

Towards Correlating Subnational Legislative Oversight and Service Delivery as Subnational Level: The Case of Gauteng Province

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Abstract: Legislatures and parliaments are critical democratic governance avenues for accountability and intervene, at policy level, to address the needs of the electorate. Legislative oversight literature provides a reflection on the effectiveness of legislative oversight and the factors underlying such effectiveness as well as its impact on the political posture. However, there is limited interrogation on the role that effective legislative oversight plays on service delivery. Therefore, this paper seeks to conceptualise an empirical research that interrogates the role of effective legislative oversight on service delivery using the Gauteng Provincial Legislature as a case study. To this end, the paper employs a summative thematic content analysis to interrogate the research problem and expose the knowledge gap on this subject. Specifically, to draw out the symptoms and the underlying causes of ineffective legislative oversight as well as the consequences, we make use of the systems thinking – more specifically the problem tree and the theory of constraints. We then use our research problem analysis as well as our research knowledge gap analysis to suggest an appropriate research problem statement, research purpose statement, and the research questions for such as study. We also propose an appropriate research strategy, design, procedure, and methods, as well as the interpretive frameworks that could appropriately guide and serve the empirical part of such a research.

Keywords: Accountability, Legislative oversight, Service delivery, Research conceptualisation, Research context analysis, Research problem analysis

1. Introduction

Legislatures and parliaments alike represent the electorates and are tools of democratic governance. They formulate policy interventions and oversee their implementation (Constitution of the Republic of South Africa, 1996). Fukuyama (2014), as well as Yang and Dubnick (2016) have argued that while legislatures and parliaments hold the executive to account for policy implementation and public expenditure, they also ensure that these interventions align with what the electorates needs. For South Africa, the legislature and parliaments should also ensure that policy interventions are configured to redress the past injustices and inequalities entrenched by the Apartheid regime to disadvantage the Blacks (Habib, 2013).

Invariably, since legislatures and parliaments oversee implementation of interventions then they have a role in service delivery. That said, the increasing service delivery protests, which have doubled between 2015 and 2017, in Gauteng Province are an indicator of growing dissatisfaction among the electorates (Municipal IQ, 2016, 2017a, 2017b). This

casts a shadow on the effectiveness of the legislature to hold the executive accountable vis-à-vis delivery of services to the electorates. However, as we demonstrate in this article, the literature on the role of effective legislative oversight on governance outcomes, including service delivery, is underdeveloped and, thus, leaves a room for us to contribute on this discourse.

We can group literature on legislative studies into two clusters, that is, those focusing on the effectiveness of legislative oversight and those focusing on the impact of effective legislative oversight on governance outcomes. The former interrogates factors underlying the effectiveness or ineffectiveness of legislative oversight and the conditions that influence legislative oversight (Khmelko & Beers, 2011; Pelizzo & Stapenhurst, 2014) as well as the structural functions of legislative oversight (Kinyondo, Pelizzo & Umar, 2015).

The latter focuses on the impact of effective legislative oversight on governance outcomes and remains largely underdeveloped. It explores the relationship between oversight capacity (that is,

the availability of oversight tools) and democracy (Pelizzo & Stapenhurst, 2006), comparative analysis of the effect of legislative oversight on the executive (Pelizzo & Stapenhurst, 2014), and the impact of oversight capacity on corruption (Stapenhurst, Jacobs & Pelizzo, 2014).

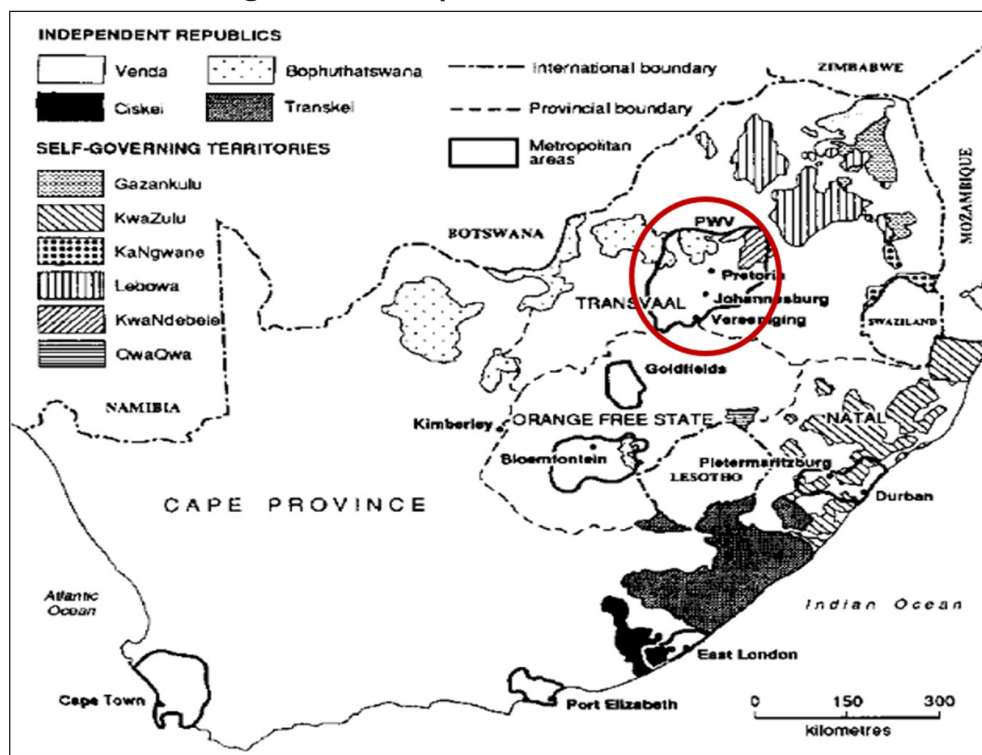
Eventually our study intends to contribute to the scholarship on the impact of effective legislative oversight on governance outcomes, by correlating effective legislative oversight and service delivery. But before we get there, this paper interrogates the literature to conceptualise such a research, that is, what facets of legislative oversight and service delivery, and why. To achieve this, we employ a summative thematic content analysis, described in Wotela (2019), to interrogate literature so that we conceptualise a research that should examine the role of effective legislative on service delivery. In addition, we apply the problem tree and theory of constraints to determine the dynamics of ineffective legislative oversight – that is, symptoms, root causes, and consequences. Our research problem analysis is then followed up with a research knowledge gap analysis in which we interrogate other similar research studies to comprehend what has already been conclusively uncovered and what

is yet to be uncovered. With this knowledge, we then construct the research problem statement, research purpose statement, and the research questions. We also propose the most appropriate research strategy, design, procedure, and methods for such a study as well as the interpretive frameworks that should guide the empirical part of such a research.

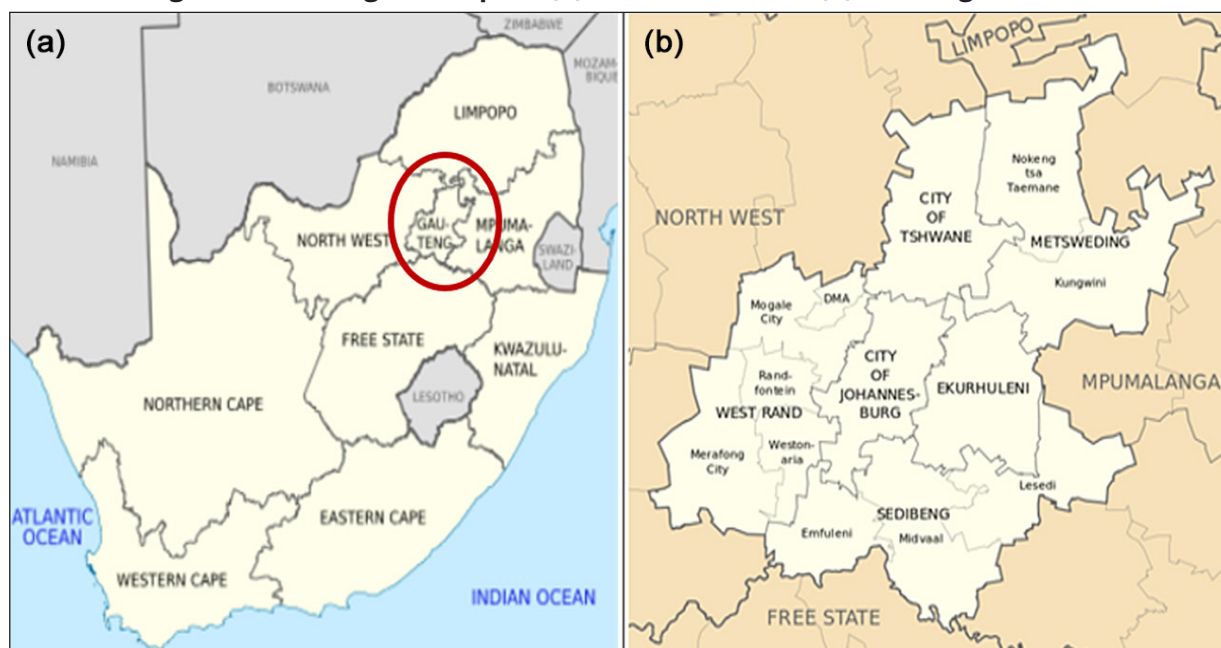
2. Gauteng Province in Context

Figure 1 shows the pre-1994 map of South Africa and its boundaries. South Africa had four provinces namely, the Cape, Natal, the Orange Free State, and the Transvaal. Further, we should also point out the four independent republics, namely, Bophuthatswana, Ciskei, Transkei, and Venda as well as the six homelands namely, Gazankulu, KwaNdebele, KwaZulu, KaNgwane, Lebowa, Natal, and QwaQwa. We should also take cognise of the four metropolitan areas namely, Bloemfontein, Goldfields, Pretoria, and the Witwatersrand-Vereeniging region. The independent republics as well as the homelands were not dependent on the South African government fiscus to run their affairs. This relieved the government from service delivery pressure and expectations of the populace.

Figure 1: The Map of South Africa Pre-1994



Source: Washington State University

Figure 2: Showing the Maps of (a) South Africa and (b) Gauteng Province


Sources: (a) Hlatshwayo and Wotela (2018) and (b) Municipal Demarcation Board

The South African government dismantled the Apartheid structures described above and established Gauteng Province, alongside the other eight provinces, in 1993 during the transition to a democratic dispensation (Erasmus, Viljoen & Rousseau, 1993). Mubiwa and Annegarn (2013) point out that what we call Gauteng Province now comprised Pretoria, Vereeniging, and Witwatersrand located in the south of the Transvaal Province and came to be known as the Pretoria-Witwatersrand-Vereeniging (PWV) or Vaal Triangle region (Mubiwa & Annegarn, 2013; Smith, 1992). The common denominator of these towns was mining and related industries which included the supporting commerce and were the main providers of "water, transportation, and power" (Mubiwa & Annegarn, 2013:7). A few minority groups moved into the PWV region to be closer to these economic industries. The region expanded to annex the towns in the south of Johannesburg, as well as those to the east in the Germiston area. As a consequence, the region positioned itself as the economic engine of the country if not Southern Africa and Africa at large (Mubiwa & Annegarn, 2013; Smith, 1992).

Further, as Mubiwa and Annegarn (2013) point out, the Blacks who had been locked in the homelands in line with the Apartheid racial segregation policies only regarded the now Gauteng Province as a place of work. They were moved in and out of the PWV region as migrant labourers. Earlier, in 1985, less

than 8 million people were living in the PWV region (Smith, 1992). However, the population size of this region increased to about 9 million people six years later (Hattingh, 1998). To date, Gauteng Province is home to about 15,5 million people (Statistics South Africa, 2020).

Figure 2 depicts the boundaries of South Africa and the Gauteng Province. Figure 2(a) shows the nine provinces of South Africa provinces, with the Northern Cape occupying the largest land area. Gauteng occupies the smallest land area (18 178 square kilometres) but its home to the largest population size of 15,5 million (Statistics South Africa, 2021). This translates to 853 people per square kilometre making it the most densely populated Province in South Africa. Figure 2(b) shows that Gauteng Province, home to Gauteng Provincial Legislature and the focus of this study, presides over three metropolitan municipalities namely, the Cities of Ekurhuleni, Johannesburg, and Tshwane as well as two district municipalities namely, the West Rand and Sedibeng (Hlatshwayo & Wotela, 2018).

3. Provincial Legislative Oversight Challenges, Symptoms, Root Causes and Consequences

In this section, we interrogate literature to understand the dynamics of subnational legislative

oversight. We use the problem tree and the theory of constraints to structure our analysis. We discuss the symptoms (oversight challenges) in Section 3.1 and then the root cause to these challenges in Section 3.2 before we zero in on the consequences in Section 3.3.

3.1 Provincial Legislative Oversight Challenges and Symptoms

The challenges facing provincial legislatures are categorised into three, namely, the capacity of legislatures, the autonomy of legislatures, and internal institutional arrangements. The capacity of legislatures includes infrastructure, finance, the number of support staff allocated per Committee, the skills and knowledge of the support staff and that of legislators, the availability of oversight tools to the legislators, and the time available to members of the provincial legislature (MPLs) to effectively juggle between Committee meetings, oversight visits, and scrutiny of executive work and legislation, for example (Acosta, Joshi & Ramshaw, 2013; Lodge, 2005; Madue, 2015; Makhado, Masehela & Mokhari, 2012).

Figure 3 is an illustration of the root causes of ineffective legislative oversight and how these contribute to its symptoms. It also illustrates the effects of ineffective legislative oversight and how it manifests overtime into consequences that are evident in our daily experiences. According to Pottie (2000), the capacity constraints of legislatures is evident in the number of Bills initiated by legislators – the majority of Bills are introduced by the executive rather than legislators. Additionally, the fewer number of support staff allocated to the Committees makes it impossible for legislators to exercise oversight effectively, due to the volume of information that this support staff has to deal with (Makhado et al., 2012). For Lodge (2005), these capacity constraints are rooted in the regulatory frameworks, such as the Electoral Act and the Constitution, that stipulate the maximum number of eighty seats, and the proportional representation of political parties in provincial legislatures.

The autonomy or lack thereof of provincial legislatures from the executive is the second factor that contributes to ineffective legislative oversight. The autonomy of provincial legislatures is described as the provincial legislatures' scope of functional competencies to legislate their scope to raise revenue through taxation, the appointment system of

legislators, and the budgetary powers to allocate resources for to its work (Acosta et al., 2013; Lodge, 2005; Madue, 2015; Maseko, 2013; Pottie, 2000). Although the Constitution is very clear on the separation of powers between the three arms of state, Madue (2015) and Maseko (2013) argue that in practice, frameworks such as the Financial Management of Parliament and Provincial Legislatures Act 10 of 2009, and the political party system, subordinate provincial legislatures to the executive and the political parties they represent.

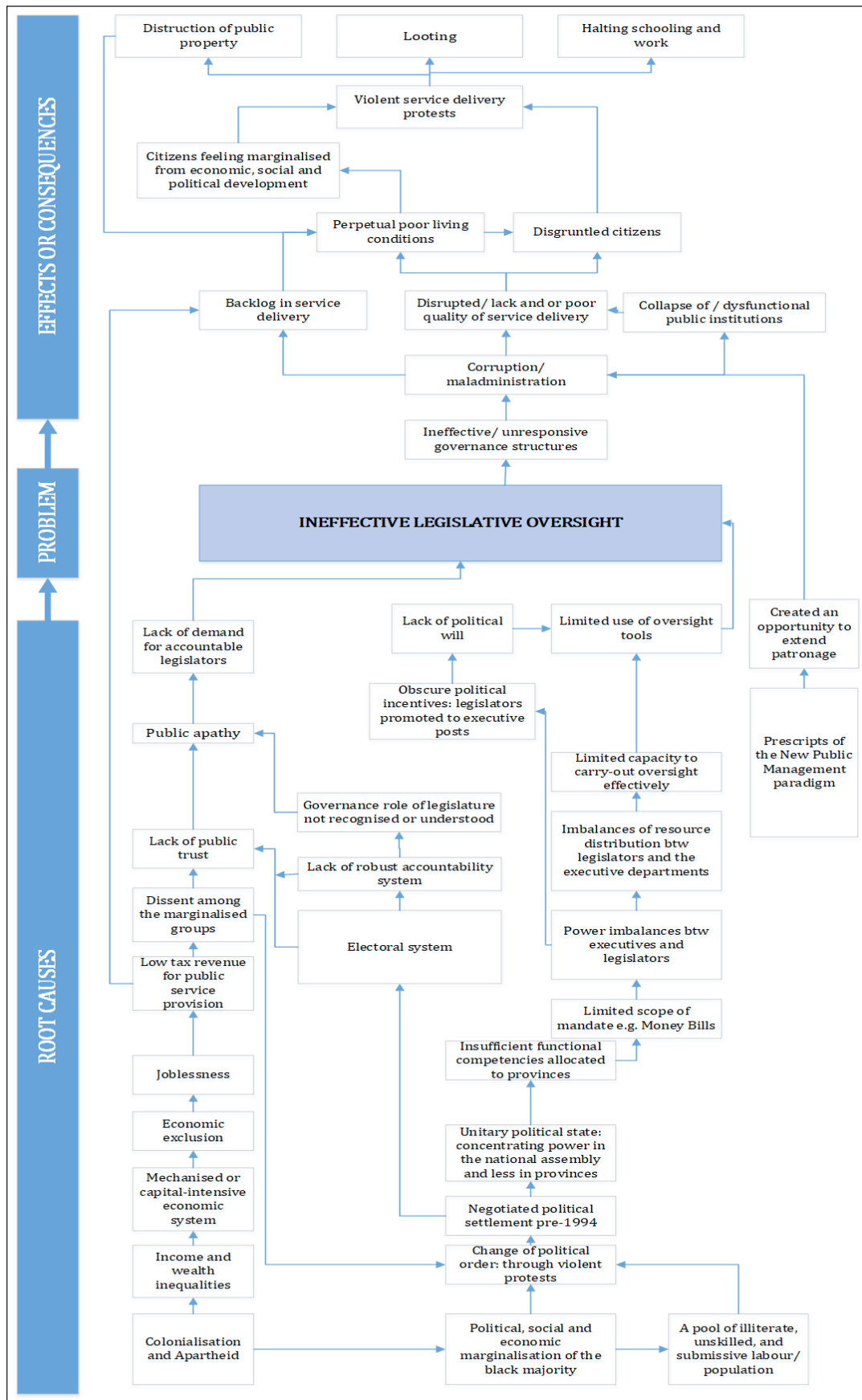
By virtue of the executive having power to allocate financial resources to provincial legislatures, the scope of oversight (Madue, 2015). For both Lodge (2005) and Pottie (2000), the genesis of challenges associated with the autonomy of provincial legislatures and consequently, the effectiveness of legislative oversight, stem from the negotiated settlement reached at the Convention for a Democratic South Africa (CODESA) by the African National Congress (ANC) and the political parties of the time when it came to power in 1994. Basically, the provinces were stripped off of most critical powers that would have enabled them to govern autonomously from the national government (Lodge, 2005; Pottie, 2000).

Lastly, internal institutional arrangements, as well as the co-operation of provincial legislatures with other networks, are factors that contribute to the effectiveness of legislative oversight (Makhado et al., 2012; Rotberg & Salahub, 2013). The internal institutional arrangements refer to the time allocated to questions for the members of the provincial legislatures to ask the executive, the frequency of question time, and the legislative programme, while co-operation and the use of networks to enhance legislative oversight refers to the collaboration of civil society organisations, and the oversight bodies (Makhado et al., 2012; Rotberg & Salahub, 2013).

3.2 Root Causes of Ineffective Legislative Oversight

The root causes of ineffective legislative oversight are complex and rooted in the consequences that resulted from the Apartheid governance and the negotiated settlement that followed thereafter, in the transition to democracy. We, therefore, focus our discussion on the political incentives and political will, and regulatory systems and frameworks that manifest in multiple ways – refer to Figure 3.

Figure 3: Literature Supported Problem Tree Analysis on Ineffective Legislative Oversight



Source: Authors

Acosta et al. (2013), Lodge (2005), as well as Makhado et al. (2012) have argued that political incentives influence the political will of legislators to exercise oversight effectively. These authors posit that although legislators may have a burning desire to serve the public by holding the executive to account, they remain dependent on the same executive through their political parties, to second them to represent their political parties in provincial legislatures and are thus, compromised to serve the public interest independently.

The regulatory frameworks are also a factor that is said to be exacerbating ineffective legislative oversight in provincial legislatures. Rotberg and Salahub (2013) and Madue (2015) note that the political system choice South Africa has presents serious governance challenges. First, it compromises the legislators to act independently and serve public interest instead of that of their master. Second, it has created a wedge between the public and legislators who are supposedly representing their will in the provincial legislature. Lastly, it has depleted the accountability of the very same legislators to the public – by virtue of being elected by their political parties – they account to their political parties instead of the public.

Lodge (2005:748) speculates that the new public management paradigm which promotes "privatisations, deregulation, and preferential procurement" has created a breeding ground for public officials to extend patronage; and because of the political party system, the executive is not effectively held to account (Rotberg & Salahub, 2013). Contrary to other authors, Atkinson (2015) argues that the equitable share of revenue principle, stipulated in the Constitution, is the root of all governance problems in the provinces. Provincial governments have no incentive to perform well since revenue is not performance-based. Therefore, legislative oversight will do little to change maladministration and mismanagement of public resources, for as long as there is "a regular flow of funding" to provinces that is not matched to performance (Atkinson, 2015:36).

3.3 Consequences of Ineffective Legislative Oversight

Acosta et al. (2013) as well as Fukuyama (2014) posit that the establishment of accountability mechanisms is among the key principles of democratic

governance to facilitate public accountability of public representatives to the electorate. Among others, these accountability mechanisms include legislatures and protests. While legislatures make laws and in turn, hold accountable the executive who implements these policies on behalf of the electorate; the protests provide the public with space to demand accountability and immediate response to their pressing needs. According to Acosta et al. (2013), service delivery protest is an alternative mechanism applied by the public when legislatures fail, since they are likely to be reciprocated with an immediate response. Stapenhurst, Jacobs & Pelizzo (2014), have shown the relationship between legislative oversight and corruption. They concluded that legislative oversight tools, if applied effectively, reduce the perception of corruption among the public.

Madue (2015) and Makhado et al. (2012) argue that effective legislative oversight can curb maladministration and improve governance in government institutions, if legislators are willing to apply sanctions against those found to be on the wrong side of the law, and act on the findings of other oversight bodies. Contrary to other authors, Ofori-Mensah and Rutherford (2011) argue that putting the blame for maladministration and financial mismanagement by public officials squarely on ineffective legislative oversight is misguided, since there are various role players in the oversight of these government departments. Moreover, addressing financial misconduct in the public institutions requires capable public officials and their willingness to address misconduct (Ofori-Mensah & Rutherford, 2011).

4. Methods, Data, Findings, and Conclusions of Studies on the Effectiveness of Legislative Oversight and its Impact on Governance Outcomes

With the understanding of the physical setting of the legislative oversight in the Gauteng Province, and the root causes and consequences of ineffective legislative oversight, we now turn our attention to review the selected literature similar to our study. In so doing, we discuss the research strategies, designs, procedures, and methods that these studies have applied as well as its findings and limitations. We do so with a sole purpose of identifying the knowledge gap on this topic within the provincial governance context.

4.1 The Effectiveness of Legislative Oversight

The literature on the effectiveness of legislative oversight has devoted much attention to understanding the factors underlying the effectiveness or lack thereof and conditions that influence legislative oversight (Khmelko & Beers, 2011; Pelizzo & Stapenhurst, 2014); the structural functions of legislative oversight and its effectiveness in performing such functions (Kinyondo, Pelizzo & Umar, 2015).

Khmelko and Beers (2011) set out to determine the factors associated with the perceived effectiveness of Committee oversight in the Ukraine Verkhovna Rada. They applied a quantitative research strategy using secondary data and thereafter, applied descriptive as well as inferential statistical analysis methods to analyse data. They reveal that the effectiveness of legislative oversight was significantly influenced by serving in smaller committees, regular engagement with the executive they oversee, and ensuring the separation of powers between the legislature and the executive. They, thus, conclude that contrary to the findings from previous studies that Committees were an extension of their parties and thus affect the effectiveness with which oversight is conducted, the findings from their study proved otherwise – instead of political partisanship, informational and distributional factors were key. This study is limited to the subjective perceptions of members of parliament on the factors that underpin effective Committee oversight rather than an objective measure that determines the effectiveness of Committee oversight (Khmelko & Beers, 2011).

Pelizzo and Stapenhurst (2014:255) conducted a meta-analysis of research studies that looked at the oversight capacity and legislative effectiveness in West Africa, to support their postulation that "the impact oversight capacity on effective legislative oversight is conditional" and political will is a principal factor. Content, as well as thematic analyses, are assumed to have been employed by the authors of this study. They reveal that the effectiveness of legislative oversight is dependent on three factors, namely: 1) the scope of legislative oversight, that is, the stipulated mandate of legislatures from the regulatory frameworks; 2) the resourcing of legislators; and 3) the political will of the legislators to use the oversight tools. Moreover, that the political incentives namely, the demand for oversight by the electorates, play a significant role on whether legislators will effectively oversee the executive. They

conclude that the presence of oversight tools in legislatures does not translate to its effective use and that legislative strengthening should be extended to the electorates to develop a demand-driven accountability and oversight.

Kinyondo et al. (2015) criticise the scholarship on legislative oversight effectiveness for treating legislative oversight as unidimensional. They employed a quantitative research strategy on a sample of five southern African countries namely, Ghana, Nigeria, South Africa, Tanzania, and Zambia. They used secondary data as well as inferential statistical analysis methods to collect data and analyse the results.

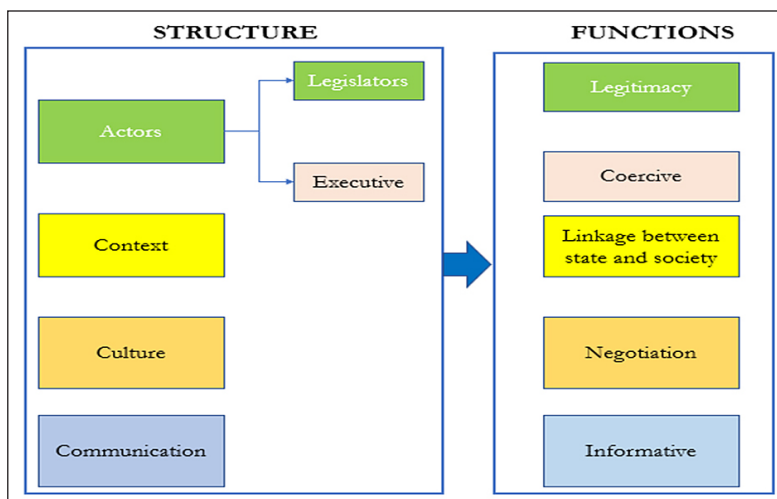
The study reports that except for South Africa, which was effective in all five dimensions of oversight, other countries performed well in some dimensions but not in others. They conclude that legislative oversight plays multi-dimensional functions, and because of this, the effectiveness of a legislature to perform oversight in one dimension does not translate into its effectiveness on other dimensions. Additionally, that the previous attempts by different studies to measure effectiveness as unidimensional as well as approximating it to oversight capacity, erred methodically, as it overlooked the multi-dimensional function of legislative oversight.

This study was limited to the use of only one oversight tool, that is, the Public Accounts Committee's recommendations, also known, as resolutions, and to one Committee, namely, the Public Accounts Committee. As a result, it remains to be seen, whether other oversight tools would derive the same results. Again, whether performance across all the Committees would derive the same results or vary in their effectiveness.

4.2 The Impact of Effective Legislative Oversight

Our search and interrogation suggest that the literature on the impact of effective legislative oversight on the governance outcomes remain underdeveloped. Pelizzo and Stapenhurst (2006), in their study of the relationship between oversight capacity and democracy, reveal that the oversight capacity (equated to number of oversight tools) was the best indicator of the political regime. Mainly, most political regimes that had higher oversight capacity were democratic in nature. They conclude that while oversight capacity was a sufficient predictor of the type of a political regime, liberal democracy to be

Figure 4: Showing Structural Elements and Multi-Dimensional Functions of Legislative Oversight



Source: Kinyondo et al. (2015)

truly achieved, it required effective legislative oversight, that is, effective application of the oversight capacity – not its mere presence.

Despite the findings of the above study and those from Pelizzo and Stapenhurst (2014) that the presence of oversight tools (aka oversight capacity) does not translate into their effective use, Stapenhurst, Jacobs & Pelizzo (2014) went on to use it as a proxy for effective legislative oversight to study its impact on corruption. Although the study is not explicit about the theoretical framework they used, it is assumed that it applied the principal-agent-theory. The study employed a quantitative research strategy and used secondary survey data content analysis, and data code. To analyse the results, inferential statistical methods were applied (Stapenhurst et al., 2014).

They report that the presence of Committee Inquiries was associated with lower level of the perception of corruption. The authors conclude that a "one size fits all approach" to legislative strengthening to reduce the occurrences of corruption is insufficient, because not all oversight tools are effective, and what works in one government, might be ineffective in another (Stapenhurst et al., 2014:300).

5. Conceptualising a Correlation Between Effective Legislative Oversight and Improved Service Delivery in Gauteng Province

We have interrogated literature on the physical context, and similar studies to ours in Sections 3 and 4

respectively, with the sole purpose of identifying the knowledge gap, which would justify this research and inform the choices for how we propose moving forward with the empirical part of the research study. Therefore, this section (which is the aim and objective of this article) proposes how we should conceptualise a research that correlates effective legislative oversight and improved service delivery. Section 5.1 presents the proposed research problem statement while Section 5.2 proposes the accompanying research purpose statement. Section 5.3 presents the proposed research questions as well as the accompanying research hypotheses. Lastly, Sections 5.4 and 5.5 propose the research strategy, design, procedure, and methods, as well as the interpretive frameworks respectively that should guide the empirical part of the research.

5.1 Proposed Research Problem Statement

Undeniably, the apartheid government created development imbalances, particularly of service delivery, in South Africa in favour of the minority White population (Mushongera, 2015; Smith, 1992). South Africa attained its new democratic government in 1994 that aimed at transforming the South African society and redressing these imbalances (Habib, 2013; Constitution of the Republic of South Africa, 1996). Along with this, was the establishment of the Gauteng Legislature and the Gauteng Provincial Government, to facilitate an inclusive and representative provincial governance, and mainstream the historically marginalised into public service provision (Mubiwa & Annegarn, 2013; The Presidency, 2014).

The Gauteng Province is grappling with the consequences of urbanisation (Statistics South Africa, 2017) that have resulted in governance challenges such as poverty, inequalities, and unemployment, like other provinces in developing countries (Edigheji, 2010; Fukuyama, 2014; Kjaer, 2014). It has been plagued by service delivery protests that have more than doubled between 2015 and 2017 (Municipal IQ, 2016, 2017a, 2017b), an illustration of growing dissatisfaction among citizens. This could be attributed to the failure of the democratic governance and accountability machinery to meet the needs of the electorate (Acosta, Joshi & Ramshaw, 2013).

The literature points to several consequences that result from ineffective legislative oversight, such as the service delivery protests (Acosta, Joshi & Ramshaw, 2013), corruption, fraud, and maladministration (Madue, 2015; Makhado, Masehela & Mokhari, 2012; Stapenhurst et al., 2014). The effectiveness in which legislative oversight is performed is constrained by serious underlying factors such as the statutory and regulatory frameworks (Atkinson, 2015; Madue, 2012, 2015; Maseko, 2013); lack of capacity of legislatures (Lodge, 2005; Madue, 2015; Makhado et al., 2012; Pottie, 2000); and the party-political deployment of legislators to legislatures – creating the power dynamics between the legislators and the executive, and in turn, compromises the accountability of legislators (Acosta et al., 2013; Lodge, 2005; Madue, 2015; Makhado et al., 2012). Based on this background, we, therefore, argue that if ineffective legislative oversight is left unattended, it not only contributes to poor governance, which in turn, affects the daily lives of the electorates but questions the very principles of representative democracy, on which the South African democratic government is based.

The literature on legislative oversight has determined the effectiveness of legislative oversight (Kinyondo et al., 2015), its underlying factors (Khmelko & Beers, 2011; Stapenhurst et al., 2014), and the impact legislative oversight has on corruption (Stapenhurst et al., 2014). However, little is known about the role of effective legislative oversight on service delivery and, therefore, leaving us a room to contribute to the discourse.

5.2 Proposed Research Purpose Statement

To empirically establish a correlation between effective legislative oversight and improved service

delivery in Gauteng Province. Governance, as a field of study that houses our study, provides numerous attributes and variables, but we propose that the focus of this study be limited to the resolutions and questions – variables of legislative oversight (Kinyondo et al., 2015; Madue, 2012, 2015; Pelizzo & Stapenhurst, 2014) to interrogate the proposed research problem – the effectiveness of legislative oversight. In turn, the results obtained from this part of the research question should be used to test the relationship between effective legislative oversight and four variables of service delivery, namely, the percentage of households by type of dwelling, the percentage of households reporting improvements in public transportation, the percentage of households' rating of the overall quality of local public hospitals, and the percentage of households' rating of the overall quality of public schools (Culwick, 2018; Statistics South Africa, 2018).

5.3 Proposed Research Questions and Accompanying Research Hypotheses

The main research question is what is the relationship between effective legislative oversight and service delivery? This main research questions would be answered by interrogating the following sub-questions and testing the hypotheses.

- To what extent does legislative oversight effectively compel the executive to account?
- To what extent does effective legislative oversight translate into improved service delivery?
- (H0): There is no relationship between effective legislative oversight and service delivery.
- (H1): Effective legislative oversight leads to improved service delivery.

5.4 Proposed Research Strategy, Design, Procedure, and Methods

Quantitative research methods were the most prominent in studies that determined the effectiveness and impact of legislative oversight, with qualitative studies rarely applied and mostly applicable in exploring the underlying factors that influence legislative oversight's effectiveness. Most of these studies also used secondary survey data, with a few using interviews. Quantitative research applied descriptive as well as inferential statistical

analysis (Khmelko & Beers, 2011; Kinyondo et al., 2015; Stapenhurst et al., 2014), and thematic analysis was applied on those that applied qualitative methods (Pelizzo & Stapenhurst, 2014).

This research study lands itself squarely in the quantitative research strategy. To respond to the proposed research questions and fulfil the proposed research purpose, we propose that longitudinal design and content analysis be applied to the research study, to examine the records of the oversight tools that have been used by the legislators to oversee the executive in the Fifth Political Administration (i.e. 2014/15 to 2018/19) and the service delivery patterns within the same periods. The statistical capabilities inherent in the quantitative research methods would provide for useful tools to test the proposed hypotheses (Bryman, 2016; Creswell & Creswell, 2018; McNabb, 2017; Merriam & Tisdell, 2016; O'Sullivan, Rassel, Berner & Taliaferro, 2017).

5.5 Proposed Interpretive Frameworks

Two theoretical frameworks that were applied on legislative oversight studies, albeit implied in some instances, were the agency theory (Pelizzo & Stapenhurst, 2014; Stapenhurst et al., 2014), and structural functionalism, which Kinyondo et al. (2015:1) termed "functional theory of oversight". Therefore, for this study we propose a combination of both frameworks because the functionalist theorem is limited to explain the structure and functions of legislative oversight (Andreski, 1969; Kinyondo et al., 2015; Laluddin, 2016; Maryanski & Turner, 1991), but is unable to explain the legislative-executive relationship and its impact (Laluddin, 2016; Maryanski & Turner, 1991; Merton, 1968). Similarly, the principal-agent theorem, because of its assumed hierarchical relationship between the legislators and the executive, as well as the delegated responsibility of policy implementation to the executive, is able to explain the impact of the legislator-executive relationship (Meier & Krause, 2003; Moe, 2006; Ricks, 2018; Ross, 1973; Weingast & Moran, 1983) but unable to explain the structures and functions that foreground legislative oversight.

Combined, however, these theoretical frameworks would enable us to fulfil our proposed research purpose because structural-functionalism would assist us with the structure and functions of legislative oversight (Andreski, 1969; Kinyondo et al., 2015;

Laluddin, 2016; Maryanski & Turner, 1991) and thus enable us to interpret the data on the effectiveness of legislative oversight. While the agency theory, because it underscores the legislators-executive relationship, and how mechanisms used by legislators in overseeing the executive influence their (i.e. the executive's) performance (Hirsch & Friedman, 1986; Huang et al., 2016; Meier & Krause, 2003; Ross, 1973; Weingast & Moran, 1983) would prove most relevant to interpret data on the relationship between effective legislative oversight and service delivery.

6. Summary and Conclusion

In democratic governance, legislatures underscore a critical tenet of representative democracy and are among the key custodians of good governance (Fukuyama, 2014; Constitution of the Republic of South Africa, 1996). The growing dissatisfaction by the electorate where they have resorted to taking matters into their hands by confronting the executive, having felt the brunt of poor or lack of service delivery, is not only indicative of the ineffectiveness of the legislature (Acosta et al., 2013), but questions the very principles of representative democracy, on which South African government is based. It is therefore imperative to question the effectiveness of this representative machinery (that is, Gauteng Legislature) and its resultant outcomes. All these developmental challenges are happening within a physical background of a Province that has transitioned from the Apartheid government twenty-seven years ago and, thus, grappling with the consequences of its legacy as well as urbanisation.

The aim of this paper is to conceptualise research to determine the relationship between effective legislative oversight and improved service delivery in Gauteng Province. To attain this, we reviewed literature on the physical context; analysed the root causes, challenges, and consequences of ineffective legislative oversight; and similar studies to ours, with a focus on the research strategies, designs, procedures, and methods as well as their findings and limitations. We did this with a sole purpose of identifying the knowledge gap, which would justify this research and inform the choices for how we propose moving forward.

The literature points to service delivery protests (Acosta et al., 2013), corruption (Stapenhurst et al.,

2014), fraud, and maladministration (Madue, 2012; Makhado et al., 2012), as consequences of ineffective legislative oversight. While the root causes of ineffective legislative oversight are arguably complex, the following were key, based on the literature. They included the statutory and regulatory frameworks that constrain optimal performance of legislatures (Atkinson, 2015; Lodge, 2005), which in turn, create power imbalances between legislatures and the executive (Khmelko & Beers, 2011; Madue, 2015) and obscure political incentives that subsequently influence the behaviour of legislators to perform or not perform legislative oversight effectively (Madue, 2012, 2015). Lastly, is the lack of capacity of legislatures (Madue, 2015; Makhado et al., 2012; Smith, 1992) to perform legislative oversight effectively. Of interest to this research is determining how effectively, the oversight tools are used, and in turn, how its effectiveness influences service delivery.

The knowledge gap to which this research will contribute to, is evident from the literature on legislative studies. Thus far, what we know from the past and current studies on legislative oversight is that the effectiveness of legislative oversight depends on several factors, such as the political will and the electorates' demand for accountability (Pelizzo & Stapenhurst, 2014), and the benefits legislators can generate for their constituency (Khmelko & Beers, 2011). Second, while Kinyondo et al. (2015) have done a profound work of developing a theoretical framework on legislative oversight, which we propose its use for the empirical part of this research study to assess the effectiveness of legislative oversight, the study could not extend our knowledge on the impact of such effectiveness on the outcomes of good governance, such as service delivery. Lastly, Stapenhurst et al. (2014) limited their study to test the relationship between oversight tools and corruption, without determining the effective use of such tools. Additionally, by applying the principal-agent theory alone, they could only enlighten us about the legislative-executive relations but not shed light on the functions legislative oversight perform and the extent to which these functions are performed effectively.

These studies have been valuable in identifying the underlying factors that determine the effectiveness of legislative oversight, the structural nature of legislative oversight and the functions it performs, and the impact of legislative oversight on corruption.

Consequently, based on these studies, little is known about the role of effective legislative oversight on service delivery – and that is the primary focus of our research study. Therefore, providing us an opportunity to contribute to the discourse.

Quantitative research methods were the most prominent in studies that determined the effectiveness and impact of legislative oversight, with qualitative studies rarely applied and mostly applicable in exploring the underlying factors that influence legislative oversight's effectiveness. Most of these studies also used secondary survey data, with a few using interviews. Quantitative research applied descriptive as well as inferential statistical analysis (Khmelko & Beers, 2011; Kinyondo et al., 2015; Stapenhurst et al., 2014), and thematic analysis was used on those that applied qualitative methods (Pelizzo & Stapenhurst, 2014). As a result, we do not see the reason why we could not propose the similar methodologies since our proposed research study on the correlation between effective legislative oversight and improved service delivery lands squarely into the quantitative research strategy.

Two theoretical frameworks, namely, the agency theory (Pelizzo & Stapenhurst, 2014; Stapenhurst et al., 2014), and structural functionalism, which Kinyondo et al. (2015:1) termed "functional theory of oversight", were applied on legislative oversight studies. Therefore, for this study we propose a combination of both frameworks to assist us to interpret the research results of the empirical study on the effectiveness of legislative oversight and its relationship to improve service delivery.

The research conceptualisation interrogated extensively, the physical research context, the root causes, and consequences of the symptoms of ineffective legislative oversight and identified the knowledge gap to justify why we should bother pursuing research on the relationship between effective legislative oversight and improved service delivery. The resultant outcome of this was clearly defined proposals of the research scope on how to proceed with the empirical part of the research, which comprised the proposed research problem statement, the research purpose, research questions and hypotheses, the research strategy, design, methods, and procedures, and the proposed theoretical framework that could be used to collect, analyse, and interpret the results of the empirical study.

References

- Acosta, A.M., Joshi, A. & Ramshaw, G. 2013. *Democratic Accountability and Service Delivery: A Desk Review. Democracy and Development*. Available at: <http://www.ids.ac.uk>
- Andreski, S. 1969. *Hebert Spencer Principles of Sociology*. (S. Andreski, Ed.). Johannesburg: Macmillan South Africa (Publishers) Pty Ltd.
- Atkinson, D. 2015. Provinces as bulwarks: Centrifugal forces within the ANC. *Transformation: Critical Perspectives on Southern Africa*, 87(1):32-54. Available at: <https://doi.org/10.1353/trn.2015.0010>.
- Bryman, A. 2016. *Social Research Methods – Alan Bryman – Oxford University Press. Oxford University Press* (5th ed.).
- Creswell, J.W. & Creswell, J.D. 2018. *Research and Design Qualitative, Quantitative and Mixed Methods Approaches. Thousand Oaks California* (5th ed.). Thousand Oaks, California: SAGE.
- Culwick, C. 2018. *Quality of Life IV Survey (2015/16): City Benchmarking Report. GCRO Occasional Paper*. Johannesburg. Available at: www.gcro.ac.za.
- Edigheji, O. (Ed.). 2010. *Constructing a democratic developmental state in South Africa Potentials and challenges. Human Science Research Council*. Cape Town: HSRC Press. Available at: www.hsrcpress.ac.za.
- Erasmus, J., Viljoen, D. & Rousseau, B. 1993. *Report of the Commission on the Demarcation / Delimitation of SPRs*. Johannesburg.
- Fukuyama, F. 2014. What is Political Development? In *Political order and political decay: From the industrial revolution to the globalization of democracy* (pp. 23-38). New York: Farrar, Straus, and Giroux.
- Habib, A. 2013. *South Africa's suspended revolution: Hopes and prospects*. Johannesburg: Wits University Press.
- Hattingh, J.J. 1998. The Constitution and Governmental Relations in South Africa. In L. Stewart & S. Moolman (Eds.), *Governmental Relations: A South African Perspective* (First, pp. 129-169). Pretoria: Unisa Press, University of South Africa. Available at: <http://uir.unisa.ac.za>.
- Hirsch, P. & Friedman, R. 1986. Collaboration or Paradigm Shift?: Economic vs. Behavioral Thinking About Policy? In *Academy of Management Best Practice Proceedings* (pp. 31-35). New York: Academy of Management. Available at: <https://doi.org/10.5465/ambpp.1986.4978491>.
- Hlatshwayo, N. & Wotela, K. 2018. Social Capital as Survival Strategy for Immigrants in South Africa: A Conceptual Framework. In *Immigration and Development* (pp. 101-135). Available at: <https://doi.org/10.5772/intechopen.72063>.
- Huang, W., Boateng, A. & Newman, A. 2016. Capital structure of Chinese listed SMEs: An agency theory perspective. *Small Business Economics*, 47(2):535-550. Available at: <https://doi.org/10.1007/s11187-016-9729-6>.
- Khmelko, I.S. & Beers, D.J. 2011. Legislative Oversight in the Ukrainian Rada : Assessing the Effectiveness of Parliamentary Committees. *The Journal of Legislative Studies*, 17(4):501-524. Available at: <https://doi.org/10.1080/13572334.2011.617553>.
- Kinyondo, A., Pelizzo, R. & Umar, A. 2015. A functionalist Theory of Oversight. *African Politics and Policy Online Journal*, 1(5): 1-25. Available at: <https://www.researchgate.net/publication/292227902>.
- Kjaer, A.M. 2014. Debate on Governance in Africa: An Emerging Political Economy Paradigm. In G.M. Mudacumura & G. Morcol (Eds.). *Challenges to Democratic Governance in Developing Countries, Public Administration, Governance and Globalisation II* (pp. 18-33). Switzerland: Springer International. Available at: https://doi.org/10.1007/978-3-319-03143-9_2.
- Kroukamp, H. & Cloete, F. 2018. Improving professionalism in South African local government. *Acta Academica*, 50(1):61-80. Available at: <https://doi.org/10.18820/24150479/aa50i1.4>.
- Laluddin, H. 2016. A review of three major sociological theories and an Islamic perspective. *International Journal of Islamic Thought*, 10(December):8-26. Available at: <http://irep.iium.edu.my/53659/>.
- Lodge, T. 2005. Provincial government and state authority in South Africa. *Journal of Southern African Studies*, 31(4):737-753. Available at: <https://doi.org/10.1080/03057070500370480>.
- Madue, S.M. 2012. Complexities of the oversight role of legislatures. *Journal of Public Administration*, 47(2):431-442.
- Madue, S.M. 2015. Horizontal Accountability in South Africa: Legislative Oversight of the Executive. In *SAAPAM Limpopo Chapter 4th Annual Conference Proceedings* (pp. 709-725). Limpopo: University of Limpopo.
- Makhado, R., Masehela, K. & Mokhari, R. 2012. Effectiveness and Efficiency of Public Accounts Committees (PACs) in Enhancing Oversight and Accountability in the Public Sector. In *SALSA Development Seminar* (pp. 1-18). East London, Eastern Cape: Secretaries Association of the Legislatures of South Africa.
- Maryanski, A. & Turner, J.H. 1991. The Offspring of Functionalism: French and British Structuralism. *Sociological Theory*, 9(1):106-115. Available at: <https://doi.org/10.2307/201876>.
- Maseko, L. 2013. Commonwealth Parliamentary Association (CPA) Post Election Seminar for the Parliament of Lesotho. In *Financial Independence as a Means Towards Effective Oversight* (pp. 1-17). Maseru.
- Mashamaite, K. 2014. Public Service Delivery Protests in a Democratic South Africa: A Dilemma for Local Municipalities. *Mediterranean Journal of Social Sciences*, 5(25):231-237. Available at: <https://doi.org/10.5901/mjss.2014.v5n25p231>.
- McNabb, D.E. 2017. Fundamentals of Quantitative Research. In *Research Methods for Public Administration and Nonprofit Management* (Fourth Ed, pp. 111-121). London: Routledge: Routledge. Available at: <https://doi.org/10.4324/9781315181158-9>.
- Meier, K.J. & Krause, G.A. 2003. The scientific study of bureaucracy: An overview. In Krause K.J., George A. and Meier (Ed.). *Politics, Policy, and Organizations: Frontiers in the Scientific Study of Bureaucracy* (pp. 1-22). Ann Arbor: University of Michigan Press. Available at: <http://www.pitt.edu/~gkrause/0472113178-ch1.pdf>.

- Merriam, S.B. & Tisdell, E.J. 2016. Being a careful observer. In *Qualitative research: A guide to design and implementation*.
- Merton, R.K. 1968. *Social Theory and Social Structure*. New York: The Free Press.
- Moe, T.M. 2006. Political control and the power of the agent. *Journal of Law, Economics, and Organization*, 22(1):1-29. Available at: <https://doi.org/10.1093/jleo/ewj011>.
- Mubiwa, B. & Annegarn, H. 2013. *Historical spatial change in the Gauteng City-Region* (No. 04). Johannesburg.
- MunicipalIQ. 2016. Brief 608: Final protest tally for 2015; off 2014 record Data. MunicipalIQ. Available at: <http://www.municipaliq.co.za>.
- MunicipalIQ. 2017a. *Brief 676: 2016 protest round-up: An intriguing year* (23 January 2017 No. 676). Available at: <http://www.municipaliq.co.za>.
- MunicipalIQ. 2017b. *Brief 713: 2017 current protest tally pulls ahead of 2016's annual total* (6 September 2017 No. 713). Available at: www.municipaliq.co.za.
- Mushongera, D. 2015. *The GCRO Barometer 2014* (No. 09). Johannesburg.
- O'Sullivan, E., Rassel, G., Berner, M. & Taliaferro, J.D. 2017. *Research Methods for Public Administrators. Research Methods for Public Administrators* (6th ed.). Sixth edition. | New York, NY: Routledge, 2017: Routledge. Available at: <https://doi.org/10.4324/9781315563534>.
- Pelizzo, R. & Stapenhurst, R. 2014. Oversight effectiveness and political will: Some lessons from West Africa. *The Journal of Legislative Studies*, 20(2):255-261. Available at: <https://doi.org/10.1080/13572334.2013.829277>.
- Pottie, D. 2000. *Provincial Government in South Africa* (125). *Provincial Government in South Africa since 1994*. Umtata, Eastern Cape, South Africa. Available at: http://www.kas.de/db_files/dokumente/7_dokument_dok_pdf_4883_2.pdf.
- Republic of South Africa. Constitution of the Republic of South Africa, 1996, 15th Amendment Act of 2008, Pub. L. No. 108, 15th Amend 1 2008. Republic South Africa.
- Ricks, J.I. 2018. Agents, principals, or something in between? Bureaucrats and policy control in Thailand. *Journal of East Asian Studies*, 18(3):321-344. Available at: <https://doi.org/10.1017/jea.2018.17>.
- Ross, S.A. 1973. The Economic Theory of Agency: The Principal's Problem. *American Economic Review*, 63(2):134-139. Available at: <http://0-web.a.ebscohost.com.innopac.wits.ac.za/>.
- Rotberg, R.I. & Salahub, J.E. 2013. *African Legislative Effectiveness*. Ottawa. Available at: <http://www.nsi-ins.ca>.
- Smith, D.M. (Ed.). 1992. *The Apartheid Cities and Beyond: Urbanisation and social change in South Africa*. Johannesburg: Witwatersrand University Press.
- Stapenhurst, F., Jacobs, K. & Pelizzo, R. 2014. Corruption and Legislatures: Meso-Level Solutions for a Macro-Level Problem. *Public Integrity*, 16(3):285-304. Available at: <https://doi.org/10.2753/PIN1099-9922160304>.
- Statistics South Africa. 2017. *General Household Survey 2016*. Pretoria. Available at: <https://www.statssa.gov.za/publications/P0318/P03182016.pdf>.
- Statistics South Africa. 2018. *Provincial Profile: Gauteng Community Survey 2016. Provincial Profile: Gauteng Community Survey 2016*. Pretoria. Available at: www.statssa.gov.za.
- Statistics South Africa. 2021. *Mid-year population estimates 2020*. Pretoria. Available at: www.statssa.gov.za.
- The Constitution of the Republic of South Africa Act No. 108 of 1996. Pretoria, Republic of South Africa. Available at: <https://doi.org/10.1017/S0021855300011499>.
- The Presidency. 2014. *Twenty Year Review South Africa: 1994-2014*. Pretoria. Available at: <http://www.thepresidency.gov.za>.
- Weingast, B.R. & Moran, M.J. 1983. Bureaucratic Discretion or Congressional Control? Regulatory Policymaking by the Federal Trade Commission. *Journal of Political Economy*, 91(5):765-800. Available at: <https://doi.org/10.1086/261181>.
- Wotela, K. 2019. Towards conceptualising business and public administration research augmented by analysing the physical research context, the research problem, and the research knowledge gap, (October).
- Yang, K. & Dubnick, M. 2016. Introduction: Accountability Study Moving to the Next Level. *Public Performance & Management Review*, 40(2):201-207. Available at: <https://doi.org/10.1080/15309576.2016.1266880>.