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Context and Realities of Policy Implementation in South Africa: Quo Vadis

Sonayena Kenneth Nokele^{1*}

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ABSTRACT

This paper intends to examine the context and realities of policy implementation in South Africa. This is important because South Africa has over the years crafted good policies but suffers from poor implementation. Scholars, policymakers, non-governmental organisation, and target beneficiaries have advanced various reasons contextualizing the root causes of policy failure in the South African context. Such reasons include but are not restricted to, lack of resources, lack of precision and policy design, incorrect policy instrument, lack of leadership, negligence of relevant actors, and lack of precision and clarity in the implementation stage. This paper discovered that in South Africa, there has been a particular emphasis on the delivery of services with the capacity and capabilities of national, provincial, and local government to advance service delivery, however, challenges have been encountered in the implementation processes. This article concludes that actors of public policy implementation must be seen as formal and have access to 'implementation structures' that they can use to advance their own "different interests; values; perceptions and policy preferences during the implementation process. This paper recommends, that the South African government should review the policy implementation strategies with clear contextual considerations to demonstrate the goals. Furthermore, the paper recommends that public policy implementation should be entrusted to suitable government departments that have the necessary administrative capacities.

INTRODUCTION

Good policies are needed in any democratic government to ensure that the government achieves its set objectives. However, it is important to note that, well-crafted policies without proper implementation serve no purpose. Peters (2001), indicates that government policy can only be "real" when it is effectively implemented. This is important because public policy implementation constitutes one of the most important steps in the entire public policy-making process, as public policy implementation refers to when the policy is realised (Howie and Stevick, 2014:582). Since South Africa transitioned from the old apartheid government into the new democratic dispensation, public policy implementation is confronted with a number of problems and challenges. Such challenges and problems include, but are not restricted to, lack of participation as required in terms of South African constitutional democracy, poor leadership, appropriateness of policy in the South African context, lack of monitoring and evaluation, lack of resources, lack of knowledge and skills and so on. Although the authors are mindful of all these challenges and problems hampering effective policy implementation in the South African context, it is within the context of this article to move from a simplistic analysis that is in contact with the context and realities of policy implementation in South Africa. Analysis of the policy implementation problems from such a perspective could result in simple and sustainable mitigations to policy implementation problems. This is the case because proper analysis of literature on public policy implementation reveals that the challenges of implementation in the south African context run deeper than that. Implementing

policies in the context of the South African environment, characterised by political, economic, and cultural issues has created challenges in terms of service delivery. It is for this reason, that this article, analyse the context and realities of policy implementation in South Africa. Since South Africa is a developing country, it is important to note that, there are many factors that must be taken into account when formulating and implementing policies (Cloete, 2011).

Most importantly, issues such as empowering people; meeting citizens first as well as second and third-generation rights must be drafted and implemented. As alluded to by the Public Protector, the African National Congress (ANC) as the lead government has crafted good policies in place to eradicate socio-economic issues across the country, and during the same period, it has signally failed in the implementation of its own policies. This coupled with incompetent leadership in public administration, together with a lack of strategies by the government in mitigating the challenges, further compounds the problems. This paper commences by providing a clear description of public policy implementation and interrogation of public policy implementation in the South African context. This is followed by issues to be considered and the roles of policy implementation actors. This article concludes by recommending measures to be considered in order to effectively implement policies in the South African public sector context.

Conceptualising Public Policy Implementation

Maserumule (2012) considers concepts to be tools for thinking. A clear definition of the concepts underlying

¹ Tshwane University of Technology, Department of Public Management, South Africa

* Corresponding author's e-mail: sonakenny@gmail.com

any discussion is essential for it to be fruitful (Manyaka, 2018). Both public policies and their implementation can be intertwined and used interchangeably to enhance service delivery (Delamaza, 2015:24). In order to effectively implement public policy, it is important to define its scope. In the sense that public policy implementation falls under public policy, these definitions are crucial. Public policy implementation cannot be separated from public policy, since public policy is derived from public policy (Cloete & De Coning, 2011). In his book, Brynard (2009:575) discusses the various stages that public policy must undergo in order to achieve its objectives. Among these stages are problem identification, agenda setting, policy formulation, policy implementation, and policy evaluation. Policy stages are highly dependent on the particular approach followed (Cloete & de Coning, 2011:45). Brynard (2009:575) argues that the implementation of public policy is a process that is influenced by both the administrative and political environments in which it is implemented. It is inaccurate to assume that public policy implementation consists of implementing existing policies, according to Hanekom (1987:54). It goes beyond that when it comes to implementing public policy. Public Protector findings reveal that South Africa's ruling party (ANC) has policies in place to eradicate some of the country's social ills, but they have not been executed as intended. ANC's 2016 policy document confirms this, as it shows the government is addressing policy issues that still exist in the country. In addition, rural areas suffer from "extreme poverty and disease; a lack of recreational facilities; and inadequate educational opportunities" (ANC, 2016). Bond (2014:1-3) and Akinboade et al. (2014:1) still describe these "unacceptable service delivery backlogs and problems that had the potential to threaten internal peace and stability," which may present serious challenges to effective policy implementation and effective service delivery sustainability. Considering both the administrative and political environments in which public policy is implemented, Cloete, et al (2009:575) define public policy implementation as the process of taking into account various "behaviours". As Barrett (2004:259) states, policy implementation is highly politicized, with official actions being shaped by both macro and micro political contexts (Barrett, 2004:259). McLaughlin (1987:172) explained that the main problem with the aforesaid description of public policy implementation is that policymakers do not possess the knowledge to carry out the policies they have drafted, so they are forced to rely on bureaucrats to implement what they have drafted and Parliament has approved. The fact that this description is deemed to be a narrow description of what we are talking about somewhat limits our understanding of it. In Barrett's view, more deeply rooted problems exist in government than lack of understanding (Barrett, 2004:259). Hanekom (1987:54) and Howie and Stevick (2014:582) argue that the implementation of public policy is such a challenging, complex, and complicated social process because all the

relevant stakeholders are involved. Howie and Stevick (2014) support this argument by stating that when public policy is implemented, two issues often arise. The first issue is that of 'compliance', and the second is non-compliance. The question raised is whether the masses will accept and follow this policy once it has been adopted. Additionally, efforts are made to implement it. This article aims to demonstrate this among other issues clearly. If we consider policy implementation as the primary theme of this paper, then lack of knowledge is not helpful, as it assumes that poor policy implementation in South Africa is the result of a lack of understanding among decision-makers.

Public Policy Implementation Actors: *Sumus Quod Facimus?*

Policy actors play an essential role in certifying that correct policy instruments are used and policies are effectively implemented. This is consistent with Cairney (2012) and Colebatch (2002) views, that public policies are implemented through various structures of government institutions in all spheres of government where naturally the public and private often work together in the implementation of some of the public policies. Hanekom (1987:56), have noted that public officials and government departments are charged with the duties of implementing, evaluating, and monitoring public policies. According to Hanekom (1987), Public policy Implementation has been assigned to public officials, and public officials frequently find themselves in the midst of the political arena. This endorses the suggestion brought forward by Pülzl and Treib, (2007:93) that, in order for public policy to be successful, there should be actors who collaborate and assist in implementing public policies and at the same time find mitigations to their problems pertaining to public policy implementation. De Leon and De Leon, (2002) strongly posit that the recognition and consideration of public policy role players are often applied in the democratic approach to policy implementation. As indicated by Munzhedzi (2020), the effectiveness of the policy could be determined by the ability of the implementers to put into practice the expected outcomes indicated in the policy document. As such below, follows the discussion of various actors in public policy implementation.

Legislators

A key role of legislators in implementing public policy is to administer it, advocate for it during implementation, ensure accountability within public policy through statutory control, delegate the implementation of the policy to the different departments best suited to implement it, and ensure that accountability in public policy is maintained through the implementation process. As Knill and Tosum (2012) maintain, parliament's (Legislator's) primary role is to oversee the implementation of public policies. In order to achieve success in public administration, these roles are crucial. Legislators are often involved in the

policy-making process and are consulted regarding public policy administration, including their particular areas of expertise, as well as revising and evoking statutes (Jones, 1977:140; Sabatier and Mazmanian, 1980:552). This is understandable because, without these legislators' roles, challenges and problems of policy implementation will be exacerbated wherein the tripartite challenges of poverty, inequality, and unemployment will bear many fruits.

Public Officials; Political Actors and the Role of the Bureaucracy

Implementation of public policy results in the realization of its meaning. In addition to being a well-known institution, the bureaucracy is responsible for implementing public policy (also known as the government, civil service, and administration (Hanekom, 1987:56). Jones (1977:140) asserts that Max-Webber and other scholars saw bureaucracy as a government system that is given responsibilities, including gruelling and arduous tasks typical of modern-day government. Despite the fact that bureaucracy is fundamental to the implementation of public policy, it is not sufficient to accomplish it on its own (Jones, 1977:143). Other actors also play a vital role in assisting real-life governments in achieving their policy objectives. This is understandable, as Hanekom (1987) argues that public policy is implemented by the same individuals who formally participated in crafting that particular policy. In parliament, these individuals usually act as the primary "formulators of bills" and are involved in the process of passing a bill (Hanekom, 1987:56-57). Several political actors hold positions in all areas of government who influence public policies (Petridou, 2014:12; De Coning and Wissink, 2011:33; Toleikiene and Meskyte, 2014:86). It can be argued, therefore, that public policy processes cannot be conducted without the involvement of political actors, elected officials, and bureaucrats.

Interest Groups (Pressure Groups)

The implementation of public policies in South Africa is heavily influenced by interest groups. This occurs because the demand of the interest group/pressure group and the responses of the elites are in equilibrium. This is critical, as Peters (2001:193) mentioned that interest groups play the pivotal role of serving as "quasi-official arms of the political system" in implementing public policies in that they may have expert knowledge and skills. Jones (1977:141) backed Peters (2001) by arguing that policy documents can only be seen in action when interest groups are offered an opportunity to work together with government departments in implementing such policies. Peters (2001) further adds that interest groups are necessary and they have powers of influencing the policy-making process and public policy implementation. This was perceived in South Africa in the case of: "*Economic Freedom Fighters v Speaker of the National Assembly and Others and Democratic Alliance v Speaker of the National Assembly and Others*" Upon passing judgment in a case concerning the

Public Protector's authority to "take appropriate remedial action", the Constitutional Court decided whether President Zuma would be required to refund a reasonable portion of the money spent on a non-security upgrade to his residence (Nkandla) in his personal capacity. The President, with the assistance of the South African Police Service and National Treasury, failed to determine the reasonable costs of the non-security upgrades and repay a reasonable portion thereof to the State. The Economic Freedom Fighters (EFF) and the Democratic Alliance (DA) decided that since there was a lack of compliance with the Public Protector's remedial action, it would be better to bring legal proceedings against the Speaker of the National Assembly (Speaker), the President, and the Minister of Police to the highest court in the land (Constitutional Court of South Africa, 2016). The aforesaid case elucidates how the interest /pressure group plays a central role in public policy implementation as well as ensuring public money is spent on public interest by respecting the Constitution and holding those who breach the law accountable.

Courts

According to De Coning and Wissink (2011), courts of law are not only responsible for interpreting laws, but also for identifying weaknesses in policy content and implementation. As one of the many duties of the courts, it is their responsibility to ensure compliance with public policies, particularly those approved by the legislature, since Jones (1977:141) argues that public policy implementation in South Africa is weak. This is so because the courts are the only body that draws attention between the legislature (parliament) and the executives in the policy process. This view is supported by Malema (2018) who alluded that in a democratic country once the judiciary is established, the country is declared a banana republic. Hanekom (1987:58) states that law enforcement officers, such as police forces and courts, are responsible for ensuring that regulatory policies within their jurisdiction are implemented accordingly; they are also tasked with overseeing the implementation of passed are tasked with ensuring that government entities are not abusing their implementation authority, according to Knill and Tosum (2012:164).

Community Institutions (Institutional Groups)

Public policy implementation is influenced more by community institutions, which are mostly found in the community. Peters (2001:194) is of the opinion that these institutions are a special class of legitimate pressure groups. As opposed to other interest groups, community institutions play a more particularised role in implementing public policy because their output is specialized. The institutional group includes churches, the military, journalists, policy analysts, influential politicians, the public bureaucracy itself, and even local government (Peters, 2001:194; Miller and Demir, 2007:137).

Additionally, this institution represents elite group theory and institutional-based theory models of politics and public policy. As a result, community institutions have become associated with “stability and normal politics” (Miller and Demir, 2007:141). The following model serves as a practical guide to centralising the role of policy actors in the policy implementation stages, as discussed above.

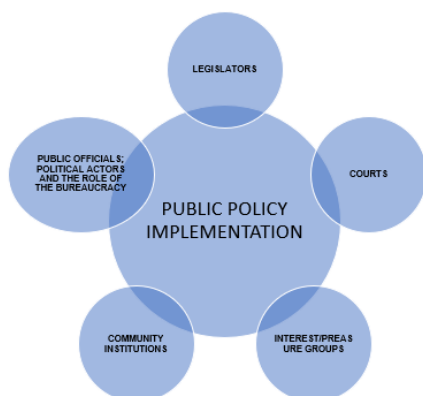


Figure 1: Actors practical based approach model
Source: Authors' own compilation, 2022

Position of Policy Implementation in South Africa: Issues for Consideration

This article has been shown in this article that the fundamental problems triggering policy implementation have transcended the capability of the ruling elite ANC to resolve them. Despite the fact that there are many issues resulting in challenges to policy implementation at the state, provincial, and local levels, it is pertinent to note that this issue occurs within the spaces of national government “(ANC, 2016). According to Berman, (1978:164), public policy implementation problems arise from the central government where national government departments are responsible for implementing public policies. In addition, they are also responsible for influencing local and provincial governments in terms of how policies are implemented (Berman, 1978:164). It is necessary to note that - as a guide to finding mitigations to policy implementation challenges the country faces, it is instructive to understand the nature of policy failure in the South African context for a better understanding of how to improve policy implementation success. There is a growing interest in the concept of failed policies (Munzhedzi, 2020), but Makhetha (2015) has correctly argued that implementation issues fall at the extremity of a failure spectrum. The reason for this is that the situation is unusual (Makhetha, 2015). In the implementation of public policy, six broad issues need to be considered: administrative capability and policy ambiguity, institutional design, social acceptance, compliance and consensus; policy design that is precise and clear, policy instruments chosen, and micro and macro-implementation that is effective.

Administrative Capacities and Policy Ambiguity

Government departments must be entrusted with

the implementation of public policy. Furthermore, inadequate resources may lead to unsuccessful policy implementation or non-implementation of policy. According to Berman (1978:168) and Colebatch (2002:53), “policy ambiguity” or unclear requests originating from the top structures tend to impede the implementation of public policies. According to a literature review on public policy implementation, institutions, regardless of whether they are state or private organizations, require a certain amount of “human capacity (administrative and technical expertise). (Knill and Tosum, 2012:169; Sabatier and Mazmanian, 1980:543 and 547). Bureaucrats are committed to achieving public policy objectives, financial objectives, networks, and knowledge resources in order to accomplish public policy management and implementation (Knill and Tosum, 2012:169; Sabatier and Mazmanian, 1980:543 and 547). Sabatier and Mazmanian (1980:544) maintain that public policy lacks precision, clarity and preference over other public policies.

Institutional Design

Organizational design should also be considered. There is a causal relationship between institutional arrangements and the content of public policy for the effective implementation of public policy (Knill and Tosum, 2012:166), so institutional arrangements should be regarded as key. Institutional change can, however, lead to challenges and problems in policy implementation. It is because, according to Pölzl and Treib (2007:91), Knill and Tosum (2012:166); Hogwood and Gunn (1984:207), institutional change depends on top-down methods, which require the establishment of appropriate bureaucratic procedures to ensure that public policies are implemented as accurately as possible.

Social Acceptance; Compliance and Consensus

Another worrying issue about public policy implementation in South Africa is social acceptance, compliance and consensus. Essentially, Rein and Rabinovitz (1978:312) argue that actors or those impacted by public policy are not taken into account. Non-compliance generally occurs when the masses are forced to bear the cost of a public policy (i.e. when the implications of the policy are unclear) (Knill and Tosum, 2012:170). At the implementation level, the policies that have been crafted to address societal problems and deliver services fail decimally. It is consistent with Salgado’s argument (2013:17), according to which the general public is reluctant to accept public policy, resulting in non-compliance. To this far, this can provoke conflict with other relevant role-players of Public Policy Implementation, such as less structured or informal actors of Public Policy Implementation (Colebatch, 2002:53).

Micro and Macro-Implementation

Another key issue for consideration is micro–macro–implementation. As Berman (1978) noted, micro-implementation and macro-implementation processes

differ profoundly because of their “distinct institutional settings”. Micro-implementation processes are problematic at the local government level within an institutional setting that is characterized by “bilateral interactions; multiple and conflicting policy objectives that are largely immeasurable while simultaneously occurring within an uncertain and uncontrollable environment” (Berman, 1978:176). A macro-implementation process involves all spheres of government, including government departments, courts, and policy actors (Berman, 1978:164-5). During the macro-implementation process, ‘effective power’ rests with macro-structure and local implementers, as well as street-level bureaucrats. Usually, policy implementation failures occur at the national level where departments are tasked with carrying out public policy.

Precision and Clarity of Policy Design

Another issue to be considered is the lack of precision and clarity of policy design, with regard to government intention, which may lead to problems and challenges in policy implementation. A lack of clarity will likely result in a mismatch between intended policy objectives and actual policy outcomes, according to Knill and Tosum (2012:153). As a result, actors often devote more time and energy to bargaining than to problem-solving. Knill and Tosum, (2012:153) and Human, (1998:23-48) argue that the policy design of actors may result in incorrect hypotheses regarding the causal relationship between policy issues and legislative responses. In line with Howlett’s (2009:158) point, “there should also be criteria available for assessing policy goals and that their rationale should be clearly articulated.” To this extent, it is of utmost importance to ensure that policy objectives are consistent with available resources that are in place to achieve the projected policy goals. This is because public policy should be considered for its practicality and feasibility (Howlett, 2009:158; Sabatier and Mazmanian, 1980:543; Parsons, 1995:466).

Choice of Policy Instruments

Another issue for consideration is the choice of policy instruments. As a result of government incapacity and the characteristics of the policy context, policymakers often choose incorrect policy instruments. Therefore, the correct use of policy instruments can improve public policy implementation (Knill and Tosum, 2012:163). It is understandable, as policy failures are prevalent without a proper choice of policy instruments. Knill and Tosum, (2012:163) also add that misusing a policy instrument can result in non-compliance with public policy.

RECOMMENDATIONS

Policy makers often develop policies to benefit holistic citizens throughout the country. There are several issues that hamper the successful implementation of public policies in the South African environment, as discussed in this article. As Cairney (2012:35) points out, policy success can be achieved by highlighting the goals and outcomes

required to ensure ‘successful’ implementation. As a means of addressing some of the challenges associated with policy implementation in government institutions, this paper recommends:

- Resources should be made available to the implementers of the policy. Human capital, skills and expertise are some of the resources needed to implement a policy in a way that will yield high success for it; capital; and the appropriate institutional structures and arrangements necessary to meet the given policy requirements.
- The paper recommends entrusting public policy implementation to government departments with administrative capacity, sufficient resources, and dedicated, committed, and insightful bureaucracies to implement public policies. It is also imperative that the implementation process be structured correctly.
- The South African government should also adhere to the democratic values and principles outlined in Chapter ten, Section 195 of the Constitution of South Africa (1996), thereby minimizing the likelihood of policy failures.
- There must be a central opportunity for policy actors to contribute and participate in the implementation of public policies. In order for this to be successful, all actors must be involved, including the courts, public officials, local communities, the business sector, interest groups, and community-based organizations. The roles of these actors in implementing policy must into consideration by policymakers.

CONCLUSION

This paper sought to highlight to context and realities of policy implementation in South Africa. It has been discussed in this paper that public policy implementation actors are capable to influence the success of public policy implementation as well as ensuring accountability through respect for the constitution and holding those who breach the law accountable. To this end, actors of Public Policy Implementation are seen as formal and have access to ‘implementation structures’ that they can use to advance their own “different interests; values; perceptions and policy preferences during the implementation process. This paper discusses the problems and challenges of public policy implementation derived from ambiguity; when the public policy in question is in conflict with other directives; when the public policy is not regarded as a high priority; when there were insufficient resources to carry out the public policy; or it provoked conflict with other significant actors of public policy; when the target group proved hard to reach; where there is lack of support for the policy; of when the manner in which the deliverance of the public policy occurred was in such a way that it did not have the necessary impact as predicted .consequently the above said issues contribute to the general lack of public policy implementation.

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