

PART 2
WHY LOCAL GOVERNMENT
IS STRUCTURED THIS WAY
TODAY
2026

Introduction

Across South Africa, many young people see daily challenges within their communities. From burst water pipes, potholes, broken streetlights, uncollected rubbish, and blocked drains that overflow into streets. These problems are not just small inconveniences. These problems are signs that something in our local systems isn't working as it should.

Many people, especially young people, often don't know who is responsible, how to report issues, or what local government structures exist to address them. Many people don't even know the power they have to participate in decision making process that happen in their own municipalities.

This lack of knowledge can make people feel powerless, as if decisions are made somewhere far away and are beyond their control.

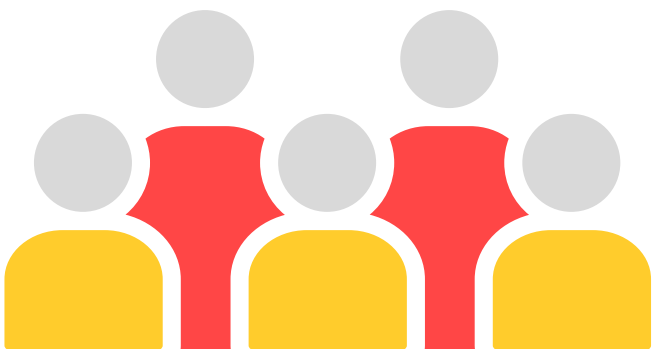
However, the truth is that local government is the closest level of government to our daily lives. It's where change begins.

This guide explains how local government works and why it's essential to be involved. It's written for youth, reporters, and community members who want to understand their rights, speak up, and hold leaders accountable.

This guide forms part of a 3-part series:

1. The history of local government.
2. Why local government is structured the way it is today?
3. How local government works now, and why you should care?

Local government isn't "somewhere else." It's right here, in your street, your school, your clinic, your tap water, and your rubbish bin. When you understand how it functions, you gain the power to act, not just complain.



Part 2: Why Local Government Is Structured This Way Today

Introduction:

By the early 1990s, South Africa's local government system was deeply broken. There were over 1,000 separate local authorities, divided along racial lines. They were fragmented, unequal, and many communities did not trust them.

Local government had very little independence and relied on provincial governments for power. This meant municipalities did not truly belong to the people they served.

When South Africa began transitioning to democracy in the 1990s, it became clear that local government had to be completely rebuilt. The goal was not just to change leadership. The goal was to transform the entire system so that it would serve all communities equally.

Rebuilding local government after 1994

When rebuilding the local government. It happened in three major phases.



Phase 1: Negotiating a new system (early 1990s)

The first step was bringing previously separate municipalities together.

This meant that old racially segregated local authorities were encouraged to negotiate and work together, to share resources and infrastructure.

This was the first step toward building municipalities that served entire communities instead of separate racial groups. These negotiations led to the Local Government Transition Act of 1993, which began dismantling apartheid-era local authorities.



Phase 2: First democratic local elections (1995–1996)

South Africa's first democratic local government elections were held in 1995 and 1996. And for the first time we saw communities voting for local representatives, and municipalities beginning to serve integrated populations.

However, the system was still in transition and not yet fully restructured.

The Constitution of South Africa was written in 1994 to 1996 and from it, Local government was structured to move away from the system of Apartheid to a constitutional democracy. It became the rule book that guided that transition.



Phase 3: Creating the current municipal system (2000)

The final phase began with the local government elections in December 2000. This phase established the municipal system we still know and use today.

The goal was to create municipalities that:

1. Serve entire geographic areas
2. Share resources more fairly
3. Deliver services to previously neglected communities

The Constitution changes everything

The biggest turning point came with the 1996 Constitution. It divided government into 3 equal spheres: National, Provincial and Local. The Constitution makes these 3 parts of government cooperative, meaning they must work together to serve the people. For the first time, local government became a distinct sphere of government.

This means local government is not just controlled by the national or provincial government but exists as an equal 3 part of government. Municipalities now have the right to govern on their own initiatives, while still being supported and supervised

by other spheres of government; though not in a hierarchical or commanding way as they all now are on equal footing.

For instance, Provincial government is tasked with monitoring, supporting, and intervening if a municipality cannot fulfill its obligations. Chapter 7, Section 151 (3) of the Constitution, grants a municipality the **right to govern**, on its own initiative, the local government affairs of its community.

This was a major shift. Local government was no longer just an administrative tool. It became a democratic institution.

Developmental local government

In 1998, the government introduced the White Paper on Local Government. The main idea of the document is the developmental local government. Local government is not only about fixing problems. It is about actively improving communities.

This means municipalities must:

1. Improve people's daily lives
2. Address inequality
3. Expand access to services
4. Support social and economic development

Redrawing municipal boundaries

One of the biggest challenges was fixing the fragmented apartheid map. Before democracy, there were around 1,100 racially separated municipalities.

A new body called the Municipal Demarcation Board was created to redraw boundaries and reduce this number by combining municipalities. The number of municipalities was reduced to about 284 integrated municipalities.

Throughout this process, the following were considered:

- Economic connections between areas
- Financial sustainability
- The need for integrated communities

Today we see this reflected as municipal boundaries often including both urban and rural areas. Thus our Constitution created three categories of municipalities.

1. Metropolitan municipalities (Category A)

These exist in South Africa's largest cities. Examples include Johannesburg, Durban, and Cape Town.

They manage everything within their area, including:

- Water
- Electricity
- Roads
- Waste services
- Housing and planning

2. Local municipalities (Category B)

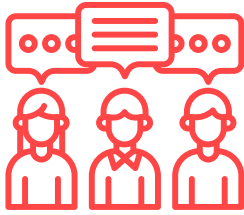
These govern smaller towns and communities. They work closely with district municipalities to provide services.

3. District municipalities (Category C)

District municipalities support several local municipalities in the same region. This system helps smaller municipalities access resources and support.

They often manage:

- Large infrastructure projects
- Regional planning
- Shared services



Why public participation is built into the system

South Africa's Constitution does more than create elections. It also requires public participation under Section 59, 72 and 118, and forms part of how democracy works.

This means that public participation is not optional. Beyond voting, the public can participate in a variety of ways including making submissions to Parliament, drafting petitions, attending ward meetings or public hearings and responding to calls for comment on any draft laws like bylaws that affect their communities and the country.



Courts have confirmed that government must:

- Provide opportunities for people to participate
- Make it possible for people to take part
- Be accountable to communities
- Be transparent to the public about their work and how budgets are being utilised

Why this structure matters

Local government today was designed to:

1. Fix apartheid inequalities
2. Deliver services more fairly
3. Include communities in decision-making
4. Strengthen democracy at a local level
5. Serve the people and their needs

This leads us to an important question;

How does local government affect your everyday life?

RADIO PRODUCTION GUIDE: WHY LOCAL GOVERNMENT IS STRUCTURED THIS WAY TODAY

This is a sample of how to introduce and finish a radio show, including the names of podcast segment(s). Remember to also include Public Service Announcements in your shows when available.

PREPARING FOR THE SHOW

Different ways to talk about how the 1996 Constitution changed local government

- What was local government like before the 1996 Constitution?
- What does it mean that local government is a "distinct sphere of government"?
- What is the right to govern "on their own initiative"?
- How did local government shift from being an administrative tool to a democratic institution?
- How does the Constitution protect local government's powers?
- Why is public participation a constitutional requirement?
- What did the Constitution change about accountability?

Choose an Angle

How did the 1996 Constitution change local government?

WAYS TO TALK ABOUT (SUB-ANGLES) your chosen angle

"How did the 1996 Constitution change local government?"

- Local government becoming a distinct sphere of government
- The right to govern on their own initiative

- The shift from administrative tool to democratic institution
- What it means that municipalities are no longer controlled by other levels
- How the Constitution protects local government's powers
- Why public participation became a constitutional requirement

CHOOSE SOMEONE TO INTERVIEW

Examples:

- Constitutional law experts who understand local government's legal framework
- Former negotiators involved in the Local Government Transition Act
- Local government officials who worked through the transition period
- Community organizers who participated in early democratic local elections
- Academic researchers studying developmental local government
- Ward councilors who can explain how the current system works
- Civil society activists focused on public participation
- Young people who want to understand why their municipality is structured the way it is



CHOOSE A FORMAT(S)

VOX POP (Pre-recorded)

Vox pop aim:

To get many opinions on one topic.

Who do you talk to?

A large number of young people or community members

Questions:

Do you know what the Constitution says about local government?

AUDIO PROFILE (Pre-recorded)

Audio profile aim:

To get a first-person account of someone's experience, passion or journey. Audio profiles often aim to inspire or educate through personal stories.

Who do you talk to?

Interview someone who participated in the rebuilding of local government. This could be someone who voted in the first democratic local elections (1995–1996), a community organizer involved in negotiating the new system in the early 1990s, or a municipal official who witnessed the transformation from the old system to the new one.

Questions:

- What did the 1996 Constitution change about local government?
- Can you explain what it means that local government is a "distinct sphere"?
- What does the right to govern "on their own initiative" mean in practice?
- How did local government change from being just an administrative tool to a democratic institution?
- What do you wish young people understood about the Constitution and local government?

EXPERT INTERVIEW (Live or Pre-recorded)

What: Invite a guest to the show to discuss why local government was restructured and how the current system works.

How: Brief your guest on the topic and key questions.

Who: Speak to constitutional law experts, legal scholars, local government researchers, or municipal officials who understand how the Constitution transformed local government's role and powers.

Questions:

- What was local government like before the 1996 Constitution?
- What did the Constitution change about local government?
- Can you explain what it means that local government is a "distinct sphere of government"?
- What does "the right to govern on their own initiative" mean?
- How does this differ from how local government worked under apartheid?
- Why is public participation a constitutional requirement?
- How does the Constitution protect local government's powers?
- What happens when national or provincial government tries to interfere with local government?

Prepare questions based on your guest's expertise and background.

CALL-IN (Live)

What: Invite listeners to share their experiences with their municipality or thoughts on how the system works.

PREPARE THE LINEUP

Decide on how much time to allocate to each segment/format. Decide on when each segment/format will be discussed/aired on the show. This is often called a show clock.

WRITE A SCRIPT [SAMPLE]

Segment A: [INTRODUCTION]

Host 1: "Welcome back to [NAME OF SHOW] on [RADIO STATION]. My name is [NAME], and this is part 2 of our series on local government."

Host 2: "I'm [NAME]. Last time, we talked about the history of local government during apartheid. Today, we're looking at what changed everything—the 1996 Constitution."

Host 3: "And I'm [NAME]. You might think the Constitution is just about big things like human rights and freedom of speech. But it also completely changed how local government works."

Host 1: "Before 1996, local government had very little independence. It was controlled by provincial governments and didn't truly belong to the people it served."

Host 2: "But the Constitution changed that. It made local government a distinct sphere of government with real power and real independence."

Host 3: "Today, we're unpacking how the 1996 Constitution transformed local government and what that means for you."

Segment B: [VOX POP]

Host 1: "Before the show, we asked young South Africans: Do you know what the Constitution says about local government? Here's what they had to say."

PLAY VOX POP (±5 minutes)

Segment C: [DISCUSSION]

Host 1: "So it seems like most people don't know what the Constitution says about local government. And that's actually a problem because it means we don't know our rights."

Host 2: "Exactly. The Constitution doesn't just protect big things like freedom of speech. It also protects how local government works and your right to participate."

Host 3: "And the big change was making local government a distinct sphere of government. That's a phrase you might hear, but what does it actually mean?"

Host 1: "It means local government is not just controlled by national or provincial government. Municipalities have the right to govern on their own initiative."

Host 2: "That's huge. Before this, local government was basically just an administrative tool. Now it's a democratic institution."

Segment D: [EXPERT INTERVIEW – LIVE OR PRERECORDED]

Host 1: "Joining us now is [NAME], a constitutional law expert who specializes in local government. Welcome to the show."

CONDUCT INTERVIEW OR PLAY PRERECORDED INTERVIEW

Segment E: [DISCUSSION]

Host 2: "That was really powerful. So before 1996, local government was just controlled by provincial government. It had very little independence."

Host 3: "And now, because of the Constitution, local government is protected. It has its own sphere of power."

Host 1: "What really struck me was learning about the right to govern 'on their own initiative.' That means municipalities don't have to wait for permission from national or provincial government to do their work."

Host 2: "That's a massive shift. It went from being an administrative tool during apartheid to being a democratic institution that belongs to the people."

Segment F: [AUDIO PROFILE]

Host 1: "We spoke to [NAME], a legal scholar who studies how the Constitution protects local government. Let's hear what they had to say."

PLAY AUDIO PROFILE

Segment G: [DISCUSSION]

Host 2: "So according to [NAME], the Constitution doesn't just give local government power—it protects that power."

Host 3: "Right. National and provincial government can't just take over or interfere whenever they want. There are constitutional limits."

Host 1: "And this is important because it means local government truly belongs to local communities. It's not just an extension of higher levels of government."

Segment H: [CALL-IN]

Host 1: "We want to hear from you. Do you know what the Constitution says about your municipality? Have you ever used your right to participate? Call us on [NUMBER] or send us a message."

TAKE 1–3 CALLERS ON AIR

Segment I: [DISCUSSION – Addressing public participation]

Host 1: "Let's talk about something really important—public participation."

Host 2: "Many people think public participation is just a nice thing municipalities do. But it's actually a constitutional requirement."

Host 3: "That's right. The Constitution doesn't just say municipalities should listen to people. It says they must provide opportunities for participation."

Host 1: "And courts have confirmed this. Government has a duty to make it possible for people to take part in decisions that affect them."

Host 2: "So when your municipality holds a public meeting about the budget or a new development—that's not optional. They're required to do it by the Constitution."

Segment J: [WRAP UP WITH A DISCUSSION]

Host 1: "So what did the 1996 Constitution really change about local government?"

Host 2: "It made local government a distinct sphere of government. That means it's not just controlled by national or provincial government—it has its own protected space."

Host 3: "It gave municipalities the right to govern on their own initiative. They don't need permission to do their work."

Host 1: "It shifted local government from being just an administrative tool to being a true democratic institution."

Host 2: "And it made public participation a constitutional requirement. So when you participate, you're not asking for a favor—you're exercising a constitutional right."

Host 1: "Understanding this matters because it shows us that local government is meant to belong to us, the people. Not to higher levels of government."

Host 2: "Thank you for joining us today. Next time, we'll be looking at how local government works now and why you should care about getting involved."

Host 3: "I'm [NAME]. Know your rights, know your Constitution."

Host 1: "And I'm [NAME]. Remember—local government isn't somewhere else. It's right here, and the Constitution protects your right to be part of it."