

In Matzikama, EFF councillor Xolani Tshetu voted for the DA's mayor, deputy mayor and speaker candidates, who all emerged victorious, much to the DA's surprise. The DA had 6 seats and formed a coalition with FF+ for a total of 7 seats, which was one short of a majority. However, it later emerged that Tshetu had no instruction from EFF's national leadership to vote with the DA and FF+ (IOL, 2021b). This uncertainty was resolved in May 2022 when PA councillor Christo Boks resigned from the party to join the DA. He stood as the DA's candidate in the subsequent ward by-election in July 2022 and won, thus increasing the DA's seat tally to 7. This meant that the DA and FF+ coalition had obtained outright majority (Democratic Alliance, 2022c).

Against this background, it is inferred that the formation of minority governments increased after the 2016 elections and continued after the 2021 elections. A common political interest of keeping the ANC out of power underpinned several of these governments. Given the fluid nature of coalition politics at the local level, it is nevertheless difficult to predict whether this trend will continue beyond 2021 or not.

#### 5.3.5. The "kingmaker" phenomenon intensifies

As discussed in Chapter 4, from 2016 both Ekurhuleni and Nelson Mandela Bay metros saw an increase in the number of smaller parties winning seats in councils as the ANC's electoral dominance started declining. These smaller parties, which often had four seats or fewer, subsequently assumed a level of influence that was disproportionately bigger than their electoral performance because they could tilt the balance of power in favour of or against a large party. These parties often saw this "kingmaker" status as an opportunity to advance their office-seeking approaches, particularly in Nelson Mandela Bay where the UDM, with just two seats after the 2016 elections, was able to claim the deputy mayor position. Later in 2018, it claimed the mayoral position ahead of the ANC (50 seats) and the DA (57 seats).

This phenomenon was similarly observed across hung municipalities countrywide. For instance, in Beaufort West, the KDF's Noel Constable was elected Mayor in a coalition with the DA after the 2016 elections despite his party winning just one seat as compared to the ANC and the DA's three seats each. The KDF later switched sides to form a

coalition with the ANC. The situation was similar in Laingsburg and Prince Albert, where the Karoo Ontwikkelings Party (KOP) with one seat and the KGP with two seats held the mayoral positions at various times between 2016 and 2021. Both also switched coalition partners during the term. In Bitou, the ANC and the DA each won six seats, one short of the seven required for majority. The Active United Front (AUF) won one seat and became the "kingmaker." It initially went into a coalition with the ANC and its councillor, Peter Lobese, became Mayor. He also switched sides but was eventually removed through a vote of no confidence in 2021 (Daily Maverick, 2021b).

In Knysna, a series of by-election losses by the DA meant that COPE assumed a "kingmaker" status and it clinched the mayoral position in June 2020 despite having only one seat in the council. The Independent Civic Organisation of South Africa's (ICOSA) councillors in Oudtshoorn became Mayor and Speaker in September 2021 – just months before the 2021 elections – despite winning two seats in the 2016 elections. In Witzenberg, COPE staked claim to the speaker position with its solitary seat while working with the DA, which had 11 seats. In Thabazimbi, the TRA won two seats after the 2016 elections but one of its councillors became the mayor with the support of the DA (Daily Maverick, 2021b and 2021c).

In the post-2021 period, the Abantu Batho Congress (ABC) was rewarded with the deputy mayor position in eThekwini after helping the ANC retain power in the metro in a coalition with other smaller parties. The ABC won just two seats in the metro in the 2021 elections (Daily Maverick, 2021e). In Laingsburg, the ANC formed a coalition with the PA and KDF. PA, which had 1 seat compared with the ANC's 2 and the DA's 3, won the mayor's position (News24, 2021f). The ANC (3 seats) similarly formed a coalition with the KGP (2 seats) and the PA (1 seat) in Prince Albert, with KGP's Magrietha Jaftha elected mayor. Jaftha was, however, suspended by her party for voting with the DA. She subsequently resigned and joined the DA to be its candidate in the resultant ward by-election (Weekend Argus, 2022).

Generally, there was an exponential increase in the number of small parties that won seats in the 2021 elections compared to the 2016 one, as the table below shows. "Others"

are parties that won fewer than 20 seats nationally in the 2016 elections and fewer than 50 seats in the 2021 elections.

Table 9: Distribution of seats in 2016 and 2021 elections: Source: Compiled from IEC

Political party	Seats won in 2016	Seats won in 2021
ANC	5,163	4,548
DA	1,782	1,497
EFF	761	982
IFP	432	545
FF+	67	221
UDM	59	51
AIC	55	Included in "Others"
COPE	45	Included in "Others"
F4SD	27	Included in "Others"
ACDP	22	Included in "Others"
Others	206	629
Independents	27	52
ActionSA	-	90
PA	Included in "Others"	75
ATM	-	52
NFP	0 (disqualified)	52

As can be discerned, the two largest parties, the ANC (which dropped below 50% nationally for the first time in 2021) and the DA, lost seats in 2021 compared to 2016. At the same time, the EFF, IFP, FF+, F4SD, PA and ACDP increased their number of seats across municipalities nationally. ActionSA, the NFP and the African Transformation Movement (ATM) did not participate in the 2016 elections but won more than 50 seats each in the 2021 elections. Additionally, the number of independent councillors nearly doubled from 27 in 2016 to 52 in 2021. The "Others" category similarly shows that seats were more widely distributed among smaller parties after 2021 compared to 2016. If this trend continues, "kingmakers" are likely to become a more prominent feature of municipalities across South Africa. If this is accompanied by a focus on the office-seeking approach, it may have negative implications for stability and performance of the affected municipalities.

#### 5.3.6. A greater focus on coalition agreements and management

Some interviewees in Chapter 4 shed light on how Ekurhuleni's coalition between 2016 and 2021 was based on an agreement among the parties involved, including conflict management and regular meetings. According to them, this was one of the main reasons the coalition remained stable throughout the term. On the other hand, although the DA-led coalition in Nelson Mandela Bay was also based on an agreement, it lasted just two years, with further changes of leadership in the metro happening subsequently.

As discussed earlier in this Chapter, this mixed coalition experience was replicated in other hung municipalities. For instance, the KDF in Beaufort West, KOP in Laingsburg, KGP in Prince Albert and AUF in Bitou had coalition agreements with the DA in the respective councils before switching to the ANC (and sometimes back to the DA) during 2016-2021. This suggested that the agreements were less about issues such as service delivery and more about power dynamics and positions (Daily Maverick, 2021b).

However, other coalitions held together throughout the 2016-2021 term. For instance, the ANC's coalition with the Botho Community Movement (BCM) in Rustenburg held throughout the term despite BCM's complaints about unfulfilled promises (News24, 2020c). In Jozini, the IFP's coalition with the DA, supported by the EFF, also held (Daily Maverick, 2021f). The ANC's coalition with the Khoisan Revolution remained in place throughout the term (The Daily Vox, 2021) as did the DA's coalition with FF+ in Hessequa, where the DA's hand was strengthened after winning a ward off the ANC in a 2019 by-election (Daily Maverick, 2019b).

Keen to have coalition-led municipalities that were more stable after the 2021 elections, political parties sought to have more structured coalition agreements in place and to negotiate them at a broader national level as opposed to municipality-by-municipality basis. For instance, in December 2021, the DA, ActionSA, FF+, ACDP, IFP and COPE announced that they had signed a coalition agreement to establish multi-party governments in 22 hung municipalities. These included Tshwane, Johannesburg, Ekurhuleni Mogale City, Cederberg, Thabazimbi, George, Breede Valley and Metsimaholo. The parties said community-based and regional or local parties would also

be part of the coalitions (Democratic Alliance, 2021a). The PA later joined the agreement in February 2022, specifically the coalitions in Johannesburg and Ekurhuleni (Democratic Alliance, 2022d).

The agreement revealed a more structured approach to coalitions. It stipulated that each coalition should establish a "Portfolio Caucus" in its municipality to "coordinate and enhance decision making" as well as a "Management Committee" that would oversee the coalition's day-to-day management and administration. At a broader level, the agreement established a "Coalition Oversight Group" to oversee the various coalitions (Democratic Alliance, 2022d).

As of August 2022, the coalitions under the agreement had held together, although there were some disagreements over the EFF's role in Ekurhuleni, which was still a minority coalition government. In July 2022, the DA also announced that negotiations with ActionSA and other parties to form a coalition to take over government in KwaDukuza had broken down. According to the DA, this is because ActionSA was "determined to collaborate" with the EFF and had made "cadre deployment" demands (Democratic Alliance, 2022e).

The ANC and the IFP also attempted to reach a national-level agreement to work together in KwaZulu-Natal's 21 hung municipalities. According to IFP leader Velenkosini Hlabisa, the aim was not to form coalitions but a "working arrangement" whereby the IFP would form government in the municipalities where it won the most votes while the ANC would be the opposition. Conversely, the ANC would form government in the municipalities where it won the most votes while the IFP would form the opposition. They would then support their respective minority governments in council. However, the IFP insisted that the working arrangement would exclude uMsunduzi, eThekwini, Umhlathuze and Newcastle, a demand that the ANC was seemingly unable to accept, and the talks collapsed (The Witness, 2021).

Against this background, it is inferred that political parties have increasingly sought to have more structured coalition agreements in place to enhance stability in the municipalities they govern. If this trend persists, coalitions are likely to be more stable, with positive implications for performance and service delivery.

#### 5.3.7. Ideology plays a less salient role, but still causes tension

In Chapter 4, several interviewees from Nelson Mandela Bay stated that ideological differences among coalition partners made it more difficult to maintain coalitions between 2016 and 2021. In Ekurhuleni, it was noted that a common political interest, for example to improve service delivery, may play a bigger role in keeping coalitions intact than ideology. Nationally, the trend in coalitions from 2016 onwards (as of August 2022) suggests that the pursuit of common political interests has indeed played a bigger role. These interests have ranged from governance issues, such as anti-corruption positions, to office-seeking approaches or simply keeping the ANC out of power.

For instance, the December 2021 agreement between the DA, ActionSA, FF+, ACDP, IFP and COPE was underpinned, at least on paper, by a commitment to "a culture of accountability, transparency, and good governance" (Democratic Alliance, 2021a). In the Western Cape, the ANC said its approach to coalitions in the province's municipalities would be guided by the party's ideological principles of non-racialism and non-sexism as well as a pro-poor stance. It also cited a commitment to the rule of law and improving service delivery (IOL, 2021c).

The ANC subsequently reached broad-level agreements with the KDF, KGP, ICOSA and PA to form coalitions across Laingsburg, Prince Albert, Beaufort West and Kannaland municipalities. Given the fact that these smaller parties often switched between the DA and the ANC during 2016-2021, it remains to be seen whether the post-2021 coalitions would still be driven by office-seeking imperatives or not. In Kannaland, however, the ANC withdrew from its coalition with ICOSA following public uproar over the fact that Mayor Jeffrey Donson and his deputy Werner Meshoa both had criminal convictions. Donson and Meshoa were ICOSA's councillors. This was an instance where governance or ethical principles, not ideology, had affected a coalition (News24, 2021g).

For its part, the EFF announced a set of conditions, which included ideological, office-seeking, policy-seeking and common political interest demands, ahead of coalition negotiations with other parties after the 2021 elections. These conditions included:

- Appreciation of the EFF's 7 non-negotiable pillars for economic freedom in our lifetime.
- Service delivery commitments with clear timelines.
- Anti-racism.
- EFF should exclusively govern in certain municipalities in exchange of others, with coalition partners getting oversight functions.
- Non-interference in the appointment of municipal managers and other senior managers.
- Publication of coalition agreements.
- Constant and honest engagement as well as reports to the people on the coalitions' progress (Economic Freedom Fighters, 2021).

The policy concessions the EFF sought from potential coalition partners included a constitutional amendment to enable land expropriation without compensation within 6 months, creation of a state bank and state pharmaceutical company, nationalisation of the South African Reserve Bank, passing of an insourcing bill, and cancellation of student debt, all within 12 months (Economic Freedom Fighters, 2021).

Many of these policy demands were seemingly aimed at the ANC and demonstrated that ideological issues at national level may sometimes influence coalition making at the local level. The ANC and EFF met but their negotiations failed barely a week later, with EFF leader Julius Malema accusing the ANC delegation of not accepting any of the conditions and instead rushing into power-sharing discussions (Cape Talk, 2021).

It is debatable whether the EFF was genuine in its ideological and policy demands on the ANC because it went on to prop up the DA, whose ideological stance is in stark contrast to the EFF's, in several minority governments discussed earlier in this Chapter. Furthermore, the DA stated in November 2021 that it was not willing to go into a coalition with the EFF "under any circumstances" and that one of its preconditions to a coalition

was a commitment to a social market economy – the direct opposite of the EFF's commitment to a state-driven economy (Democratic Alliance, 2021b).

In the end, it is apparent that despite their stated ideological differences, the two parties were largely working together in various minority-governed municipalities as of August 2022. This reinforces the argument that ideology was trumped by the common political interest of keeping the ANC out of power in these municipalities. However, tension between the two parties remained. As noted earlier, the DA was actively attempting (and may have succeeded) in achieving a majority coalition in Johannesburg to break free of the EFF, with Ekurhuleni still a work in progress. It also publicly expressed it unease with its coalition partner ActionSA's dalliance with the EFF (Democratic Alliance, 2022d and 2022e).

#### 5.4. CONCLUSION

This Chapter has discussed some trends across South Africa's municipalities based on the experiences of Nelson Mandela Bay and Ekurhuleni metros. Some of the main trends that were identified include a rise in minority governments, the mixed impact of coalitions on municipalities' stability and performance, the increasing focus on coalition agreements and their management, and the less salient role of ideology in coalition making compared to common political interests. Chapter 6 will seek to identify elements that stabilise or destabilise coalition municipalities and factors that promote or undermine their performance since 2016, with the Ekurhuleni and Nelson Mandela Bay metros as case studies.

# CHAPTER 6: FACTORS AFFECTING STABILITY AND PERFORMANCE OF SOUTH AFRICA'S MUNICIPALITIES GOVERNED THROUGH COALITIONS SINCE 2016

#### 6.1. INTRODUCTION

This Chapter seeks to identify elements that stabilise or destabilise coalition municipalities and factors that promote or undermine the performance of coalition municipalities since 2016 using the Ekurhuleni and Nelson Mandela Bay metropolitan municipalities as case studies. Given the fluid nature of coalition politics, an end date of August 2022 will be used when citing examples from municipalities. This Chapter extrapolates the factors that interviewees identified in Chapter 4 to the national level by citing examples from other municipalities across the country. It also expands on issues identified in previous chapters, such as literature review and legislative framework, as well as emergent issues identified in document analysis. Its main argument is that although coalitions have an inherent risk of greater instability in municipalities, it is the conduct of political actors in a coalition – and in a municipal council in general – that is the greater determinant of stability or instability and, therefore, performance.

### 6.2. FACTORS THAT STABILISE OR DESTABILISE COALITION MUNICIPALITIES

#### 6.2.1. Inherent risk of coalitions

As discussed earlier in the legislative framework chapter, proportional representation, coalitions and power-sharing promote inclusion of minorities/smaller parties but also inherently create conditions for greater instability in municipalities. Provisions of the Local Government Municipal Structures Act 117 of 1998 require that a municipal executive mayor and speaker be elected by a majority of votes cast in the council. They can also be removed from office through votes of no confidence which also require a majority of votes cast. If a political party has won outright majority in the council, it can easily elect its chosen candidates to positions of mayor and speaker and can also easily defeat motions of no confidence against them. Unless there are internal disagreements that cause councillors to vote against the party's mandate – for example, in Mangaung in

August 2020 when some ANC councillors voted with the opposition to remove the ANC mayor (News24, 2020d) – the municipality is likely to remain politically stable because its political leaders are likely to remain unchanged during their terms of office (De Vos, 2021: 242-244).

However, there is a greater level of uncertainty when no political party has attained an outright majority in the council. In this case, the Act's provisions require parties in the council to form coalitions or alliances and if none are formed, a by-election becomes necessary. By necessity, the process of coalition or alliance making and maintenance requires political parties to reach out to each other and make compromises, including making or acceding to office-seeking and/or policy-pursuit demands. This is what constitutes the inherent risk of greater instability in coalition-led municipalities because it opens the door to a host of political conduct factors that would have been non-existent if a party had outright majority in the council. These factors are discussed further below.

#### 6.2.2. Self-interest and opportunism

Several interviewees in Chapter 4 flagged self-interest and opportunism as key factors that undermined the stability of coalitions, especially in Nelson Mandela Bay. These often manifest themselves in office-seeking demands by potential or existing coalition partners, especially smaller political parties that sometimes have won just one or two seats in the council. As discussed in Chapter 5, some of these smaller parties sometimes position themselves as "kingmakers" and, therefore, demand senior positions, such as speaker, deputy mayor or even mayor, to be part of a coalition. When the office-seeking approach overrides other considerations such as service delivery and policy objectives, coalition formation and maintenance are likely to be difficult, thereby exacerbating the risk of instability.

An example was the removal of Vasco da Gama as Speaker of Johannesburg metro in August 2022 following a vote of no confidence filed by the PAC. Some councillors of the ATM, IFP and ACDP, which are part of the DA-led coalition in the metro, voted with the opposition. An ATM councillor, Lubabalo Magwentshu, later stated that when the motion was filed, the smaller parties in the coalition saw it as an "opportunity" (researcher's

Emphasis) to "balance the power" in the coalition. According to him, it was unfair for the DA to be occupying all the key positions of mayor, speaker and chief whip, and it was, therefore, necessary to remove da Gama so that the smaller parties could nominate a candidate for speaker (Daily Maverick, 2022b). A statement from the coalition subsequently accused the councillors of "acting in their own self-interest" (Democratic Alliance, 2022f), while the IFP and ACDP indicated that they would institute disciplinary measures against their councillors who had voted with the opposition (EWN, 2022a).

In Knysna, the PA withdrew from its coalition with the DA in June 2022 after the latter refused to support the former's nominee for municipal manager. The DA suggested that the nominee, whom it claimed the ANC had endorsed, was facing charges and had a "history" from a previous position in JB Marks municipality (IOL, 2022b). This fallout subsequently led to successful motions of no confidence by the PA against the DA mayor, deputy mayor, speaker and chief whip in August 2022. The EFF changed its stance of informally supporting the DA and teamed up with the ANC and PA to oust the DA's leaders from power. The ANC's candidates were also elected as mayor, speaker and chief whip alongside a deputy mayor from the Plaaslike Besorgde Inwoners. This change of leadership, which happened just nine months after the 2021 elections, was seemingly inspired by the PA's interest in seeing its candidate for municipal manager being appointed (News24, 2022b).

#### 6.2.3. Coalition agreements

As noted in Chapter 4, formal coalition agreements are a key determinant of whether coalition-led municipalities are stable or not. Agreements that are backed up by commitment from the coalition partners can result in stability, as happened in Ekurhuleni between 2016 and 2021. Conversely, a lack of commitment to the agreement may cause instability, as happened when the DA-led coalition in Nelson Mandela Bay ended in 2018 after just two years. As further discussed in Chapter 5, political parties sought to have more structured agreements in place given the 2016-2021 experience. They also sought to negotiate them at a national level as opposed to municipality by municipality.

A notable example was the DA-led coalition agreement announced in December 2021. It covered 22 municipalities such as Tshwane, Johannesburg, Ekurhuleni, Mogale City, Cederberg, Thabazimbi, George, Breede Valley and Metsimaholo. It included smaller parties such as ActionSA, COPE, IFP, ACDP and FF+, with the United Independence Movement (UIM), ATM and PA joining later (Democratic Alliance, 2021a). As of August 2022, the agreement had largely held the coalitions in the various municipalities together despite public disagreements among coalition partners, including the removal of da Gama discussed earlier.

The agreement's structures, including a portfolio caucus in each municipality, a coalition Management Committee to oversee day-to-day coalition issues and a Coalition Oversight Group, appear to have provided platforms for conflict resolution within the coalition. For instance, just a day after da Gama's removal as Speaker, the parties met and reaffirmed their commitment to the coalitions and their objectives, especially the one in Johannesburg (Democratic Alliance, 2022f). At the same time, da Gama's removal also exposed the coalition's operational weaknesses when ATM councillor Magwentshu complained that his party and UIM had been left out of the coalition's national structures (Daily Maverick, 2022b).

The Coalition Oversight Group also met in August 2022 to discuss public disagreements among coalition partners over a proposed private power supply investment in the city. ActionSA and IFP had earlier called for DA Mayor Randall Williams' removal over his alleged interference in the proposal. However, the Coalition Oversight Group agreed on an independent investigation into Williams. Subsequently, ActionSA and IFP voted against an ANC/EFF vote of no confidence against Williams, thereby keeping the metro's leadership stable (EWN, 2022b).

Some coalitions that appeared to have less structured agreements in place fared less successfully when partners simply switched coalition partners at will. For instance, in Beyers Naude municipality, the DA (10 seats), FF+ (1 seat) and Compatriots of South Africa (CSA) (1 seat) formed a coalition "less than an hour" before a council vote after the 2021 elections. With the help of the EFF (1 seat), they achieved the 13 seats required to

form a majority and win power. The DA's candidate was elected mayor and CSA's candidate elected speaker (Daily Maverick, 2022c).

However, just six months later in May 2022, CSA switched sides to support the ANC (11 seats), resulting in a 12-12 deadlock in a vote of no confidence to remove the DA mayor. The CSA speaker broke the deadlock with a casting vote to remove the mayor. An ANC mayor was later elected, but this was later set aside by a court after a DA legal challenge. A subsequent vote in July 2022 to elect a mayor was deadlocked, leading to concerns of a possible by-election (News24, 2022c). Power similarly changed hands from the ANC to the DA in Oudtshoorn in June 2022 when the PA and the ICOSA turned against their erstwhile coalition partner, the ANC (Daily Maverick, 2022d).

Furthermore, minority governments formed after 2016 and 2021 elections had no formal coalition agreements in place with parties that kept them in power, resulting in greater uncertainty and instability which in turn affected performance. For instance, the DA formed coalitions with smaller parties after the 2016 elections in Tshwane and Johannesburg, but these coalitions were not enough to secure outright majority in the councils. They, therefore, relied on EFF support even though they had no formal or structured agreement with the EFF to regulate their working relationship, and thus were vulnerable to the EFF's capriciousness. For instance, the EFF fielded its own candidate for mayor of Johannesburg in 2019 following the resignation of DA mayor Herman Mashaba, leading to the DA losing power after the ANC's eventual win (The Citizen, 2019b).

In August 2022, the EFF also indicated that it was open to working with the ANC after all, signalling another change from its earlier stance of supporting DA-led minority coalitions to keep the ANC out of power. An apparent casualty was the DA-led coalition in Knysna, which survived motions of no confidence in July 2022 when the EFF abstained but was voted out in August 2022 when the EFF's councillors began implementing the new stance of working with the ANC. Minority governments are, therefore, at an even greater risk of instability given their lack of coalition agreements (News24, 2022b).

As noted in Chapter 3, although coalition agreements can improve a municipality's stability, they are hampered by a lack of legislative provisions to regulate them or make them legally enforceable. A coalition partner may, therefore, have little legal recourse when another party breaches their agreement, a situation that makes it easier for parties to simply switch coalition partners without adverse consequence to them. This in turn has negative implications for a municipality's political stability (Beukes and De Visser, 2021: 40).

#### 6.2.4. Political and ideological commonality or differences

In Chapter 4, some interviewees noted that political or ideological commonality can make it easier to work with certain coalition partners, as happened in 2016-2021 Ekurhuleni where the ANC, the AIC and the PAC had shared values given their history (AIC and PAC split from the ANC in 2005 and 1959 respectively). Conversely, political or ideological differences have negative implications for coalition stability, as happened in Nelson Mandela Bay between 2016 and 2018 when, as interviewee 6 stated, some coalition partners had different "values and principles," which made it "harder to deliver on their manifesto promises."

In other municipalities between 2016 and August 2022, political and ideological identities similarly influenced how political parties relate to each other in councils, albeit at a less salient level compared to what may be the case at the national sphere of government. For instance, the DA and the FF+ generally formed coalitions in municipalities where they could govern together given their political commonality of representing interests of minorities. For instance, the two parties were part of the post-2021 coalitions in Johannesburg, Tshwane and Ekurhuleni as well as several coalitions in the Western Cape (Democratic Alliance, 2021a). Their EFF-supported minority coalitions in Thabazimbi and Modimolle-Mookgophong in Limpopo were stable throughout their respective 2016-2021 terms and were formed again after the 2021 elections, demonstrating that political or ideological commonality may help stabilise coalition-run municipalities (SABC News, 2020b; Democratic Alliance, 2022b).

Conversely, ideological differences led to the formation of DA-led, EFF-supported minority governments in Tshwane and Johannesburg after the 2016 elections because the DA and the EFF refused to enter formal coalitions, thus contributing to instability in the two metros as discussed earlier. Ironically, this informal arrangement was held together by a common political interest to keep the ANC out of power. However, the DA's persistent refusal to countenance a more formal working relationship with the EFF, despite calls by its post-2021 coalition partner ActionSA, eventually pushed the EFF to consider working with the ANC in August 2022 as noted above (Democratic Alliance, 2022e).

The EFF's change of heart came despite the ANC's refusal to meet its ideological demands, including nationalisation of the South African Reserve Bank (Cape Talk, 2021). As of August 2022, the ANC and EFF had not yet crystalised their proposed working arrangement in municipalities across the country. Such an eventuality could result in leadership changes in several municipalities, signalling even more instability inspired by DA-EFF ideological differences.

#### 6.2.5. Infighting and internal party dynamics

Some interviewees in Chapter 4 noted how infighting among coalition partners and in the council destabilised the Nelson Mandela Bay metro, explaining that decision making was cumbersome because each item had to be discussed in the coalitions and council. "Something that would usually be approved and go out to assist the residents would take weeks/months or in some cases not even get approved because of the infighting," interviewee 7 noted. The Chapter also discussed how a DA councillor abstained in the 2018 motion of no confidence against the DA mayor, contributing to the latter's removal from office. This signalled how internal party dynamics may sometimes contribute to political instability in a coalition-run municipality.

Similar cases were observed in some municipalities across the country. For instance, there was infighting between the DA and the PA in Matzikama council after the 2021 elections, resulting in a PA councillor resigning, joining the DA and winning the subsequent by-election on a DA ticket (Democratic Alliance, 2022c). In an apparent tit-

for-tat, the PA backed motions of no confidence that ousted a DA, FF+ and Cederberg Residents First coalition in Cederberg in July 2022. The DA speaker, Joseph Farmer, and a DA councillor voted against their own party's mandate. Farmer was subsequently elected mayor alongside a PA deputy mayor and an ANC speaker (Patriotic Alliance, 2022). This was a case of infighting and internal party dynamics in two councils and two political parties causing instability in a coalition-governed municipality.

As noted earlier in this Chapter, some IFP and ACDP councillors voted with the opposition to oust Johannesburg Speaker Vasco da Gama despite being in the DA-led coalition in the metro. The IFP and ACDP's national leaderships subsequently indicated that they would institute disciplinary steps against the councillors (EWN, 2022a).

#### 6.2.6. Partisanship

Interviewee 8 cited the "approach of unseating each other" of the two largest parties in Nelson Mandela Bay metro – the ANC and the DA – as a key destabilising factor. For instance, the ANC was instrumental in ousting the DA from power in 2018 while the DA signed coalition agreements with smaller parties in July 2022 in a bid to unseat the ANC-led coalition. Interviewee 4 accused Ekurhuleni's 2016-2021 ANC-led coalition of poor service delivery in affluent DA-run wards because of its pro-poor policy, adding that the post-2021 DA-led coalition was seeking to "reverse the damage." This partisan approach to coalition politics or service delivery may sometimes exacerbate instability in coalition-led municipalities because of the relentless pursuit of power by political parties or their constant striving to remain in power.

An example is in Johannesburg where the ANC managed to unseat the DA in 2019 with the help of two DA councillors (News24, 2020e) and remove DA's coalition partner Vasco da Gama as speaker with the help of other DA coalition partners in August 2022 as noted earlier. The ANC also indicated that it would seek to remove Johannesburg mayor Mpho Phalatse after successfully removing da Gama (Daily Maverick, 2022e).

#### 6.2.7. By-elections

Although ward by-elections were not cited by any of the interviewees in Chapter 4, it emerged as either a stabilising or destabilising factor during the researcher's document analysis. By-elections can sometimes cause a sudden change in the balance of power in a municipal council. For instance, a political party governing with a razor-thin majority may lose this majority after a by-election loss, or a governing coalition may strengthen its position after a by-election win.

In Matzikama, for example, the DA (6 seats) and the FF+ (1 seat) formed a coalition after the 2021 elections with a total of 7 seats, one short of a majority. The EFF councillor in the municipality voted for them, enabling them to form a minority government. In June 2022, a PA councillor resigned from his party, contested the subsequent ward by-election as a DA candidate and won. This boosted the DA's seat tally to 7, which meant that its coalition with FF+ had achieved outright majority of 8 seats and no longer needed the EFF vote to stay in power. This had positive implications for Matzikama's stability going forward (Democratic Alliance, 2022c).

Conversely, the DA lost outright control of Oudtshoorn, which it won in 2016, after a series of councillor resignations and ward by-election losses. It ultimately lost power when the ANC, the EFF and the South African Religious Civic Organisation voted for ICOSA candidates for mayor and speaker in September 2021 (Daily Maverick, 2021b). This was just before the November 2021 elections, which resulted in an ANC-ICOSA coalition that subsequently ended in June 2022 when ICOSA switched to the DA as noted earlier in this Chapter. This series of leadership changes had negative implications for the municipality's stability.

### 6.3. FACTORS THAT PROMOTE OR UNDERMINE THE PERFORMANCE OF COALITION MUNICIPALITIES

#### 6.3.1. Leadership changes

Some interviewees in Nelson Mandela Bay metro noted in Chapter 4 that the frequent leadership changes between 2016 and 2021 impacted on the metro's performance negatively in terms of service delivery provision, while those in Ekurhuleni argued that

performance improved because the leadership elected in 2016 completed its term uninterrupted. They further argued that a stable political leadership resulted in a more stable and efficient municipal administration. This correlation between political stability/instability and performance was also observed in other municipalities.

For instance, as discussed in Chapter 5, Beaufort West's financial performance appeared to have been negatively affected by the leadership change it experienced in 2018 because it received disclaimed audit opinion – the worst audit result – from the Auditor-General in the 2018/2019 financial year. This was followed by another disclaimed opinion in the 2020/2021 financial year (Auditor-General, 2022: 38).

The Auditor-General also cited "instability in political and administrative leadership" as a key reason for qualified audits (with material findings) and late submission of financial statements in Kannaland and Laingsburg in the 2020/2021 financial year. The two municipalities had also submitted their financial statements late twice in four years (Auditor-General, 2022: 78). These findings indicate their poor financial and administrative performance linked to leadership changes discussed earlier in this study.

With a new DA-led coalition mooted in Nelson Mandela Bay and the EFF signalling that it could work with the ANC after all, more leadership changes could be in the offing as of August 2022. Such changes are sometimes accompanied by changes in the administrative leadership of coalition-run municipalities, particularly the municipal managers, thereby causing further disruptions and impacting on performance. An example was in Kannaland, where the ANC accused the DA's Western Cape leadership of meddling in the appointment of the municipal manager in August 2022. Councillors of the two parties formed a coalition, reportedly without mandates from their parties, in January 2022 after the ANC withdrew from its earlier coalition with ICOSA in December 2021, just a month after forming it (Daily Maverick, 2022f).

#### 6.3.2. Governance

Interviewee 2 in Ekurhuleni argued in Chapter 4 that governance and accountability in the metro were enhanced between 2016 and 2021 because the largest party in the coalition, the ANC, occupied all executive positions while the smaller parties in the

coalition occupied oversight positions in the council. In contrast, smaller parties in the Nelson Mandela Bay appeared more interested in executive positions, interviewee 6 averred. This contributed to governance lapses when certain policies that were adopted to sustain coalitions, such as insourcing, proved costly to the metro. This is an indication that coalition politics can either strengthen or weaken a municipality's governance and performance.

For example, the DA's coalition partners ActionSA and IFP raised governance concerns when an audio clip of Tshwane's DA Mayor Randall Williams discussing a proposed private power supply investment in the metro surfaced in August 2022. As noted earlier in this Chapter, their concerns resulted in a decision by the coalition to institute an independent investigation into Randall's alleged role in the proposed investment, thereby strengthening the metro's governance processes This demonstrates that coalitions, if structured properly and led by leaders who show commitment to governance issues, can add an extra layer of checks and balances, resulting in improved municipal performance (EWN, 2022b).

Conversely, coalition politics can undermine governance processes – and consequently a municipality's performance – if coalition partners or other parties in the council practise poor controls or are not committed to upholding governance principles. Council instability also contributes to poor administrative controls, especially where there are disputes over city or municipal manager appointments. An example was Tshwane, where the Auditor-General in the 2018/2019 report noted that council instability led to delays in the appointment of a permanent city manager. Instability at this administrative level caused a "poor control environment" and "non-compliance with legislation." Council sittings regularly collapsed, and the council was therefore unable to consider audit investigations or implement audit resolutions for long periods. Tshwane also had the highest level of irregular expenditure among Gauteng metros in that financial year (Auditor-General, 2020: 50-52).

#### 6.3.3. Corruption, mismanagement, and collusion

Interviewee 5 from Nelson Mandela Bay noted that instability at the political level provided a cover for corruption and mismanagement at the administrative level. He added that certain council decisions, such as insourcing or outsourcing of services, were influenced by collusion between political parties and business interests. The overall result was poor performance and service delivery in the metro, an indication of how corruption, mismanagement, and collusion, exacerbated by coalition politics, affect performance.

An example was in Beaufort West in September 2021 when the then ANC mayor Quinton Louw, KDF speaker Noel Constable and a municipal official were charged in court for tender corruption amounting to R600,000 dating back to 2019. Constable and the KDF were previously in a coalition with the DA after the 2016 elections before switching to the ANC in 2018. If the case leads to convictions, it could mean that the KDF switched from one coalition partner to another one who may have been open to engaging in corruption and collusion. As noted earlier, Beaufort West's audit outcomes were poor over several financial years between 2016 and 2021, a likely indicator of the municipality's poor service delivery and performance (IOL, 2021a).

#### 6.3.4. Quality of leadership

Quality of leadership emerged as a notable theme in Chapter 4 when interviewee 6 opined that former Nelson Mandela Bay mayor Athol Trollip was instrumental in improving the metro's performance between 2016 and 2018, and that performance declined after his removal. She cited the metro's improvement in rankings "from the second last worst municipality in the country" – a reference to Consulta's 2017 Customer Satisfaction Index (Nelson Mandela Bay Municipality, 2017: 1). This is an indication that a coalition municipality's mayor's individual attributes may contribute to its performance success or failure.

For instance, the Johannesburg metro was relatively stable between 2016 and 2019 when then-mayor Herman Mashaba established a close working relationship with the EFF. In 2018, EFF leader Julius Malema said his party had no intention of removing Mashaba from office because he was consultative. This was just after the EFF had played a role in

removing Trollip from office (and had signalled that it wanted to remove then-Tshwane mayor Solly Msimanga too) because of DA-EFF differences on the land expropriation issue. As noted already, stability in a coalition-run municipality is likely to enhance performance and service delivery (EWN, 2018c).

Additionally, the Kannaland council election of convicted sex offender Jeffrey Donson as mayor and convicted fraudster Werner Meshoa in November 2021 sparked controversy in society. Both were ICOSA councillors, and their coalition partner, the ANC, was forced to withdraw from the coalition in December. This led to the Donson and Werner's removal from office in January 2022 through motions of no confidence, causing further political instability in the municipality and thereby affecting its performance. This is an indication that coalition politics may sometimes result in the election of unsuitable candidates to leadership positions, with negative implications for stability and performance (Daily Maverick, 2021g).

In the run-up to the 2021 local government elections, some political parties began applying stricter selection criteria for their councillor and mayoral candidates in a bid to find the most suitable and capable leaders. For instance, the ANC developed a list of nine "competency areas" for its mayoral candidates as follows (Mail & Guardian, 2021):

- Tertiary-level academic qualifications.
- Political and leadership experience.
- Executive management, policy, and governance experience.
- Experience in basic services, revenue generation, management of public or development programmes, community and social facilitation, local economic development, and business.
- Public profile and experience in media and stakeholder relations.
- Competency in financial management, budgeting, and interpretation of finance.
- Core values and ethical conduct.
- Gender.
- Youth empowerment.

Although the practical implementation of these measures is often subject to internal party dynamics, their adoption signals a shift towards selecting more qualified and competent leaders across municipalities, including those governed by coalitions. Increasing the quality of leadership could, therefore, ultimately improve the stability and performance of coalition-run municipalities.

#### 6.3.5. Executive control

In Chapter 4, interviewee 4 from Ekurhuleni suggested that for coalition-led municipalities to perform better, the executive mayor should have full control of the executive. As noted earlier, this was the case in Ekurhuleni between 2016 and 2021 when the ANC held the mayoral position and all positions in the mayoral committee. The smaller parties in the coalition then held chairperson positions in the council's oversight committees. The interviewee argued that in the post-2021 DA-led minority coalition, some members of the multiparty mayoral committee took instructions from their respective parties and "implement[ed] their manifestos simultaneously, which cause[d] wires of service delivery often crossing."

For example, as of July 2022, the ANC's Nelson Mandela Bay mayor Eugene Johnson did not appear to have full control of her multiparty mayoral committee. This is because some of the committee's members (MMCs) openly called for her removal from office even though they were part of the ANC-led coalition formed after the 2021 elections. These included the UDM's Luxolo Namette, GOOD's Lawrence Troon, and AIM's Mkhuseli Jack (Algoa FM, 2022).

As noted earlier, UDM, AIC (which was also in the ANC-led coalition) and AIM later signed a DA-led coalition agreement while their councillors were still serving in Johnson's committee. There were also reports that the committee did not meet regularly and that some of its members had claimed that they were marginalised. Such uncertain circumstances meant that the metro's stability and performance were hampered (Ndletyana, 2022b).

#### 6.4. CONCLUSION

This Chapter has explored factors that stabilise or destabilise coalition municipalities and those that promote or undermine their performance, using thematic issues that arose from interviews analysed in Chapter 4. Most of the factors identified emanate from the conduct of political actors in coalition-run municipalities, including infighting and internal party dynamics, partisanship, coalition agreements and management, self-interest and opportunism, governance, corruption and collusion, and quality of leadership. This shows that while coalitions have an inherent risk of greater instability, it is the conduct of political actors that is the main determinant of stability and performance of coalition-governed municipalities.

Chapter 7 will seek to present a summary of the dissertation's findings as presented in Chapters 4, 5 and 6, conclusions based on these findings, and finally recommendations for possible future research and development.

### CHAPTER 7: CONCLUSION, IMPLICATIONS AND RECOMMENDATIONS

#### 7.1. INTRODUCTION

This Chapter seeks to present a summary of the dissertation's findings as presented in Chapters 4, 5 and 6 as well as conclusions based on these findings. It also makes recommendations on how to improve the stability and performance of municipalities governed through power-sharing in South Africa. Finally, it outlines implications and suggestions for possible future research. This Chapter begins with a summary of previous chapters, starting with a brief outline of this study's problem statement as well as research questions, objectives and methodology. It then summarises its findings, before presenting the conclusions, implications, recommendations and suggestions for further research.

#### 7.2. SUMMARY

The aim of this study was to identify power-sharing trends and assess the stability and performance of municipalities governed through power-sharing in South Africa using the case studies of Ekurhuleni and Nelson Mandela Bay Metropolitan municipalities from 2016. Given the fluid nature of coalition politics, it used August 2022 as its end date for examples cited. In attempting to achieve this aim, this study sought to help fill a gap in the literature on power-sharing trends and factors that affect the stability and performance of coalition-run municipalities. Therefore, identifying these trends and factors at a time when South Africa is poised to experience more local power-sharing and coalition politics constituted this research's problem statement.

To achieve this aim, the study adopted the broad theoretical framework of consociationalism, under which power-sharing falls. It formulated the following main research questions:

 What trends can be established from South Africa's power-sharing and coalition politics at the local government level since the 2016 local government elections?  What factors have contributed to or undermined the stability and performance of municipalities governed through power-sharing in South Africa since the 2016 local government elections?

To address these questions, the research had the following objectives:

- Explore power-sharing and party coalitions/alliances in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities since the 2016 local government elections.
- Establish trends in South Africa's power-sharing and coalition politics at the local government level since the 2016 local government elections.
- Investigate the factors affecting the stability and performance of municipalities governed through power-sharing in South Africa since the 2016 local government elections.
- Present implications and recommendations for future studies.

The study adopted a qualitative research paradigm that involved inductive data analysis. It also used the case study approach as its research design. Additionally, it used semi-structured interviews with open-ended questions to collect primary data from nine political actors (interviewees) in Ekurhuleni and Nelson Mandela Bay metropolitan municipalities. It subsequently triangulated this data with document analysis and available literature.

Excluding this Chapter, this study attempted to achieve its aim in six chapters. Chapter 1 sought to provide a broad orientation of the study, including a definition of concepts and delineation of a background. It also outlined the study's theoretical framework, problem statement, research questions, objectives and research methodology. Chapter 2 explored notable literature on power-sharing in South Africa, in the process encompassing literature on the theoretical framework, an overview of international and regional experiences, and finally an overview of South Africa's experience with power-sharing and coalition politics. Chapter 3 discussed the legislative framework for power-sharing and party coalitions in South Africa's local government, starting with a broad historical context that influenced how the country eventually adopted its current system.

In Chapter 4, the study discussed power-sharing and party coalitions/alliances in the two case studies – Ekurhuleni and Nelson Mandela Bay metropolitan municipalities – since the 2016 local government elections (with an August 2022 end date). It outlined a brief political background of the two metros before analysing primary data obtained from interviewees. The analysis was aimed at extracting broad themes and patterns on how power-sharing has affected the stability and performance in the two metros. Chapter 5 sought to identify broad trends, themes, and/or patterns of power-sharing and coalition politics in South Africa's municipalities since 2016 using the case studies. Finally, Chapter 6 sought to identify elements that stabilise or destabilise coalition municipalities and factors that promote or undermine the performance of coalition municipalities since 2016 using the case studies. It attempted to do this by extrapolating the factors that interviewees identified in Chapter 4 to the national level by citing examples from other municipalities across South Africa.

#### 7.3. FINDINGS

# 7.3.1. What trends can be established from South Africa's power-sharing and coalition politics at the local government level since the 2016 local government elections?

#### 7.3.1.1. Mixed impact of coalitions on stability of municipalities

In Chapter 5, this study found that coalitions have had a mixed impact on the stability of municipalities governed through power-sharing during the period under review, with some municipalities showing stability and others showing instability. Where there was instability, it mostly entailed changes to the political leadership though votes of no confidence, failure to perform council duties such as passing budgets or electing the political or administrative leadership, and being placed under administration.

#### 7.3.1.2. Instability impacts performance and service delivery negatively

This study found that instability in coalition-run municipalities generally led to poorer performance and service delivery in those municipalities. Poor performance was mostly manifested in – and resulted from – council failure to pass budgets and Integrated Development Plans (IDP) and failure to appoint municipal managers. This often broke

down the political-administrative interface, leading to poor administrative, financial and governance processes as well as poor audit outcomes and sometimes corruption.

#### 7.3.1.3. Intra-party politics contributes to instability

Chapter 5 further established a rising trend of intra-party dynamics contributing to political instability in coalition-led municipalities, especially where a governing coalition only has a razor-thin majority. These dynamics were generally caused by individual councillors defying their respective parties' directives, sometimes directly causing leadership changes in the affected municipalities.

#### 7.3.1.4. A rise in minority governments

This research found a rising trend of minority governments during the period under review. These were mainly underpinned by a common political interest of keeping the ANC out of power, but often experienced instability because of the capricious nature of the EFF, which is the party that often kept DA-led minority governments in power. In the post-2021-election period, the DA remedied this uncertainty by reaching out to smaller parties in Johannesburg and Tshwane to break free from the EFF's unreliability.

#### 7.3.1.5. A rising "kingmaker" phenomenon

Another trend that this study found is the rising "kingmaker" role of smaller parties, which often had fewer than four seats in council. Both the 2016 and 2021 elections resulted in a higher number of such smaller parties (and independent candidates) as the ANC's dominance waned. They subsequently assumed a level of influence that was much larger than their electoral performance because they could tilt the balance of power in favour of or against a large party. Consequently, they often used this "kingmaker" status to advance their office-seeking approaches, in the process clinching senior positions such as mayor, deputy mayor and speaker. Sometimes, such smaller parties simply switched coalition partners in the pursuit of their interests, causing uncertainty, instability and sometimes poor performance in the affected municipalities.

#### 7.3.1.6. More emphasis on coalition agreements

This study found that political parties increasingly sought to have more structured coalition agreements in place to enhance stability in the municipalities they govern. This trend intensified in the post-2021 period, with agreements being crafted to include consultation, conflict-management and oversight structures.

#### 7.3.1.7. Ideology continues to cause tension

Finally, this study noted an enduring trend of ideology influencing coalition politics despite its less salient role compared to political parties acting on the basis of common political interest. For instance, ideological differences between the EFF and the DA prevented a formal coalition between them in several metros, even though they still worked together to achieve a common political interest of keeping the ANC out of power. The resultant DA-led and EFF-supported minority governments nevertheless experienced considerable uncertainty and instability, partly because of a lack of a formal coalition agreement that could manage their differences.

## 7.3.2. What factors have contributed to or undermined the stability and performance of municipalities governed through power-sharing in South Africa since the 2016 local government elections?

#### 7.3.2.1. Inherent risk of coalitions

This study found that although proportional representation, coalitions and power-sharing provisions in the constitutional and legislative framework promote inclusion of minorities or smaller parties, they also inherently create conditions for greater instability in municipalities when no political party has won an outright majority in a council. This is because they open the door to several forms of political conduct that would have been absent if a political party won an outright majority in a council.

#### 7.3.2.2. Self-interest and opportunism

Self-interest and opportunism were often apparent when small political parties made office-seeking coalition demands that far exceeded their electoral performance. Such parties viewed their "kingmaker" status as an opportunity to occupy senior positions such

as mayor, deputy mayor and speaker as a precondition for supporting larger parties in the council. This study found that when the office-seeking approach overrides service delivery and policy considerations, coalition formation and maintenance become difficult, thereby exacerbating the risk of instability and worsening a municipality's performance.

#### 7.3.2.3. Coalition agreements

This study found that coalition agreements and the way they were structured were key in determining the stability or instability of coalition-led municipalities. Agreements that are backed up by commitment from the coalition partners can result in stability, while a lack of commitment may cause instability. Furthermore, agreements that establish conflict-management and oversight structures can enhance a municipality's stability and performance, while those that are less structured may result in instability. Additionally, the lack of a formal coalition agreement between a party that has formed a minority government and a party that keeps it in power, as was the case between the DA and the EFF, often leads to instability. Finally, this research also found that although coalition agreements can improve a municipality's stability, they are hampered by a lack of legislative provisions to regulate them or make them legally enforceable.

#### 7.3.2.4. Political and ideological commonality or differences

This research found that political or ideological commonality among coalition partners can make it easier for them to work with each other, thereby enhancing stability and performance. Conversely, political or ideological differences have negative implications for coalition and hence municipal stability. Ideological differences also resulted in the formation of DA-led, EFF-supported minority governments because the two parties could not formally work with each other. As noted earlier, this further resulted in instability in the affected metros (Johannesburg and Tshwane between 2016 and 2021).

#### 7.3.2.5. Infighting and internal party dynamics

It was additionally found that infighting among coalition partners – and among political parties in a council – often destabilised coalition-led municipalities. This is because decision-making often became cumbersome and time-consuming given the need to meet competing demands, thus impacting a municipality's performance negatively. Internal

party dynamics, which can cause instability when councillors act against their parties' mandates, can pose further difficulties for a coalition-run municipality's performance.

#### 7.3.2.6. Partisanship

This study found that partisanship, which often manifested itself in continuous attempts by large parties (mostly the ANC and the DA, with the EFF sometimes involved) to unseat each other from power, often caused instability in coalition-led municipalities. These attempts resulted from perceptions that a governing party's service delivery programme was biased towards its strongholds at the expense of the other party's strongholds. This partisan approach to coalition politics or service delivery has negative implications for stability and performance.

#### 7.3.2.7. By-elections

The research found that by-elections can sometimes cause a sudden change in the balance of power in a municipal council, thereby enhancing stability or exacerbating the risk of instability and poor performance. For example, a political party governing with a razor-thin majority may lose this majority after a by-election loss, or a governing coalition may strengthen its position after a by-election win for one or more of its constituent parties.

#### 7.3.2.8. Leadership changes

It was found that frequent leadership changes in coalition-led municipalities have negative implications for those municipalities' performance. Such frequent changes often affect a municipality's political-administrative interface, leading to poor governance and financial processes. Conversely, a stable and uninterrupted political leadership may enhance a coalition-run municipality's performance.

#### 7.3.2.9. Governance

This study also found that coalition politics can either strengthen or weaken a municipality's governance and performance. Governance may be enhanced if the smaller parties in a coalition agree to occupy chairperson positions in the council's oversight committees to keep the larger party in check, as was the case in Ekurhuleni between

2016 and 2021. Parties in a coalition can also act as an additional layer of checks and balances by raising governance issues in their coalition's conflict-management structures before such issues reach the municipal council. Conversely, governance may be weakened if coalition partners practice poor controls or lack commitment to governance principles. Additionally, council instability weakens a municipality's administration, especially where there are disputes over city or municipal manager appointments.

#### 7.3.2.10. Corruption, mismanagement and collusion

This study found that political instability in coalition-led municipalities may sometimes provide a cover for – or indeed be inspired by – corruption, mismanagement and collusion. Political parties colluding with private business interests may sometimes make policy demands, such as insourcing or outsourcing of services, in return for support for a coalition or alliance. These practices ultimately lead to weakened performance, especially when parties switch coalition partners to advance their interests.

#### 7.3.2.11. Quality of leadership

This research found that the individual attributes of leaders in a coalition-run municipality, such as mayor, deputy mayor or speaker, may contribute to its performance success or failure. For instance, a leader's consultative attributes may placate coalition partners who may have otherwise withdrawn their support for the coalition and caused instability. Conversely, coalitions may sometimes result in the election of previously convicted persons, those tainted by corruption allegations, or those who are poorly qualified. These attributes may cause public controversy or ultimately lead to instability due to leadership changes, which in turn may affect performance.

#### 7.3.2.12. Executive control

This study found that in some cases, coalitions can result in poor executive control and thus poor performance in the municipalities. This may happen when a mayor who leads a multiparty mayoral committee lacks effective control over members of that committee. This is because some members of mayoral committees may take instructions from their own parties instead of from the mayor.

#### 7.4. CONCLUSIONS AND IMPLICATIONS

Following from the findings above, a notable conclusion of this study is that coalitions open the door to 124estabilizing factors that would have been absent if a political party won an outright majority in a council. As the ANC's electoral dominance wanes and more coalitions are consequently formed, these factors will continue to play a role in exacerbating the risk of instability and therefore poor performance in the affected municipalities. This conclusion reinforces similar arguments in the literature, signifying this study's contribution to the body of knowledge in this field. For instance, Booysen (2021: 34) argues that coalition dynamics have had a direct impact on municipal stability, while Hanabe and Malinzi (2019: 41-42) add that coalition governance has sometimes caused unstable municipalities and compromised service delivery.

This conclusion notwithstanding, this study found that coalitions have had a mixed impact on the stability of municipalities. In other words, some coalition-led municipalities have experienced instability while others have had stability. This study, therefore, concludes that while coalitions and alliances come with an inherent risk of greater political and administrative instability, it is the conduct of political parties and individuals in these coalitions – including the conduct of those who wish to dislodge existing coalitions – that often exacerbates this risk. This implies that the mere formation of a coalition is not enough on its own to cause instability; it is the conduct of political actors involved in the coalition and the larger council that would either exacerbate or minimise the risk of instability. In the same vein, it is the political conduct of actors in coalitions and councils that ultimately influences the performance of coalition-run municipalities.

Consequently, the elucidation of these political conduct factors forms this study's main contribution to the literature. As noted in Chapter 1, research into local government power-sharing and coalitions in South Africa has become more significant given the ANC's electoral decline, something that signals more coalitions in future. At the start of this research, few studies had focused on establishing power-sharing trends in the local government sphere or focused strongly on factors affecting their stability and performance. This study has, therefore, helped to bridge the gap in the research while contributing to theoretical and empirical debates on municipal power-sharing in South

Africa. Additionally, the study makes recommendations below that could improve knowledge and practice of municipal governance and local power-sharing. It could also form part of the body of research work that informs societal perceptions of power-sharing.

#### 7.5. RECOMMENDATIONS

#### 7.5.1. Political conduct

As this study has found, most of the factors that affect the stability and performance of coalition-led municipalities in South Africa emanate from the conduct of political actors in those municipalities. It is, therefore, recommended that political parties in coalitions or in councils governed by coalitions should enhance the standard of their political conduct in the interest of achieving and sustaining municipal stability and performance. In the long term, civil society organisations in the local government sphere can help educate voters to vote for parties that show a higher standard of political conduct. This may help regulate the conduct of those parties if they still wish to retain their seats in council, with positive implications for stability and performance.

Political parties should also intensify the newly emerging policy of selecting more qualified and competent leaders across municipalities, including those governed by coalitions. In addition to formal educational qualifications and relevant managerial or political/public office experience, parties should also emphasise individual leadership attributes. These may include being consultative as well as having a demonstrable commitment to good governance and ethical principles.

These recommendations may help address factors such as self-interest and opportunism, infighting and internal party dynamics, partisanship, corruption, mismanagement and collusion, and a lack of commitment to good governance.

#### 7.5.2. Coalition agreements

As noted in the study, political parties have already moved towards signing more structured coalition agreements complete with conflict-management and oversight structures. This bodes well for stability and performance. However, progress may be limited by the lack of legal enforceability of such agreements. Additionally, there is a lack

of legal provisions that govern how parties should enter, manage or exit coalitions. This means that a party may simply breach an agreement or withdraw from a coalition altogether without legal consequence or recourse for other affected parties (Beukes and De Visser, 2021: 40). In this regard, this study recommends that political parties represented in Parliament explore the possibility of enacting legislation that would regulate coalition formation and management at the local government level.

This research further found that minority governments often operate without formal coalition agreements because of ideological differences between the parties involved. This gives rise to uncertainty, instability and poor performance of the affected municipalities. This study, therefore, echoes a recommendation by De Vos (2021: 260) that a legislative amendment be introduced to compel a party or parties to submit coalition agreements (to the Independent Electoral Commission, for example) before forming a coalition government or minority government. This would prove that the party or coalition of parties has the required working majority in the council to govern, thus minimising the risk of instability.

It is further recommended that political parties should, as far as it is possible, sign coalition agreements with ideologically like-minded parties to minimise policy differences that may impact stability and performance negatively. However, it may be more important for the parties to establish a common political interest centred around service delivery rather than ideology. This is because ideology often plays a less salient role at the local government level than at the national level.

#### 7.5.3. Governance

This study found that instability in coalition-led municipalities often has negative implications for the political-administrative interface of such municipalities. This is because leadership changes sometimes result in political parties in councils attempting to replace municipal managers in line with their interests. In turn, this disrupts governance processes, especially where there is a prolonged deadlock in the council. It is, therefore, recommended that political parties should review Section 54A of the Local Government: Municipal Systems Act, 2000 (South African Government, 2000) and consider

de-politicising the municipal manager appointment process. For instance, the power to appoint a municipal manager could be vested in the Public Service Commission instead of the municipal councils. This de-politicisation of the appointment process may insulate a coalition-led municipality from political instability, thus enhancing the municipality's governance processes and ultimately performance.

Additionally, smaller political parties in a coalition should explore the possibility of only serving as chairpersons of oversight committees in councils and leaving executive positions for the dominant party in the coalition. This may enhance oversight in the council while strengthening the mayor's control of the executive committee because all its members will come from the same party. In turn, this arrangement may have positive implications for governance.

#### 7.6. SUGGESTION FOR FURTHER RESEARCH

To minimise the risk of instability inherent in power-sharing, Evans (2021) suggests that municipalities adopt the collective executive system as opposed to the predominant mayoral executive system. As discussed in Chapter 3, the Local Government Municipal Structures Act 117 of 1998 vests executive authority in an executive committee as a collective, not in the mayor assisted by a mayoral committee. The executive committee's composition must substantially reflect the representation of political parties in the municipal council, which means that power is shared proportionally according to the number of seats each party won in the election. The mayor is not executive and largely plays a ceremonial role (South African Government, 1998b).

Evans (2021) argues that the collective executive system removes the need for political parties to negotiate coalition agreements and compels them to adopt a "more cooperative approach" in the municipality's affairs because all the major parties will be represented in the executive committee. A limitation of this study is that it did not explore this system further because of its limited implementation in the South African context. Therefore, further research is suggested on whether this system is a viable alternative to the mayoral executive system or not. Such research could investigate whether or not it would minimise

the destabilising factors identified in this study, thereby providing further insights on how to enhance stability and performance of coalition-run municipalities.

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# **APPENDICES**

# APPENDIX A: ETHICS CLEARANCE LETTER



### GENERAL/HUMAN RESEARCH ETHICS COMMITTEE (GHREC)

12-May-2021

Dear Mr Neo Maneng

#### Application Approved

Research Project Title:

Power Sharing in South Africa's Municipalities: The Case of Ekurhuleni and Nelson Mandela Bay Metropolitan Municipalities from 2016.

Ethical Clearance number

UFS-HSD2020/1437/1611

We are pleased to inform you that your application for ethical clearance has been approved. Your ethical clearance is valid for (welve (12) months from the date of issue. We request that any changes that may take place during the course of your study/research project be submitted to the ethics office to ensure ethical transparency, furthermore, you are requested to submit the final report of your study/research project to the ethics office. Should you require more time to complete this research, please apply for an extension. Thank you for submitting your proposal for ethical clearance; we wish you the best of luck and success with your research.

Yours sincerely

Dr Adri Du Plessis

Chairperson: General/Human Research Ethics Committee

Plessis Date: 2021.03.12

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# APPENDIX B: PERMISSION TO CONDUCT RESEARCH - NELSON MANDELA BAY



# APPENDIX C: PERMISSION TO CONDUCT RESEARCH - EKURHULENI



### OFFICE OF THE EXECUTIVE MAYOR

Ekurhaleni Metropolitan Municipalin; | 1 \*\* Flore Civic Centre
Cnr Queen and Cross Streets | Gereilsten | PO Box 145 | Germisten | 1460
Tel: 427 | 11 990 9906/7 | Fax: +27 | 11 999 1564 | Website; www.ckurhuleni.gov.au

Enquiries: Nomso Mgida Tel : 011 999 1252 / 064 701 3623 Email : pansa mgida@ekumuleni.gov.za

Mr Neo Smauel Maneng Faculty of Humanities Centre for Gender and African Studies University of Free State P.O. Box 339 BLOEMFONTEIN 9300

Per Email: Maneng80@gmail.com

Dear Mr Maneng,

RE: REQUEST FOR PERMISSION TO CONDUCT RESEARCH AT THE CITY OF EKURHULENI UFS STUDENT NUMBER: 2009066537

We acknowledge receipt of your request to conduct research at the City of Ekurhuleni Metropolitan Council in respect of your master's degree thesis titled: Power sharing in South African Municipalities: The Case of Ekurhuleni and Nelson Mandela Bay Metropolitan Municipalities from 2016.

This letter therefore serves to grant you the permission to conduct the research noting that your research will involve interviewing the Executive Mayor, Speaker and Chief Whip of Council.

As indicated in your request, it is our hope that you will share the final approved thesis and policy recommendations with the City of Ekurhuleni to help improve power-sharing, governance and ultimately service delivery in the City.

We wish you all the best in your research.

Sincerely,

Cllr Mzwandile Masina Executive Mayor Date: 85 | 01 | 9001

158

# APPENDIX D: RESEARCH INFORMATION LEAFLET AND CONSENT FORM



### RESEARCH STUDY INFORMATION LEAFLET AND CONSENT FORM

#### DATE

2020-2021

#### TITLE OF THE RESEARCH PROJECT

Power sharing in South African Municipalities: The Case of Ekurhuleni and Nelson Mandela Bay Metropolitan Municipalities from 2016.

#### PRINCIPLE INVESTIGATOR / RESEARCHER(S) NAME(S) AND CONTACT NUMBER(S):

Name of student/researcher Maneng, Neo Samuel Student number

Contact number 0727111517

2009066537

#### FACULTY AND DEPARTMENT:

Faculty of the Humanities Research Development Department (Bloemfontein Campus)

#### STUDYLEADER(S) NAME AND CONTACT NUMBER:

Ellis, Willem 051 4012470

#### WHAT IS THE AIM / PURPOSE OF THE STUDY?

This study aims to investigate how power sharing/party coalitions affects the stability and performance of municipalities in South Africa. Its purpose is to bridge the gap in the research and to develop policy recommendations that could improve municipal governance and service delivery. It will highlight advantages, disadvantages, lessons, and limitations of power sharing in South Africa's municipalities.

#### WHO IS DOING THE RESEARCH?

My name is Neo Samuel Maneng, a master's student at the University of the Free State. I work as the Chief Whip in the Provincial Legislature of the Northern Cape. I am conducting this research in fulfilment of the requirements of a master's degree.

#### HAS THE STUDY RECEIVED ETHICAL APPROVAL?

This study has received approval from the Research Ethics Committee of UFS. A copy of the approval letter can be obtained from the researcher.

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Approval number: UFS-HSD2020/1437/1611

#### WHY ARE YOU INVITED TO TAKE PART IN THIS RESEARCH PROJECT?

I would like to invite you to participate in this research because you are a key role player in a municipality governed by a power-sharing arrangement in the form of a multi-party coalition or alliance. The approximate number of participants in this project will be eight.

#### WHAT IS THE NATURE OF PARTICIPATION IN THIS STUDY?

Should you agree to participate in this research, your role would be to provide insights based on your experience with power sharing by answering interview questions. The study involves telephonic and/or email-based semi-structured interviews. The expected duration of this research is about one year, but the expected time for your interview is less than an hour. The interview questions will focus on your experience with power sharing since the 2016 local government elections, whether coalitions/alliances bring stability or not and how they affect service delivery, and what recommendations you can make.

#### CAN THE PARTICIPANT WITHDRAW FROM THE STUDY?

Being in this study is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a written consent form. You are free to withdraw at any time and without giving a reason.

#### WHAT ARE THE POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY?

You may potentially benefit from this study because it is an opportunity for you to provide insights that could ultimately improve the practice of power sharing in South Africa's municipalities. The municipality and wider community will also benefit from improved stability, performance and governance of municipalities governed through power sharing.

### WHAT IS THE ANTICIPATED INCONVENIENCE OF TAKING PART IN THIS STUDY?

The possible risks to you in taking part in this study are loss of work/study time and financial costs, and I have taken the following steps to protect you from these risks: I will use telephonic and/or email-based interview and hold the interview at a time that is completely convenient to you. To address concerns about loss of privacy, reputational harm, or possible negative impact on professional/political relationships, your participation will be anonymous unless you expressly indicate otherwise.

WILL WHAT I SAY BE KEPT CONFIDENTIAL?

205 Nelson Nandelo DriveRylsan, Park WestParkvess, Boemfontein 9301, South Africa/Suid-Africa P.O. Boo/Poetus 339, Bioemfontein 9300, South Africa/Suid-Africa, T: +27(0)51 401 9111, www.ufs.ac.za.





Should you choose to remain anonymous, your name will not be recorded, anywhere and no one will be able to connect you to the answers you give. Your answers will be given a fictitious code number or a pseudonym and you will be referred to in this way in the data, any publications, or other research reporting methods such as conference proceedings. Your answers may be reviewed by people responsible for making sure that research is done properly, including the transcriber, external coder, and members of the Research Ethics Committee. Otherwise, records that identify you will be available only to people working on the study, unless you give permission for other people to see the records. A report of the study may be submitted for publication, but individual participants will not be identifiable in such a report.

#### HOW WILL THE INFORMATION BE STORED AND ULTIMATELY DESTROYED?

Hard copies of your answers will be stored by the researcher for a period of five years in a locked cupboard/filling cabinet at the University of the Free State for future research or academic purposes; electronic information will be stored on a password protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable. The information will then be destroyed by deletion (electronic) or shredding (hard copy).

### WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICPATING IN THIS STUDY?

Your participation in this research project will be entirely voluntary and thus there will be no financial or other incentive or reward.

#### HOW WILL THE PARTICIPANT BE INFORMED OF THE FINDINGS / RESULTS OF THE STUDY?

If you would like to be informed of the final research findings, please contact the Centre for Gender and African Studies on 51 401 3121 or email cgas@ufs.ac.za. Should you require any further information or want to contact the researcher about any aspect of this study, please contact Neo Maneng on 0727111517 or email 2009066537@ufs4life.ac.za. Should you have concerns about the way in which the research has been conducted, you may contact Willem Ellis on 051 4012470 or email EllisWF@ufs.ac.za.

Thank you for taking time to read this information sheet and for participating in this study.

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## CONSENT TO PARTICIPATE IN THIS STUDY

l	(participant na	me), confirm that the person asking m
consent to take part	in this research has told me about the nat	ture, procedure, potential benefits an
anticipated inconve	nience of participation.	
I have read (or had i	explained to me) and understood the study	as explained in the information shee
I have had sufficien	t opportunity to ask questions and I'm p	prepared to participate in the study.
understand that my	participation is voluntary and that I am	free to withdraw at any time withou
penalty (if applicabl	e). I am aware that the findings of this stud	dy will be anonymously processed int
a research report, jo	urnal publications and/or conference proc	ceedings.
agree to the record	ling of the telephonic and/or email-based	(written) interview.
I have received a sig	ned copy of the informed consent agreem	ent.
Full Name of Partici	pant:	
Signature of Particip	ant:	Date:
Full Name(s) of Rese	sarcher(s):	
Signature of Resear	ther: Neo Samuel Maneny	P Date: 21 May 2021

205 Nelson Mandela Drive Rylsan, Park West Parkwes, Brownlontein 9301, South Africa Suid-Africa P.D. Soc Poabus 339, Bioemfontein 9300, South Africa Suid-Africa, T. +27(0,d1 401 9111, www.uts.ac.ra.



APPENDIX E: RECRUITMENT EMAIL

Dear Sir/Madam,

I trust that you are well. My name is Neo S. Maneng, a master's degree student at the

University of the Free State.

I am conducting research for a thesis titled, "Power-Sharing in South African

Municipalities: The Case of Ekurhuleni and Nelson Mandela Bay Metropolitan

Municipalities from 2016."

Given your position as a Mayor/MMC/Councillor in Nelson Mandela Bay Metro, I would

like to invite you to participate in this research as an interviewee.

Should you be amenable to this request, please consider signing the attached informed

consent form. Your participation will be in an anonymous capacity.

I look forward to your response and participation.

Kind regards,

Neo S. Maneng

163

# **APPENDIX F: INTERVIEW RESPONSES**

# **Interviewee 1 (unedited written response)**

Question	Answer
What has been your experience with power sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?	Parties in Coalition partners when it starte it was new to everyone nobody has the experience of Coalition government, The agreement was not signed in to party to party and the clear programme was not presented instead few individuals were negotiating about their individual interest instead of the party. The only thing was clear was the agreement btween the parties that they are gorvening together without clear considered the how part.
Would you say there has been stability or instability in the municipal council since 2016 and why?  In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?	In terms of compliance to gorvenance programme there is stability however political there is no stability.  The municipal performance service delivery is still the same nothing has improved bcoz the crisrs was not necesarrily on service delivery issues but the more democracy matured everbody and every party believes that can lead.
What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?	I think as South Africans we must just admit that coalition is there to stay. Party leaders must tolerate each other and understand what put them together is service delivery People have interest in services than politics.  It shows that the more democracy is maturing people will elect leaders that will serve and listen to them instead of the emblem of political parties.

# **Interviewee 2 (unedited written response)**

Question	Answer
What has been your experience with	I was part of the coalition in the City of
power sharing and party	Ekurhuleni between 2016 and 2021, and
coalitions/alliances in Nelson Mandela	my responses will be for that period:
Bay/Ekurhuleni metropolitan municipality	Our success was based in that the
since the 2016 local government	biggest party fill all the MMC, Mayor,
elections?	Speaker and Chief Whip positions and

	that the other coalition parties fill the Chairperson positions on oversight and standing committees. In other words the oversight over the executive was independent.
	It worked very well in the City of Ekurhuleni as we had the same mayor for 5 years. The coalition was led by the ANC, with the PA, AIC, IFP, PAC, and IRASA the coalition partners. I received many threads from residents and other political parties because I was in a coalition with the ANC as a ratepayer's organization, but I did it for stability. It took me nearly 3 years to explain it to my voters and the residents in Ekurhuleni.
Would you say there has been stability or instability in the municipal council since 2016 and why?	The City of Ekurhuleni received the award as the most stable Metro in South Africa, even more stable as the City of Cape Town because we had no leadership changes in 5 years. It was also how we structured the coalition as explained in the previous question. One must remember that the ANC only needed 4 extra seats to form a coalition.
In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?	Yes service delivery improved because oversight came mostly from other parties and we could hold the ANC accountable. We had Coalitions summits to ensure that we can make sure that service delivery was a priority. ESKOM with load shedding had a huge effect on service delivery as it still has. However the DA led coalition in Ekurhuleni currently is falling apart because they are a minority party coalition and is currently kept into power by the EFF. They have to adhere to EFF policies or else they will be voted out which is very dangerous for the democracy in Ekurhuleni.
What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?	Parties must form coalition with minimum parties in the coalition and with parties that have the same principles. Political parties should not be power hungry, they must put the residents first.

### **Interviewee 3 (unedited written response)**

Question	Answer
What has been your experience with power sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?	Coalitions are by their nature part of the democratic outcome, and in SA, they are a feature of a multi-party democracy. They are dependent on the spirit of compromise, tradeoffs and political management in order to ensure that the voters' choice on which political parties must be represented in a power sharing arrangement is recognised. All political parties contest elections on the promises made to serve the community better. However, once reality of coalition relationship is inevitable after elections took place, parties have to look for a coalition partner who shares or who has visions aligned to theirs. The coalition's agreement are drawn based on service delivery objectives and in line with manifestos of coalition partners.
	Furthermore, once the political parties have agreed on this coalition, a framework/agreement /understanding has to be developed to govern this arrangement and to create platforms for engagement in order to assess it from time to time. The coalition agreement is a working document managing or guiding the relationship. Also of importance to remember is that coalition is about parties coming together to represent different views and constituencies. Therefore, each political party represented in a coalition partnership would expect to be accorded some form of respect or power of recognition in order to advance its own agenda and/or political ideology.
	The City of Ekurhuleni has been fortunate, in that it has been in a coalition arrangement with parties that seems as outlined above seem to share and are

aligned to development of a better City

working together. The partnership under the current term of office prioritized the objectives of section 152 of the Constitution to provide services to the communities as the basis for their coalition agreement.

The City of Ekurhuleni is one of Metropolitan City's, that has been on a coalition arrangement, that has not led to dissolution of Council, change of political heads through motions of no confidence and/or due to breakdown of coalition management. This is mainly due to the maturity demonstrated by coalition partners to focus on service delivery and resolving their differences where such arises from time to time. Therefore, the City has been managing the ANC led coalition partnership with minority parties based on ensuring a stability of the municipality in order to discharge its Constitutional obligations.

Would you say there has been stability or instability in the municipal council since 2016 and why?

In my previous respond, we have made reference to that fact that City of Ekurhuleni would be one of the metros in SA where there has not been any change in leadership, dissolution of Council or total collapse and failure for Council to discharge its mandate as per the Constitution.

If you check through the records, the City has through majority votes in Council approve matters relating to obligations in Section 152 and 3 of the constitution. The City has continuously during the period of 2016 to 2021 approved annual budget, pass By-laws, review rates and taxes, held successful public participation programmes, and approved and reviewed its Integrated Development Programme (IDP). All these cannot be achieved without agreement of majority of votes and stability in the municipality – the strength of coalition partnership. The City

In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?

has been stable and functional under the coalition government.

The service delivery of the COE has improved drastically based on comparison with previous terms of office, this is despite the challenges occasioned by covid-19 pandemic. The City has been able to improve its cash reserves, on the current financial year 2020/21. The City also have maturing loans, able to deliver capital expenditure, whilst other municipalities are complaining about cash in hand in comparison. The City is able to meet its financial obligation. In the current financial year, the COE has been allocated non-spend grant by National Treasury from failures of other municipalities to spend in order to support its capital programme. The COE also consciously strive for clean audit which, enable it to create a culture of fiscal prudence and accountability.

The City launched a very ambitious and exemplary project, of turning the City into an Aerotropolis City, we have indeed implemented and continuously make the City, a better City. The COE is also releasing the strategic land parcel to the market calling for investors to attract investment and ensure economic growth. The President has been given an approval to build a university within the City, this project is underway. The Executive Mayor recently opened a state of the art hotel in OR Tambo Airport.

The City has also received many accolades in terms of service delivery during the course of the current term of office. This also includes the recognition of its City Manager as amongst the best administrator in the country.

The City is in a process of continuously improving and upgrading dilapidated town

in line with its urban renewal programme as part of GDS 2055 strategic framework and slowly turning the City into an industrial and manufacturing hub which it was.

The City also through its CRM and Call Centre has been able to attend to its residents in terms of responding to complaints and resolving service delivery breakdown. The Executive Mayor initiated the Siyaqhuba Outreach Programme in order to ensure that the City is able to respond to the City's service delivery challenges.

The basic services in the City are provided in a sustainable, efficient and effective manner despite challenges that may arise from time to time, wherein the system is able to respond to them in general.

What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?

Coalitions and power sharing set-ups in governance are difficult and require proper system of engagement and consultation regularly. The following recommendations are suggested to improve municipal governance, stability and performance in a power sharing arrangement:

- Coalition Agreement the parties in a coalition agreement must have a guiding principle document that must govern the relationship. The basis of this document must be to achieve the Constitutional objective of local government.
- All parties must be given respect, role and recognition in the power sharing agreement. The coalition must somehow be beneficial to all parties in the arrangement.
- Information sharing and consultation on critical issues that needs approval of majority votes.

## Interviewee 4 (unedited written response)

Question	Answer
What has been your experience with power sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?	The ANC led coalition has lasted the entire term 2016 to 2021 but service delivery was compromised as coalition partners were satisfied by the ANC.  I have noticed and observed poor service delivery in DA run wards because the ANC led coalition adopted a pro poor budget stance and channeled the bulk of the budget towards stronghold areas of coalition partners.  A sense of entitlement also increased among coalition partners to the detriment of rate payers in the more affluent areas.  The current multi party coalition under the leadership of the DA has adopted a back to basic approach to service delivery. The budgeting process has delivered a budget that will definitely seek to reverse the damage caused to service delivery
Would you say there has been stability or instability in the municipal council since 2016 and why?	systems over the last term.  The ANC led coalition was largely stable. The DA, official opposition brought at least 2 vote of no confidence motions in the mayor which was defeated.
In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?	Declined.

What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?

I am of the view that SA is not ready for stable coalition agreements because party ideologies differ too much. The party with the biggest share of the vote must be allowed to occupy all executive positions. Smaller coalition partners should occupy some of the section 79 and 80 portfolio committee chair person positions to be able to hold the executive to account.

The executive mayor must have full control over the executive. As it currently stands, some members of the executive committee takes instructions from their party bosses and must implement their manifestos similtanously which cause wires of service delivery often crossing.

#### Interviewee 5 (unedited written response)

Question	Answer
What has been your experience with power sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?	Unfortunately, the history of coalition governments has not been very good in NMBM since 2016, as from time to time the local governments have changed powers and there have been certain parties that have been branded already for flip-floppers.
	But SA and all municipalities are entering a new era and that is of coalition governments, now at municipal level and the pattern will also have to be adopted at national level at the end of the day.
	The ANC does not have a good record nationwide and in NMB and the decay is clearly visible.
	The alliances that are concluded with each other are unfortunately not for the best of the voters, but for their own gain, especially in light of what is currently happening with NA and DOP where their parties do not support the councilors -

	specifically about power attitudes and monetary gain.
Would you say there has been stability or instability in the municipal council since 2016 and why?	Instability is unfortunately the order of the day, as infighting from coalitions breaks up alliances. Again, it was driven by selfgain and a power game.
In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?	Service delivery has weakened as experts are being fired to make way for cadre appointments.
	Because there is no stability at the political level, the administrative part exploits it by exercising corruption, theft, and poor control over their departments.
What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?	There should not only be a ruling party and coalition partners on the one hand and an opposition party (ies) on the other.
	All councilors must govern "together" and this must happen on a sliding scale of how many seats a party has won in elections.
	All parties within an order must accept accountability within such an order or local government.
	Strict action must be taken against those who are guilty of corruption, maladministration and irregularities.
	Each department must also be held accountable and if they do not perform, they must also be dismissed.
	The biggest problem is that councilors have no power over the administrative part, so most good intentions are out the back door if the departments do not have the will to provide services.

# Interviewee 6 (unedited written response)

Question	Answer
What has been your experience with	Coalition governments is the most difficult
power sharing and party	thing to be part of especially in Local

coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?	Municipalities. The different values and principles shared by political parties makes it harder to deliver on their manifesto promises.  The coalition agreement made by the DA in 2016 with all other parties was very hard to managed since smaller parties was more in for the big positions than delivering services to the people because they were not accountable to anyone and after two years they were voted out because some did not stick to the coalition agreement anymore. It seems that coalition will be the future of SA we better start to find ways to make it work.
Would you say there has been stability or instability in the municipal council since 2016 and why?	Not really because it was something that was never experienced in NMB before so we had to create way to make it work, As I was saying in the above the different values and principles shared by political parties makes it difficult. But I believe as times goes on we will development an agreement that will work for all parties.
In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?	I must say the executive mayor we had in 2016 did a very good job by bringing NMB from the second last worst Municipality in the Country to the second best Municipality in the country. Service delivery improved for the first two year in 2016 after that it declined. So it all depends on who are the government of the day.
What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?	Share similar philosophies and policies in order to make the coalition work. Shared responsibilities equally amongst each other Share information regularly Openness and honesty among members All members must understand the structure

## Interviewee 7 (unedited written response)

Question	Answer
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What has been your experience with power sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?

It has been cumbersome and has led to a focus on ego's rather than actually serving the residents on Nelson Mandela Bay. In 2016 the DA was a in a threeparty coalition with the ACDP, COPE and the UDM. This coalition lasted until 2018. The biggest problem with power sharing in my opinion was that individuals put themselves above their parties and the needs of the people of the metro. It became position hunting rather than serving the residents. Every item had to be discussed so micro managing was the biggest drawback. Something that would usually be approved and go out to assist the residents would take weeks/months or in some cases not even get approved because of the infighting.

Would you say there has been stability or instability in the municipal council since 2016 and why?

Definitely instability. The fact that so many one-seater parties are elected they become king makers and thus a party that received 1% or less of the voting public support ends up receiving key positions in council. This is clearly not reflective of the wants of the people but yet in order to manage the metro without an outright majority for one party this becomes necessary. This then leads to instability because if the party isn't happy one day they can leave the coalition and form a new coalition with someone else.

In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?

It has declined without a shadow of doubt. The instability of coalitions in Nelson Mandela Bay has left with everyone being scared of making a decision that would lead to a political party leaving a coalition for another. Service Delivery is impacted because many good ideas don't make it to council due to not every party being happy and thus a possibility of a party leaving the coalition.

An example of this would be the insourcing of security in Nelson Mandela Bay. That decision led to many people

now earning a salary but not doing the work. The beachfront of Nelson Mandela Bay always had dedicated security but since the insourcing these security have vanished and millions Rands of damage through vandalism has occurred. The coalition agreement needs to be What recommendations would you make to improve municipal governance, stability written in such a way that a breach of the and performance in a power sharing agreement would lead to sanctions. arrangement? Positions have to be clearly discussed and a 5-year plan needs to be incorporated. Coalitions also need to be formed with political parties that share the same values, principles and beliefs as much as possible. You can see when a coalition didn't consider what they agree and disagree on when it comes to values. principles and beliefs. Coalition partners also have to understand how many residents they represent. If you have one seat vs a political party that has 45 seats then you have to understand that you speak for a small portion of the public.

#### Interviewee 8 (self-recorded audio responses; transcribed by researcher)

Question	Answer
What has been your experience with power sharing and party coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections?	The struggle with a coalition is finding a balance between the majority party that has the seat and the second biggest majority party that has the seat. Their ideological and political view, one, becomes a barrier; two, their approach of unseating each other becomes a barrier.
	Then there are opportunistic parties, the small parties that if you come into government with them, you become a coalition. Those smaller parties are looking to have seats that their constituency could not give in terms of voter turnout. Now they become what is called kingmakers in the process. That has been a struggle that is affecting service delivery because on issues that are council-based, issues of discussing

interests of individuals become more prominent rather than council issues.

A typical example in Nelson Mandela Bay is the issue of the municipal manager, which has become a thorny issue for a couple of months whereby it even further on affected the passing of financial budget because of smaller parties that they sit in a coalition with. They demand the same status or recognition that they didn't get through their constituency or proper election processes.

Would you say there has been stability or instability in the municipal council since 2016 and why?

There hasn't been stability in the metro. Coming into this year, there has been mismanagement of funds close to a couple of billions for this process. There has been a tendering process diverted from normal processes where you'll find that officials would prefer that chaos existed as it would allow them to run certain projects unnoticed.

The respect or lack of respect for councillors for work to be done affects that process because knowing that your boss could change anytime there is disagreement within that coalition feeds that because one MMC to another, will have a different approach on how they see things.

Other issues would be dangerous to council and community pertaining service delivery because individuals would have preference on certain things and influence the direction. Others would be afraid of losing power would accept that responsibility even if it's unconstitutional or would cause harm later on. Case in point – insourcing of security personnel has rendered the municipality into a devastating close to a billion in losses, property damage losses, due to the fact that the municipality cannot insource enough personnel rather than they would

have outsourced. The bill has since tripled if you're insourcing rather than outsourcing.

The issue of rapid growth of informal settlements – one of dangerous coalition approaches whereby parties took a decision not to prosecute people that are occupying land of the municipality.

So those are the issues that you would feel are causing instability because opportunistic approach from different parties causes that instability and officials know that from any day now there will be a change in the regime, there will be a new boss, so whatever they would have done could fly under the radar of not being noticed.

In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?

I must say that service delivery has decreased since the approach of coalition government. If you looking at now again the municipal metro, we are sitting with a drought, whereby measures and plans should have been if the municipality was stable. Two, we are sitting with the issue of land occupation and non-delivery of housing – that issue relates to that.

We are sitting with a deficit whereby outsourcing of basic service delivery points of the municipality are outsourced, like refuse removal, whereby trucks of the municipality to remove rubble or rubbish have been standing in the depot for years. Now they are outsourcing security personnel, that is, they don't have the capacity to run the security processes of the municipality.

You're talking in terms of staffing – the municipality is understaffed and therefore hampers service delivery. You're talking of instability of the business sector under the SMME whereby there is a strong talk of having everything going to the SMMEs

	and causing instability within the service delivery approach.
	So, all of those issues are causing a lack of service delivery because those major issues are playing into the gallery of the so-called coalitions because if SMMEs are aligning themselves with a certain political party that is seen to be a kingmaker, their needs will be met.
	If private businesses align themselves with certain political parties that are kingmakers, their needs will be met, therefore stripping the municipality of delivering basic services, giving them opportunities to outside contractors that do not fully provide that service rather than the municipality employing individuals into those posts.
What recommendations would you make to improve municipal governance, stability	The advice that I would give is changing the model of the municipality structures
and performance in a power sharing arrangement?	when it comes to elections. I just forgot the model now whereby I think eThekwini in Durban they are using it, whereby parties that have the hugest seats are given certain number of seats and portfolios to manage and govern. It's not based on whoever wins must be given those. Parties are given the responsibility to manage that process. Let's just forget the model that is used.
	One of the projects are the municipality that we're looking into and checking its pros and cons in terms of can it work within that approach was the only way to remove this hyena approach of the small parties is to have a different system or model.

# Interviewee 9 (self-recorded audio responses; transcribed by researcher)

Question	Answer
What has been your experience with	Since 2021, I have been elected to be a
power sharing and party	councillor within ActionSA within the City

coalitions/alliances in Nelson Mandela Bay/Ekurhuleni metropolitan municipality since the 2016 local government elections? of Ekurhuleni and we find ourselves in a multiparty coalition agreement with the Democratic Alliance [which] enjoys being... occupying the mayoralship, the speaker, the Chief Whip of Council and they also have five MMCs, while ActionSA has one MMC and that is the Community and Safety portfolio. The Patriotic Alliance enjoys two MMC positions and that is Housing and Health and Social Development. The IFP occupies Transport and Roads. COPE enjoys Infrastructure and that makes 10 MMCs, the Mayor, the Speaker and the Chief Whip – the leadership of the municipality, the political leadership that is concerned.

ActionSA is a caucus of 15 members. We are a fully fledged and recognised caucus and with other political parties, the arrangement is that as leader of caucus myself, of ActionSA, with other leaders of political parties that have formed a coalition agreement to form a government in Ekurhuleni have formed a committee, what we call the Coalition Management Committee, that is the CMC, and obviously true to its nature, government and local government specifically in abbreviation.

So the CMC acts as a management of the coalition in Ekurhuleni and of course not to leave out the FF Plus and the ACDP, they also form part of this agreement. The leadership of all caucuses meets once a month and the purpose of that meeting is to specifically identify the threats, weaknesses, strengths and opportunities of the agreement to manage any political fallout or dynamics and to advise the Mayor and MMCs on some of the coalition agreements that we have agreed upon,

and this has since worked because what it does is that it manages the coalition.

You would remember that from 2016 to 2021, we had a dominant party; one can also say that it was an ANC-led administration, and post the 2021 local government elections, one cannot say that there is a dominant party. The coalition is a coalition of equals, and each party has an equal say on the table, and this is very important to note, because no one has the mandate. The voters have elected and chosen this arrangement in Ekurhuleni and other municipalities of course. But the Coalition Management Committee is very important because it manages any potential risks to the coalition. Discussions vary from the appointment of the CM, the appointment of section 79 and section 80 committees. the work of the administration itself, service delivery complaints, Auditor-General's reports... It manages, it acts as a multiparty working committee in council as you would, which is headed by the Chief Whip, but this mitigates that before we get to the council, this is very important.

Once the CMC has met, a joint caucus meeting is called which comprises all caucuses of all these political parties where an agenda meeting of upcoming councils is discussed and a strategy is devised on how we can move. This is very important because one needs to remember that the ANC remains the single-largest party in the council. The EFF is the next dominant party in council. and the arrangement in Ekurhuleni is so peculiar insofar as that the ANC and the EFF can come together and form a government. They do have enough numbers, and one needs to remember that there are still one party, two parties in

council, so ATM is one, NFP is one, PAC is one, IRASA is one. You still have the UDM, which is a part of this coalition agreement; I think they have three seats, and they you also have the rest of the council. They don't have enough numbers to form a government.

So, the EFF have agreed to vote with the coalition government on an issue-to-issue item and that has meant that the government is stable and that there are consultations throughout the proceedings.

The 2016 local government elections brought forward a multiparty coalition government in the City of Ekurhuleni. For the first time, the ANC dipped below 50 %, which meant that it had to find means and ways of working with other political parties, specifically political parties which were somewhat aligned, at least in terms of policy and in principle, with the ANC, specifically the AIC, that is the African Independent Congress, the Pan-Africanist Congress of Azania was also identified as a political party, and bring those two parties and an independent councillor who represents the Independent Ratepayers of South Africa, that is IRASA, which is largely popular in Ekurhuleni, came together and formed what they deemed as the coalition government and the ANC was the leading dominant party for this reasons.

And the power sharing with that arrangement was that the ANC would assume the Mayoralship with MMCs and the smaller parties would enjoy the chairperson of section 79 and section 80 chairpersons in that regard. The experience is that there was not much difference from the previous administration, that is the 2011 to 2016 administration to what was brought

forward by the 2016 to 2021 administration because the ANC largely remained and enjoyed power and dominance within the coalition arrangement and to a large extent, it was business as usual. My experience then as a councillor is that we say nothing different from that arrangement insofar as that was concerned.

Would you say there has been stability or instability in the municipal council since 2016 and why?

There has not been much instability with the 2016-2021 term of office save for the fact that for the first time in local government we saw the Economic Freedom Fighters coming into council. They had enjoyed in Ekurhuleni about 20 seats, which then entitled them to a caucus and also entitled them to be an opposition party alongside the DA. They were very... they have brought in new politics to South Africa as seen in 2014 when they entered Parliament and the legislatures. It was very interesting to see the dynamics shifting from the national and provincial level to local level, and there was no instability in the City of Ekurhuleni because the ANC was still the dominant party and they were cogoverning with the smaller parties who ultimately were one-seat or two-seat parties and were then swallowed up by the ANC caucus and the ANC bloc.

But insofar as council, the business of council was concerned, there was instability, specifically from the EFF, who together with the Democratic Alliance were a formidable opposition. For the first time there was another caucus apart from the DA who were posing as a serious opposition in council. We saw specific council meetings collapsing, we saw violence and disruption in council, we saw frivolous points of order in council for the first time. The decorum of council was also questioned and this obviously flowed down to section 80 and section 79

committees, specifically oversight committees, where the opposition for the first time was starting to hold the executive to account, and obviously were called in to account.

But more than anything, there was no instability insofar as the city of Ekurhuleni was concerned with its running, its operation and its administration. The instability only extended to the legislative arm of council, which is the council itself, the office of the Speaker, the office of the Chief Whip and the office of the Chair of Chairs.

In your view, has the municipality's performance/service delivery improved or declined under power sharing since 2016 and why?

Insofar as the performance in service delivery in 2016 to 2021 term of office. there has been a sharp decline in service delivery which is largely owed to the power sharing of the multiparty in the city of Ekurhuleni. Coalition governments means there needs to be consultations among political parties, which means there needs to be bargaining amongst political parties, and what we saw was the African Independent Congress, which is a splinter breakaway political party of the ANC itself, having to cause instability insofar as the political dynamics of government is concerned. The AIC is a regional party formed in the Matatiele, Kokstad area, and their existence is owed to the fact that they would like to see that specific area of the country being amalgamated into KwaZulu-Natal as opposed to being in the Eastern Cape.

And insofar as the dynamics in Ekurhuleni, entering the ballot in Ekurhuleni – that is an interesting study on its own and how they managed to get about four seats in Ekurhuleni, which is far removed from the regional politics in Matatiele and Kokstad. But they were nevertheless a dominant party. The national conversations of Matatiele and

the bargaining with Ekurhuleni to form a government – the agreement was that they would form a government with the ANC in Ekurhuleni and that the ANC allows them the opportunity to be amalgamated into KwaZulu-Natal, which means that the trigger of amendments to the constitution, of provincial boundaries, would then go into the Eastern Cape provincial legislature, the NCOP and ultimately have a constitutional amendment with the National Assembly.

When those promises were not met, towards 2018 the AIC threatened the ANC that it would pull out of the coalition and that on its own meant that service delivery was halted; a lot of gives and takes, specific projects and this was with the Public Protector and this was public knowledge in council reports and MPAC, that is Municipal Public Accounts Committee, where specific projects were then granted to specific individuals who were aligned to the AIC, and the idea was that the AIC was then bandied through projects and schemes of the municipality so as to "satisfy them" in the municipality. That also meant that the ANC could survive potential fallouts with the AIC and that they could keep governing through that term of office. So, service delivery was halted insofar as investigations were concerned and key projects were halted. Investigations through the Public Protector was involved, the Auditor-General was involved and there were just so many red flags that some projects had to be halted, overstaying their projected finalisation. So, that was an example of how service delivery was halted in the City of Ekurhuleni.

What recommendations would you make to improve municipal governance, stability and performance in a power sharing arrangement?

[Interviewee did not respond]