**PROCEDURAL JUSTICE IN LOCAL GOVERNMENT: A CRITICAL ANALYSIS OF PAIA AND PAJA IN SELECTED MUNICIPALITIES**

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# Introduction and Background

South Africa became a democratic country in 1994. The task of a democratic state is to start governing and providing a better life for all its citizens. Governing ensures that decisions are taken which will benefit millions of South Africans. Governance through the local government sphere to ensure grassroots democracy. Grassroots democracy refers to a political process that the groups of ordinary South Africans drive. The provincial government is created to speedy the procedures, which will ensure that communities are serviced well. The method of bringing a better life for all the people of South Africa. The local government is closer to the millions of South Africans; therefore, it is strategically situated for rendering services. The services will bring back the dignity of the millions of South Africans.

The decision that the local municipalities take is procedural justice. According to Ombudsman (2009), procedural fairness is applied when a decision-maker arrives without a particular result. The decision is not quick–fix relatively, fair, and proper procedure needs to be followed. According to Creswell (2009), the Promotion of Justice Administration Act of 2000 enforces the local government to make good decisions like providing essential services. The South African human rights commission (2000) outlines that the acts were passed to break the legacy of the previous era. The local municipalities are expected to take the lawful procedures that are fair for the sake of the local communities. The Act promotes efficient Administration and good governance towards the local communities. The Promotion of Justice administration Act 3 of 2000 (PAJA) and the promotion of justice information Act 2 of 2000(PAIA) these two acts serve as the vehicles through which the citizens and the municipalities can arrive at procedural fairness, which is a proper decision that is acceptable to both.

 The study will focus on the two towns based in the same province, Mpumalanga. These municipalities are Nkomazi municipality, Mbombela municipality, and The study will use procedural justice and procedural fairness interchangeably. It will also use procedures and actions interchangeably and finally will use local government and local municipalities interchangeably. The study, therefore, agrees that the public administration information Act no 2 of 2000 comes first before the enactment of the public administration justice Act no 3 of 2000. The argument is that even though the public administration information comes first, the administrator cannot convey information without a procedure. The local government operates and takes the methods to enhance governance. The municipalities sometimes encounter challenges in the line of implementing these procedures. According to the National Planning Commission, 2030 argues that since the inception of the local government, there are many regulations not implemented, there is a need to build a robust local government that will appeal to the needs of the citizens.

The municipalities need to partner with the citizens in arriving at a particular decision, such as providing essential services, like water, sanitation, and refuse removal. The cities in this process need to treat the citizens with caution. Lagatta and brown (2014) argue that the citizens need to be treated with procedural fairness. He further argues that if the citizens are treated as such, they look at the law and legal authorities as legitimate and worth to be obeyed.

The public Access to Information Act of 2000 also enforces the municipalities to provide to the citizens what it has done, presently doing, what will be done, where some decisions are taken, and why others are not accepted. Section 32 of the constitution (1996) expects the local municipalities to provide information to the local communities, and this section also compels private organizations to provide such information. South African Human rights commission (2016) outlines the Act as the right of the communities to access information.

The relationship and treatment are influenced by the approach the municipality is taking in a particular area. According to Koma (2012 ), He traces the history of local municipalities, the period dates before 1948 where the provincial cities were created using segregation policy before apartheid. The Act approaches the local municipalities on racial groups. In contrast to what the Act did to the local municipalities in 1959, the municipalities created in 1994 and beyond are people-centered, accountable, and democratic. The principal aim is to restore dignity to the people and render services to the people of South Africa.Manitoba

Ombudsman (2013) concurs with Koma when he states that the municipalities post-1994 operate in the period of accountability and, when it comes to governing, are becoming more challenging. The citizenry is becoming more aware of their rights and what is there for them. According to Koma (2012) states that municipalities in South Africa are new. Their approach is developmental, which aims to address the challenges created by the apartheid government and involve the local communities. The municipalities need to bring back the dignity of the local communities. According to the Department of cooperative governance and traditional affairs(n.d), there is a need to put people first and what the communities need. The burning issues need to be prioritized. The municipalities need to create conditions where the way people live is decent. The municipalities need to render quality services to bring back the dignity removed by the apartheid system. The step taken by South Africa of developmental cities needs good decisions to assist the city in reaching that state. Tyler (2006, pg. 314) states that the town operates through procedural justice involving morality and authority.

The Act empowers them to act independently and make their own decisions, but the findings are taken looking at the interests of the communities. Tyler (2006, pg. 314) states that the decision accepted by the municipalities needs to be just (fair). He further says that the decision is reoffered as procedural fairness(justice). Quittlebaum et al. (2018) state that procedural justice is taken considering the interests of the citizens. Ombudsman Western Australia(2009, pg. 2) supports the views of Quattlebaum, where they outline the rules that need to be followed when procedural justice is taken, hearing need to be conducted, there should be no biasness, a need for the evidence to support the decision taken and if there is inquiry needs to be undertaken if there is a dispute that arises.

The decision needs to embrace the local municipalities and the local communities. The local communities need to be part and parcel of the decision and partake in policy formulation and implementation of the local cities. Gaventa(2004 ) states that in Indonesia, soon after the years of totalitarian rule, citizens formed forums where they met with the officials to discuss the local issues. Sanjana et al. (n.d) argue about the challenges of public participation at the Amahlati municipality. Most of the respondents never attended the council meetings, where the is evidence of a lack of public involvement. Still, in the Kei municipality, the respondents agreed that the city has attempted to make the women, youth, community-based organizations, ward councilors, and ward committees come to discuss the issues of the communities. According to Friedman et al. (as cited in Skenjana et al.,n.d), the challenges of public participation in the communities occur where there is a limitation in lack of discussion and deliberation.

# Statement of the research problem

The municipality of Nkomazi and Mbombela, like other municipalities of South Africa, are trying to consult the communities. They outline their programs and the plans of how they may improve the lives of the people. The Nkomazi Local municipality takes measures to provide houses, electricity, water, sewage, waste removal. The items are listed in terms of priorities, where roads and stormwater drainage is listed as priority number 32, community facilities at number 28, education 18, housing 26, local economic development (LED) 24, waste management 16, rural development 3, health 23, safety and security 10. There is a backlog in ensuring that these services are rendered to the communities.

The Mbombela municipality cites the pressure in the Natural environment where ten reserves cover 4033 km (57%) city in the Eastern and the uncontrolled development influx of people. Geography where slopes of approximately 200m in the Southwestern part to 350 m in the North-Eastern region. If slopes greater than 20 % are generally considered too steep for housing and development, geology is to be considered when developing the slope areas. There is a backlog for 32000 houses, especially for the people who live in the informal settlements, and a need to close the gap between the rich and the poor. The municipality of Mbombela sees service delivery as a pressing issue that needs urgent attention. They refer to limited infrastructure, and the one present is old and needs an upgrade. The spatial inequality remains the pattern. In terms of the IDP's, the two municipalities outline their procedures, programs, and projects to improve the lives of the communities.

Nkomazi municipality held 73 meetings wherein, in each session, a municipality official was allocated. They are documents for community perusal in the libraries all over the municipal areas, self-help centers, Thutong centers, municipal departments, and the newspaper called corridor. The councilors, ward committees, CDW's organized stakeholders are invited to the consultative meetings. The Mbombela municipality organized public meetings and also consulted the stakeholders. Housing is a backlog from 2011 to 2030 is estimated at 100 000. The city has ten traditional authorities; the challenges are urban sprawls, existing pressure on urban infrasture, increasing pressure on burial services, residential land pressure, and developing need for engineering and social services.

The pressing problem is that even though the municipalities try to render the services, the back locks seem to be so huge that they appear to be carried forward from one IDP to the next instead of getting them addressed. The gap that the municipalities failed to close is when transmitting the information about what they plan to do in terms of the procedures; they use the Libraries, municipal departments, Thuthong centers, and Selfhelp centers, the municipalities ignore the people who cannot read, who cannot go to those centers, a radio that most of these people rely on is not used. The other group is the youth, most unemployed graduates, who passed matric who are not employed. The majority of them are tired from looking for employment since unemployment has reached 51%. The youth are on social media platforms such as Facebook, WhatsApp, Twitter, Instagram, etc. They miss out on what the municipalities intend to do or presently doing. This Act shows a local government that is isolated from the communities.

The local government describes the municipalities that operate in isolation from the public. The public is in the distance and knows minimal information done by their local government or doesn't know anything at all. Stats (2016 ) states that 75% of the families in the country do not believe that their municipalities are addressing their challenges. Franks (201) blames the poor management bad and partial decision–making, poor selection, overstaffing, the training for the staff, and the high levels of financial and corruption in the Administration as some of the challenges that affect the progress. Langa and Kiguwa (2016) support Franks, where maladministration, incompetence, and nepotism compromises the local government delivering the services to the public members. National Planning Commission (2030 ) concurs with Franks on the challenges of local government. The community protests are viewed on the angle of frustrations, not because of the snail pace of service delivery but on the local.

# Research objectives

**Overall objectives**1. To examine how procedural justice may harmonize the relationship between the communities and local municipalities towards effective service delivery.

**Sub-objectives**

1. Investigate how the Promotion of Administration Justice Act 3 of 2000 and Promotion Access Information Act 2 of 2000 facilitate procedural justice.
2. To establish the extent to which procedural justice may harmonize the relationship between citizens and local municipalities of Nkomazi and Mbombela.
3. Identify the challenges hampering the practical application of PAJA and PAIA for effective service delivery in the local municipalities.

Make recommendations for the meaningful application of PAJA and PAIA in local government’s governance towards effective service delivery and establish the role of PAJA and PAIA in facilitating procedural justice.

# Research questions /hypothesis

**Overall research question**

What are the benefits of participatory procedural justice in the municipalities?

**Sub questions**

1. How does the promotion of the Administration justice Act of 2000 and the Promotion Administration Information Act of 2000 facilitate procedural justice?
2. How does procedural justice harmonize the relationship between citizens and local municipalities?.
3. What are the challenges limiting the practical application of PAIA and PAJA for effective service delivery in the regional cities?.4. What recommendations can be made towards meaningful application of PAJA and PAIA in local government governance to enhance effective service delivery?.

# Significance /Rationale of the study

The study adds value; municipalities may use it in policy formation and implementation. The study creates an atmosphere where the cities may apply the Public administration justice Act and public administration information Act in their day-to-day interacting with them. The local government will hasten the medium for communication and giving feedback. The research conducted by Roling (2007) focuses on transparency and Access to information in South Africa. The analysis only focuses on the Promotion of Access to Information Act 2 of 2000. The study somewhat partly addresses the one part of procedural justice on the Access to information, but it does nothing when it comes to how the procedures arrive. The research conducted by Mckinely(2003) is similar to the study conducted by Roling; it focuses on the state of Access to information in South Africa. The study touches on the Promotion of Access to Information Act 2 of 2000 and PAJA. Still, it does not look deeper into procedural justice, which differs from the present study. The research conducted by Saliternik (2016)

 focuses on procedural fairness in peace negotiation, the research partially supports the current research on procedural fairness. Still, the point of departure is that it does not focus on the Acts giving rise to procedural fairness, such as PAJA and PAIA. The research conducted by Makkai and Braithwaite(1996 ) focuses on procedural justice, and regulatory compliance addresses procedural justice, not the Acts that act as catalysts to procedural fairness. The study by Kaizer(2015 ) focuses on procedural justice with a specific focus on the socialization of serious offenders. In contrast, the survey by Penner(2009 ) focuses on procedural justice and legitimacy in adolescent offenders.

# Literature review

# Conceptual framework

Public administration refers to the field of study studied in higher learning institutions like colleges and universities. The students who pursue this discipline are empowered with the skills they can apply when working in the public and the private sector. The word Public Administration was used for the first time by the academic Woodrow Wilson in 1887. Woodrow Wilson has used the term in his literary essay; Wilson contributed immensely to the discipline since he later became the United States of America president. Gildenhys (2004, pg. 15) outlines the steps that need to be followed when Public Administration is to be taught as a discipline. These principles of logical knowledge progression, the holistic focus, the normative regulation, and the multidiscipline approach. Marume (2014, pg. 15) looks at the genesis of the word Administration. He outlines that the English word 'administer 'is derived from a combination of two Latin words ad and minister meaning to 'serve ' to 'manage, 'which literally, the term 'administration ' refers to the management of public and private "(p15).

The discipline Public Administration is viewed as a discipline that deals with the public. The view of Gildenhys (2004) outlines that public Administration looks at the crowd in two folds, the politicians and the citizens, who are members of the public. Gildenhys answers the questions that he makes about the philosophy for Public Administration. The answer is that the discipline needs to follow the philosophy of Public Administrators and politicians. According to Woodrow Wilson (2004), ' Public Administration ' is the detailed and systematic execution of the law. Every particular application of the law is an act of Administration.

Nhema confirms the views of Wilson (2016) defines Public Administration as whatever government does. The study is about procedural justice in local municipalities, critical analysis of PAJA and PAIA. The view of Gildenhys (2004) argues that if the values of the public conflict with the natural law and the reason. The administrators and the politicians have the responsibility to undo the propaganda that plays in the minds of the general members. The study looks at the decision taken or not taken, which is an administrative action. The administrators in the local municipalities are duty-bound to engage the public members as part of the decision and part of the solution. The members of the public, if they are not involved in the process, will do whatever it takes to exert pressure on the local government.

# Theoretical framework

The study applies the fairness heuristic theory, which is based on the group value of the model and rational model (Lindy &Tyler cited in van der Bos et al., (n.d), p.3).According to van der Bos (n.d).States that the theory comprises of the three cognitive phases where fairness plays an important role. In the first phase, the person has formed the fairness judgment, the second deals with how fairness judgment is created, and the third phase deals with how the people use the fairness judgment. The theory further outlines that when the person does have information of a particular outcome compared to the other person. The person will use the same information for social cooperation that will influence their work. The theory applies to the present study since it focuses on procedural justice in local government. The local communities expect their municipalities to render acceptable procedures when using Public administration justice Act no 3 of 2000 and public administration information Act no 2 of 2000.

# The other theory is the theory of Hegel, the element of right.

This theory is founded on the ethical idea, which according to wood(1991), the view looks into the human spirit. Hegel argues that freedom deals with actions and possibilities. Space occurs through what the individual does, not anything that is emanating from outside. This theory is central to the present study since the local communities expect their municipalities, such as Nkomazi and the city of Mbombela, to inform them of what they are planning to do. This is the right of the citizens to know whatever plans their municipalities have for them. When their freedom is not addressed, the citizens must search themselves if they think they are accessible without the right or demand these rights are addressed.

# Legislative framework

The study has included the Interim Constitution of 1993, section 23 access to information about Public Access to Information Act no 2 of 2000, and section 24 lawful administration about Public Justice Administration Act no 3 of 2000. The study has included the Constitution of South Africa 1996, particularly section 32, Access to information about Public Access to Information Act no 2 of 2000, and section 33 about just administration activities related to Public Administration Act no 3 of 2000.The White Paper on Local Government of 1998 regarding Public Access to Information Act no 2 of 2000. The other legislation used is the Promotion of Access to Information Act no 1of 2000 and the Public Justice Administration Act no 2 of 2000.

# Procedural Justice As It Is Applied Globally

Procedural justice is the concept applicable to the different spheres of life. Various organizations apply it in their day-to-day operations while dealing with their clients, in particular the members of the communities in their areas of jurisdiction. The concept embraces those in authority (governers ) and those who are governed (districts). Those who are headed want to be treated fairly. They do not want to be treated as the passive recipient of the decision process undertaken. Instead, they want to feel being part and parcel of the decision taken in terms of consultation and inputs they have made. Procedural justice in the United States of America, for instance, in police, is applied to try to mend the relationship between the police and the communities. Smith et al. (2017) suggest that procedural justice could be the way to harmonize the relationship between the police and the communities. Ramseys and Robinson (cited by Smith:2017) view that the sentiment of procedural justice where fairness and finding common ground may result in finding common ground between parties.

Procedural justice in Europe is used in the measure to increase democratic, peaceful settlement. Saliternik (2016) states that if procedural justice is applied well in the conflict between two warring groups, the result will arrive at a temporary ceasefire or complete agreement. Procedural fairness in Manitoba is used in the municipality, where those in power are compelled by the Acts in office to render the fair decision. ( Ombudsman,2013) states that coming to the results of perceived fairness, the notion looking on the proper assistance in the future if a particular or similar decision is to be retaken.

# Procedural justice, PAJA AND PAIA

The local municipalities are expected to take a procedural justice that is impartial. It is procedural justice that favors the cities and the citizens who fall within the jurisdiction of these particular municipalities. The South African government tries to harmonize the relationship of those in authority and the citizens in general. The passing of the promotion of the Administration Justice Act is a step towards attempting to realize the vision, the vision of open and accountable administrative law. The Act empowers an Administration that is fair and accountable to the citizens. The Act authorizes the Administration, which is appropriate, and administrators are held responsible through their procedures. Those in authority are liable for making particular decisions and for not taking decisions. The Promotion of Administration Justice Act of 2000 outlines guidelines to be followed by administrators when taking a decision:

1. The administrators are expected to provide reasons for the findings.
2. The citizens need to be provided with the opportunity to review or appeal a decision.
3. The administrators need to allow members of the public to challenge the decision in court.

Promotion of Administration Just Administration Act is passed to promote a just administration action. In terms of the South African constitution of 1996 does provide Access to just administrative action. The executive action protects all the citizens of South Africa. Further, it outlines the rule of law. South Africa has a constitutionally democratic and open society rather than an autocratic one.

Procedural justice needs to be promulgated using the promotion of information before any decision is taken. The South African constitution of 1996 enforces through section 32 the right to access information. This information needs to be provided by a public and private institution, The info about administrative action. Promotion of Access of information through the public administration information Act no 2 of 2000 was passed to accomplish what section 32 is doing. The Act ultimately empowers the citizens to receive information from public and private institutions. According to Promotion of Access to Information Act establishes the culture of accountability as well as transparency. Furthermore, the Act promotes open democracy where all citizens need to receive information regardless of their background. Warren (2000) argues that widespread dissatisfaction with the administration of justice is an old thing.

The information about the programs and the projects executed by the local municipalities is meant to reach the citizens of South Africa, particularly the poorest of the poor, who expect the local cities to provide them with houses, water, sanitation, and electricity. The Act binds the provincial government. The right to access information is a must for the citizens, supported by freedom of expression, which is empowered by s16 (1) of the constitution (Roling, 2007). Roling argues that Access to information is essential for making a sound decision. This is in two folds; the administrative action is not only for the local community need to be ensured (b)The means, process, and procedures for local communities participation in the municipal governance need to be provided. Communication is vital in ensuring healthy relationships between the local government and the local community. According to the local government system municipality Act (2000), section 18 outlines the value for communication which leads to community participation,(1) The municipality needs to communicate.

# RESEARCH DESIGN AND METHODOLOGY

# Research design

The present study will apply a qualitative research design. The qualitative research design is selected because the study deals with the statements. It deals with the words, which is opposite to the numeric data. The study is exploratory. It seeks to determine the extent of procedural justice(fairness ) in the local government, focusing on the two Acts, PAIA and PAJA. The exploratory research is necessary because the study seeks to know more about what is happening in the Mbombela and Nkomazi municipalities concerning the extent to how procedural justice is carried out. According to Saunders(2016), exploratory research has its benefits because of its flexibility, and it can conform to new challenges. The challenges such as the absence of literature may alter the nature of the exploration.

Qualitative research design is relevant to this study because it provides the researcher with data that he needs from a natural setting. According to van der Walt (2012), qualitative research takes place in a natural environment. Qualitative researchers can gather information by having conversations and interacting with participants, the citizens of South Africa. They are expecting services from their local municipalities. According to Regenesys (2015) states that qualitative research places emphasis on the human behavior, perceptions, and the experiences of the participant's, on how the relationship between the citizens and the local municipalities are, further states the focus is on the individual or the organization that is involved, the citizens and the local municipalities how the procedures are just or unjust concerning promotion of Administration Justice Act of 2000 and Provision of Administration of Information Act of 2000.

The disadvantage of qualitative research is that the research design deals with the experiences of the people. The perceptions are instrumental in the data gathering. Further states that the reporting of the research findings is taking a lot of time which amounts to limitations of this particular study.

# Research approach

The study will use the qualitative research approach since the study focuses on procedural justice. The study deals with the statement, procedural fairness in the local government. The extent to how the provincial government's procedure is justified or not .van der Walt and Kruger(2012) outlines the steps that a researcher can take when dealing with a research approach. They state that the research approach is applicable when there is a need to understand the phenomenon where little study has been conducted; the nature is exploratory. It is essential where the researcher knows little about the variable applicable. Finally, when the topic is new, the issue has never been addressed with a particular group of people.

# Research paradigms

The study will apply three paradigms: interpretivism /constructivist, critical/transformative, social constructivist, and advocacy and participatory paradigms.

The social constructivist deals with the specific world where the human experience takes place .according to Guba & Lincoln (cited in Kivunja &kuyini,2017:33) state that the purpose is to get into what the subject is thinking to understand and interpret it .its assumption being social and historical construction and theory generation.

# Transformative paradigm

This paradigm is situated in social justice issues. The primary focus is to transform the present political condition and bring the other states which are better and acceptable. Guba and Lincoln (cited in Kuvunja and Kuyin,2017) outline the characteristics of transformative paradigm as a concern with the power relationships within social structures and high reliance on praxis.

# Advocacy and participatory paradigm

The paradigm focuses on changing the lives of the subjects. The assumptions of this paradigm as outlined in van der Walt and Kruger (2012) political, where there is a need to look at the political situation and the political agenda as well as empowerment issue-oriented, where empowerment, inequality, oppression, domination, suppression, and alienation should be looked at and changed.

# Research population

Being sampled without looking at the appearance or the preferences. Everyone individuals in the population; thus, the individuals are freely participating.

The study will use non-probability sampling. The researcher will apply this technique because he does not have the exact individuals within the population. According to Saunders (2016), it refers to non-probability sampling where snowballing is employed.Regenesys(2015) refers to snowball as the technique where the researcher's sample elements are not familiar. Here, the researcher will find one participant in the population and ask them about the nature and extent of how the local municipality carries out procedural justice and how the members of the particular local community feel in terms of service delivery arriving from such procedures. Kumar (2011) refers to snowball sampling as the process of arriving at the sample using the networks; what happens is that a small group in the population of the group or organization or community. The researcher will get the information from the mayors who are the political appointees of a particular political party in the specific municipalities, and how do the mayors view the procedures taken as just or unjust, and how does that translate into service delivery that brings back the dignity to the local communities.

The second group of the participants is the managers who are professional and accounting officers for the municipalities; how do they allocate the budget that follows the Public Financial Management (PFMA). The third group of the participants is the councilors, who, like the mayors, are the political appointees of a particular party in the communities, who ensure that what the municipalities have planned is implemented in touchable services. The researcher will find information on how they are doing in the cities. The fourth group the researcher will find information from is the ward committees who work with the local councilors and the members of the communities, and the last group the researcher will deal with in finding the information is the members of the local communities, the beneficiaries of the services at the grassroots of local democracy in the particular municipalities.

# Sampling and sampling size

The sample size of this study is emerging from the non –probability sampling techniques. The researcher focuses on the credibility of the data as it is coming from the participants. According to Patton (as cited in Saunders, 2016) argues that credibility emanates from the available resources. The data for this study will be collected through semi-structured or unstructured interviews. According to Patton(as cited in Saunders, 2016), when it comes to the validity of the data collected, the answer only lies within the data collection and the data analysis, not the mode of data collection. There is a generalized view when it comes to the size suitable for a particular study. Saunders (2016) argues in his earlier production of 2012 when it comes to the semi-structured, in-depth interviews, he suggests that the population is from 5-25. The view of Saunders(2016) states that the size of the in-depth interviews is 12 for the homogenous group.

In contrast, Guest et al. (as cited in Saunders, 2016) differ with Saunders in the size of the group, where they say that 12 interviews are not suitable where the researcher deals with the heterogeneous group. Regenesys(2015) argues that the size for qualitative inquiry is complex, unlike the quantitative since there are no defined rules to follow. Size depends on the data saturation. However, the researcher will use the Rao software program to determine the size of the participants from the citizens.

# DATA COLLECTION METHOD

The instruments to be used in the study interview. The interviews enable the researcher to interact with the participants. The researcher will use the discussion to collect data from the mayors, managers, councilors, and ward committees. The reason why the interviews were chosen is that. According to van der Walt et al. (2012), the interview yields great information and tends to be unstructured and open-ended. The advantage of the discussions. Regenesys (2015) explains that unstructured or semi-structured interviews allow the researcher to deal with different issues in detail. The interviews are recorded verbatim. The advantage of qualitative interviews is further confirmed by Creswell(2009) states that it allows the researcher with the opportunity of conducting a face-to-face consultation with the participants, and he can interview six or eight participants at the same time. The researcher can use a telephone to conduct the interviews with his participants. The researcher uses the unstructured interview because he deals with the local municipalities; finds out how they are servicing their constituencies daily.

The structured interviews are valuable when the researcher gathers the information from the officials, and he collects the information in the recorded schedule. Structured interviews are sometimes called standardized interviews. According to Akbayrak (2000), attributes to the value of using this form of the tool in collecting qualitative data, the same questions can be asked to all participants like in the question of service delivery and where lack of services resulted in service delivery protests in post-apartheid South Africa. The participants are asked the same questions with the exact words in the same sequence, and the questions can be read at once. According to Akbayrak (2000:1) states that value of using structured interviews is essential since the content and the procedures are done in advance, and it restricts the interviewer when he wants to change the questions in the schedule. If he wants to ask the interviewees, the interviewer may not be prepared to answer something else because the interviewer is bound. The advantage of interviews is that it allows Access of information. The researcher can rely on the interview data when constructing. The interviewer can flexibly use interviews.

The researcher will use the survey to collect data from the citizens. The researcher uses the study to gathers data about the extent of the service delivery as the result of the nature of the type of procedures taken by their officials in a particular municipality; according to van der Walt (2012) state that the researcher will find the trends of what is happening in the field of services, the attitudes of the participants as well as the opinion of the participants. The researcher, therefore, will generalize the views, trends, and perspectives and make assumptions about the participants.

The disadvantage of the interviews is that the structured interviews are that they use the pre-coded response categories. The researcher needs to be sure about the codes before embarking on the discussions. The other disadvantage is that it is time-consuming. Some participants are active during the day, and the researcher needs to make time to accommodate them during the day, whereas some participants are active during the night. The researcher needs to make time to accommodate them during the night.

# Analysis of data

The study will analyze the data manually using thematic analysis as the appropriate analysis technique for qualitative data. Thematic analysis manages the emerging themes until the information is saturated emerging from the collected data. The interview and the survey data. The researcher will classify data into different categories. According to Creswell and Maree (2009:6) state that when a researcher analysis qualitative data, he needs to organize data for analysis:

The researcher is supposed to read and get the general view of the data, and after finding the overview of the data,

1. The researcher will start code the data following what it means and stands for,
2. The researcher will create the themes and subthemes,
3. The researcher will place the data accordingly,
4. The researcher will link the data and summarise it,
5. The researcher will interpret the data.

Saunders describes thematic analysis as the generic approach suitable to analyze qualitative data since it, searchers, for the themes or patterns as they emerge from the interview data and the survey data from the citizens found in the jurisdictions of the four municipalities. According to Saunders (2016), thematic data helps the researcher analyze massive qualitative and small data. According to Powell and Renner (2003), individual interviews can bring data in the form of notes, a summary of what the participant has said, or word for word verbatim transcripts. Powell and Renner (2003) give the view that the first step in the analysis is to get to know the data, the most important thing is to get familiar with the data by reading the data several times, the second step is focusing on the analysis, the researcher needs to identify the questions that he wants to answer and write them down and finally step 3, categorize information, the researcher should identify the themes and the patterns as they emerge from the interviews and the survey data, which are ideas, concepts, behaviors, interactions, incidents, terminology or phrases used in the sources of data. The researcher may use the abbreviated codes, words, or symbols as well as place them.

# Delimitation of the study

The data is used to look at how procedural justice is applied in the local government, where the PAJA and the PAIA are applied as the two Acts to accelerate procedural justice. The study will focus on how the local government performs their day to day activities without forsaking the presence of the local communities who are partners in the local Administration. The study will focus on how procedural justice needs to be conducted through PAJA and PAIA. How is the procedural justice required to be accelerated in the communities and make the information concerning the just administration actions, when and how, if no administration is not taken, why not? The communication through the Promotion of Administration Information Act of 2000 needs to be made available to the members of the communities and empowered through imbizo and other forums. The study will focus on the local government's path to harmonize the relationship with the local communities to address its programs.

The researcher chooses Nkomazi municipality, which is situated in Nkomazi Malelane in Mpumalanga. The city is located in an area surrounded by farms ranging from sugarcane and game farms. Malelane and Komatipoort are the only townships paying rates. The rest of the villages are rural. Mbombela municipality integrates former Mbombela and Barberton municipality. The city is situated in Mbombela, which is a city and services several towns and semi-townships in the Mbombela area.

# Ethical issues

The researcher will embrace the code of ethics when conducting the study. The researcher will not pose himself as the solution to the challenges of the communities and the local government but someone who is attempting to contribute towards the solution. The researcher will take caution when dealing with the people who are disabled and take necessary steps to ensure that they are safe during collecting data. The essential steps will ensure that consent is found from the guardians of the children participating in the data collection. According to van der Walt and Kruger (2012), participants are free to stop participating in the study anytime; informed consent will be included in the study. The degree of privacy and confidentiality will be exercised where the information from the survey will not be used against the participants and will not be released to the outside parties. The researcher will ensure the participants that safety will be provided and there is risk minimization.

Before commencing with data, the researcher will get ethical clearance from the University of Fort Hare Research Ethics committee. The ethical approval will demonstrate to the participants in the organizations or the group that the researcher is collecting under the authority of reputable institutions, which upholds the ethics as something fundamental significance.

# Chapter Delineation

Chapter 1: Introduction and Background**.**

This chapter deals with the sphere of influence where the activities of this study take place. It introduces the problem and the reason why this problem has come about. The rationale of the study, which indicates the importance of this study, research questions, and objectives, are the questions and objectives that assist in navigating the state. The research design, which deals with the nature of the design used. The delimitation is the extent to which the study will reach in pursuing the solution of the problem listed above. The conclusion deals with how the researcher sums up this chapter.

The estimated time of chapter 1 is three months, from January 2019 to March 2019.

# Chapter 2: A literature review.

The introduction will introduce the chapter and gives detail of what is contained in it. This chapter deals with the conceptual framework, legislative framework, theoretical framework, and empirical literature review.The conclusion sums up the work for this chapter. The estimated time for chapter two is six months, from June to September 2019.

#  Chapter 3: Methodology.

This chapter starts with an introduction that introduces the work found in this chapter. The research design, research approach, research paradigm, research population, instruments used in data collection, data analysis method, validity and reliability, ethical consideration, limitation of the study, and the conclusion sums up the work for this chapter. The estimated time for chapter three is three months, from October to December 2019.

# Chapter 4: Presentations and findings

The introduction introduces the work for this chapter, presentation –report in paragraph form, including graphics /tables/figures. Analysis of the results in terms of answering the research question. The conclusion sums up the work for this chapter. The estimated time for chapter four is three months, from January to March 2020.

# Chapter 5: Analysis and discussion of the results

The introduction introduces the work for this chapter. The findings are linked to the literature review. The conclusion sums up the work for this chapter. The estimated time for chapter five is four months, from April 2020 to July 2020.

# Chapter 6: Conclusion and recommendations.

The introduction introduces the work for this chapter. The summary of research objectives and significant findings, .drawing logic from the data that was interpreted, recommendations that should be realistic and achievable and not generalizing, limitations of the study, and suggestions for further research and conclusion summarises the work for this chapter. The estimated time for chapter six is three months, from August to October 2020.

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