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SOUTH AFRICA'S "TRIPLE CRISIS OF GOVERNANCE" AND SOCIETAL LEADERSHIP VACUUM

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Abstract. This article demonstrates that corruption, illegality and insecurity, which escalated with the ruling African National Congress' (ANC's) deconsecration of South Africa's stateness, are reigning under the grip of the "triple crisis of governance" and societal leadership vacuum. It argues that South Africa's defiled stateness has allowed for the ceding of public/state power and authority to non-state actors, intolerance of state-society subsidiarity, abuse of state power, industrial-scale corruption and persecution of whistleblowers. The article cites tales of persecution and killing of whistleblowers and the extraordinarily high proportion of public distrust of key state institutions and the political system that created an ominous societal leadership vacuum as indicators of the "triple crisis of governance" and deconsecrated stateness. It holds that political party state governance is not absolute; instead, it is "relational" and "situational," requiring citizenry legitimacy and public trust, which are vested with state-society subsidiarity, without which control of public/state power and authority would be impossible outside the use of force, violence or fraudulent means. This article concludes that having ceded public/state power and authority to non-state actors and deconsecrating stateness, the ANC allowed for the consolidation of an ominous societal leadership vacuum under which the South African democratic experiment would not endure. Therefore, the ANC's solace about lost votes not accruing to opposition parties is delusional because an increasing majority of South Africans are now willing to forego electoral democracy and to settle for an unelected but effective government that guarantees security, legality, rule of law and accountability. This article recommends that institutions of society embark on nationwide campaigns to sanctify South Africa's stateness and counter the phenomenon of defiled statehood by reinventing the vibrancy of citizenship in the democratic experiment.

Keywords: governance; democratic experiment; stateness; state-society subsidiarity; deconsecration; corruption; whistleblowing; democracy

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1. Introduction

The "triple crisis of governance" manifests when the state lacks accountability and the rule of law amidst leaderless civil conflicts and economic crises, as well as deconsecration of stateness, characterised by insecurity, illegality and instability (Kew, 2005; Diamond, 2005; van Wyk, 2007; White & Larmer, 2014; Schubert, 2015;

Alexander, McGregor & Tendi, 2017; Witz, Minkley & Rassool, 2017; Dallywater, Saunders & Fonseca, 2019; Kumagai & Iorio, 2019; Alexander *et al.*, 2020). In a democratic South Africa, the ruling ANC has brazenly ceded public/state power and authority to non-state actors in a phenomenon denoted state capture (Farooqi, Abud & Ahmed, 2017; Mojapelo & Faku, 2019; Wiener, 2020; Calland & Sithole, 2021; Muller, 2021; Mojapelo, 2022), thereby consecrating corruption, illegality, insecurity and defiling of the country's stateness. The ANC's mysterious narrative that the recent haemorrhaging of votes is not a problem because they are not lost to opposition parties demonstrates that the ruling party is eluded by the "triple crisis of governance" and consolidation of societal leadership vacuum, which are directly linked to deconsecration of South Africa's stateness. South Africa's exercise of public/state power and authority required the exertion of the supremacy of the rule of law, ethical and moral leadership, transparency, accountability, inclusivity and constitutional fidelity (Wiener, 2020; Calland & Sithole, 2021), which rest on the principle of state-society subsidiarity for legitimacy. Instead, the ANC government created the "triple crisis of governance" through brazen abuse of state power, enabling systematic industrial-scale corruption, insecurity, illegality and impunity, and deconsecration of South Africa's stateness. Hence, the history of South Africa's democratic experiment is riddled with egregious constitutional infidelity than fidelity (Wiener, 2020; Calland & Sithole, 2021), wherein the "normative core" of the principle of state-society subsidiarity has been defiled. Looting of state resources and deconsecration of stateness was enabled by, among other things, decimating key state organs such as the National Prosecution Authority (NPA), the Hawks, Special Investigative Unit (SIU) and the South African Revenue Services (SARS) (Wiener, 2020; Calland & Sithole, 2021; Mojapelo, 2022). The "triple crisis of governance", corruption, whistleblower persecution, defiling state-society subsidiarity and deconsecration of stateness, eroded public trust and created an ominous societal leadership vacuum. South Africa's democratic experiment is now characterised by brazen criminality, corruption, murder and lawlessness amidst severe public distrust in institutions such as the police, army, courts of law, Electoral Commission, religious and traditional leadership, and political parties, and an increasing majority of citizens willing to forego the right to democratic election in favour of an unelected but effective government.

The societal leadership lost by the ANC, opposition parties and state institutions remain unaccounted for by any credible institutions. The "path-breaking" civil society vitality and public trust, which are "relational" and "situational" (Putnam, 1993), are unaccounted for by any credible societal institution, thereby raising concerns about a potential societal leadership vacuum that could explain the violent civil unrest and destruction of infrastructure in July 2021. The ANC's governance paralysis has allowed party elites to elicit private personal corrupt and fraudulent gains by desanctifying state-society subsidiarity and defiling South Africa's stateness (Wiener, 2020; Muller, 2021). The "triple crisis of governance" has decimated the credibility of the democratic experiment and eroded public confidence in the institutions of the state and democracy. By 2021 an increasing proportion of South Africans no longer trusted the ANC or any other credible societal institution (Moosa & Hofmeyr, 2021; Muller, 2021), creating a harmful societal leadership vacuum. Political systems require public legitimacy to ensure that structures, processes and systems of state institutions would have widespread support arising out of public trust and state-society subsidiarity. With industrial-scale corruption (Frohlich, 2022; Mojapelo, 2022; Wright, 2022) and consolidation of societal leadership vacuum, South Africa's democratic experiment will not endure (Kumagai & Iorio, 2019). This article argues that South Africa has reached the "triple crisis of governance" where the principle of state-society subsidiarity is undermined, stateness deconsecrated, and societal leadership legitimacy of the ruling ANC, opposition parties, and state institutions eroded, resulting in rampant corruption and whistleblowers' persecution.

2. Stateness, democratic experimentation, and the "Triple Crisis of Governance" in Africa

The African state is an imposition of an alien state and structures. The European state, institutions and authority have been transplanted on Africa, and this phenomenon involved subjugation and subversion, which made liberation elusive in what Basil Davidson characterised as "the black man's burden" and "curse" (cited in van

Wyk, 2007). This “great transplantation” allowed for the manifestation of “the politics of inclusion/exclusion” which explains the collapse of the imposed state in Africa (Osabu-Kle, 2000: 37). Hence, Africa’s democratisation drives of the 1980s, 1990s and the 21st century have continued to be punctuated by state violence against the pro-democracy movements, coups and suspensions of constitutions (Osabu-Kle, 2000; Diamond, 2005; Kew, 2005; Mamdani, 2005; Okuko, 2006; van Wyk, 2007). Inevitably, access to public/state power and authority under the democratic experiment in Africa has uniformly degenerated into the ruling party deconsecrating stateness. Generally, African leaders have attempted unsuccessfully to reconfigure the African states following a liberation struggle political culture incompatible with the principles undergirding the democratic experiment. In the process, the status of the state as “the principal, sovereign, authoritative and legitimate actor” in the exercise of “public/state authority” is changed. Power is ultimately ceded and exercised, “both *de jure* and *de facto*,” by non-state actors (van Wyk, 2007: 9). These eventualities establish an environment wherein the state’s authority is challenged, and state institutions collapse as “powerful informal/illicit” leadership proliferate to overshadow the “formal” political leadership (van Wyk, 2007: 9). Non-state “informal/illicit” leadership tends to further usurp the existing power vacuum, exacerbating state failure/collapse and incrementally defiling stateness (Osabu-Kle, 2000; Diamond, 2005; Kew, 2005; Mamdani, 2005; Okuko, 2006; van Wyk, 2007). State failure/collapse is a continuum rather than an end-point; hence, a collapsing/failing state is conceptually an epiphenomenal concurrency of a collapsed/failed state. In South Africa, non-state private actors to which the ruling ANC ceded public/state power and authority usurped further power vacuum, created as the state and its institutions were incrementally defiled by “informal/illicit” non-state leadership. When “public/state authority” is undermined, a power vacuum is created, and private non-state actors assume such public/state space with the consent of ruling party-political leaders (Osabu-Kle, 2000; Diamond, 2005; Kew, 2005; Mamdani, 2005; Okuko, 2006; van Wyk, 2007), and an ominous societal leadership vacuum forms as the state-society subsidiarity is desanctified.

Contemporary African states consist of “inherited state structures” designed through and for coercion and authoritarianism as well as centralisation of power for control in the army, police and bureaucracy (Diamond, 2005; Kew, 2005; Mamdani, 2005; van Wyk, 2007; Sapire, 2009; White & Larmer, 2014; Alexander, McGregor & Tendi, 2017; Dallywater, Saunders, & Fonseca, 2019; Alexander, Israel, Larmer & De Oliveira, 2020). Commonly, African states are an artificial imposition (Diamond, 2005; Kew, 2005; Mamdani, 2005; van Wyk, 2007; Sapire, 2009; White & Larmer, 2014; Alexander, McGregor & Tendi, 2017; Dallywater, Saunders, & Fonseca, 2019; Alexander, Israel, Larmer & De Oliveira, 2020) which are not amenable to the exercise of state-society subsidiarity and participatory democratic experimentation. With negligible exception, liberation and independence political culture in Africa has encapsulated authoritarian patterns of state governance wherein political contestations became levers for access to control of the state authority and resources for corruption, self-enrichment and abuse of power for elimination of opponents (Diamond, 2005; Kew, 2005; Mamdani, 2005; van Wyk, 2007; Sapire, 2009; White & Larmer, 2014; Alexander, McGregor & Tendi, 2017; Dallywater, Saunders, & Fonseca, 2019; Alexander, Israel, Larmer & De Oliveira, 2020). For these conditions to hold, African state governance degenerated into the “triple crisis” of insecurity, illegality and socio-economic conflicts wherein stateness was generally deconsecrated. This article asserts that a “democratic” South Africa is not an exception to the African norm. The ANC inherited an imposed state; and, under the democratic experiment, the elusive colonial-style authoritarianism subverted the democratic state governance. The state’s bureaucratic authority and the quality of its administration have deteriorated exponentially in recent years (Calland & Sithole, 2021; BTI, 2022), thereby decimating South Africa’s stateness. State capture testimonies and assassination of whistleblowers demonstrate that the brazen elite corruption is no longer just systematic but reflects “the shadow state or ... a parallel state” (Narsiah, 2022: 186). Revelations that the ANC’s state governance was instrumental in the process of relinquishing control of public/state power and authority to non-state actors such as the Gupta family, Bains & Company and Bosasa, among others, to establish an enduring para-state framework that would weaken state institutions and deconsecrate stateness, and normalise industrial-scale corruption and killings, are ominous

indicators of a consolidated shadow state. The latter is possible where the societal leadership vacuum is consolidated.

Stateness entails the provision of security, order, legality and stability, among other basic rights and necessities, to the public. Therefore, state governance invokes the exercise of control of public/state power and authority by the ruling party to ensure that stateness is realised pragmatically among the citizenry. Stateness, just like the exercise of power and authority, is not absolute; instead, the public imbues political systems and state institutions with legitimacy, confidence and trust for the exercise of statehood (Diamond, 2005; Kew, 2005; Mamdani, 2005; van Wyk, 2007). That is, stateness and state-society subsidiarity are mutually formative of each other; hence, "where the state is unable to provide basic services and security," the notion of "failed/fragile state" tends to be invoked and applied (Kew, 2005: 150; van Wyk, 2007: 7). Where conditions of state's "structure, authority, power, law and political order fall apart," the "triple crisis of governance" manifests, and the state will lack accountability, fail to uphold the rule of law, be unable to resolve social conflicts and economic crisis (Diamond, 2005: 13; van Wyk, 2007: 7). To this end, Mamdani's (2005: 266) argument that "It is not just any state that is collapsing, it is specifically the colonial state in Africa that is collapsing," is pertinent because South Africa's state, which was inherited by the ruling ANC in 1994, is collapsing and/or failing, taking with it the democratic experiment. This article holds that South Africa has never established its nuance democratic state in 1994; instead, it is the artificially imposed state and the colonial apartheid state structures of authoritarianism that are collapsing and/or failing.

Once public/state power and authority are vested in non-state actors, the nation-state institution ceases to serve the interests of the public; and, the democratic experiment fails because state-society subsidiarity is undermined and stateness is deconsecrated, allowing for insecurity, illegality and socio-economic conflicts. As the leader of state institutions and, by self-proclamation, that of society, the ANC has failed to take accountability for the governance crisis and abuse of state power and authority, evident over the past two decades as vividly exposed through state capture testimonies. This article argues that the ANC's dominion and control of public/state power and authority has suppressed constitutionalism and democratic freedoms for the majority of previously disadvantaged South Africans (Narsiah, 2022) by creating the "triple crisis of governance" where insecurity, illegality and socio-economic conflicts are predominant, whilst stateness is incrementally deconsecrated. In the past two decades, South Africa's state-owned enterprises (SOEs), such as ESKOM, Denel, Vhenda Building Society (VBS), South African Broadcasting Corporation (SABC) and a host of municipalities, have been notorious for scandalous illicit activities, including fraud, maladministration, corruption and tender rigging (Mojapelo, 2022). A few brave, honest and patriotic employees of SOEs, municipalities and other state institutions, decided to risk it all and blew the whistle by exposing graft, looting, political interference, corruption, nepotism, fraud and siphoning of funds (Farooqi, Abud & Ahmed 2017; Mojapelo, 2022), were systematically persecuted or eliminated. The brazen killing of whistleblowers in South Africa raises vexed questions whether the democratic experiment has degenerated into a "mafia state" where crime, corruption, violence and illegality rule. The South African democratic experiment is 28 years on, synonymous with rampant "corruption, looting and fraud, theft," nepotism and maladministration in both the private and public sectors (Mojapelo, 2022: 5). Potential whistleblowers fear alienation, threats, career limitation, intimidation, loss of income, dismissal and bullying (Mojapelo, 2022), which can only describe a state where the "triple crisis of governance" holds and stateness deconsecrated.

3. Corruption and persecution of whistleblowers in South Africa

Whistleblowers in South Africa are faced with a severe quagmire wherein they are harassed, victimised, chastised, dismissed from their jobs, purged, persecuted and, in other cases, assassinated (Carson & Mota-Prado 2016; Mojapelo, 2022). Indeed, whistleblowing involves both selfish (*egotistic*) and unselfish (*altruistic*) acts on the side of the whistleblower, and it has become a dangerous act in a democratic South Africa (Halpin & Dundon,

2017; Mojapelo, 2022). The Judicial Commission of Inquiry into Allegations of State Capture has revealed the rod, especially at the SOEs, and the ineffectiveness of the bureaucratic administration and dysfunctional state institutions (Calland & Sithole, 2021; BTI, 2022). SOEs, such as the national rail agency (Prasa), Transnet, Eskom, the national airline (SAA) and Denel, have been in financial turmoil due to industrial-scale corruption and mismanagement (Calland & Sithole, 2021; BTI, 2022). The South African Revenue Service (SARS) was also neglected for years to facilitate its capture, corruption and a culture of impunity (Calland & Sithole, 2021; BTI, 2022). Corruption, as measured through the Corruption Perception Index (CPI) as well as in terms of the sheer amount of resources involved, is endemic among African countries (Imiera, 2020, cited in Mojapelo, 2022: 5). In 2019, the South African Broadcasting Corporation (SABC) reported that president Ramaphosa told the *Financial Times* Africa Summit in London that South Africa had lost over R1 trillion to corruption (cited in Mojapelo, 2022: 5). In terms of the CPI, South Africa is ranked 70 out of 180 countries (Frohlich, 2022). The South African Chapter of Transparency International, Corruption Watch, reports that 5 094 allegations of local government corruption were submitted during 2012-2020 (Wright, 2022).

Whereas not the worst in the world, whistleblowing is in most of Africa tantamount to "death penalty" (Mosimann-Barbier, 2014; Open Democracy Advice Centre (ODAC), 2015; Farooqi, Abud & Ahmed, 2017; Halpin & Dundon, 2017; Nel, Forster & Thesnaar, 2020; Wiener, 2020; Gavin, 2021; Frohlich, 2022; Jansen, 2022; Mojapelo, 2022; Wright, 2022). Whistleblowing "is a way of challenging power, an assertion of belief in legality and morality" (Wiener, 2020: 10). Indeed, telling "truth to power," legality and morality have been scarce commodities for most of Africa. Clarke (2021) states that whistleblowers speak "truth to power about corruption," and, with "no defence against truth," power retaliates and attacks whistleblowers with brutality and impunity. Soopramanien Kisten of Mauritius was burnt to death in October 2020 for exposing government Covid-19 corruption (Frohlich, 2022). Gradi Koko Lobanga and Navy Malela, following their July 2020 expose of the international money laundering network between the Democratic Republic of Congo (DRC), Europe and Israel through their former employer, Afriland First Bank, were instead "sentenced to death in absentia" in the DRC on account that they violated bank secrecy laws as an organised gang "stealing documents ... forgeries and defamatory denunciation" (Frohlich, 2022). Whistleblowers know, in advance, the calamitous consequences that would befall them; hence, whistleblowing entails a degree of moral courage (Wiener, 2020; Clarke, 2021) because fate seems always to be predetermined. But governments have done little more than lip-servicing the plight of whistleblowers. The United Nations Organisation on Drug and Crime (UNODC) has reported that of the 54 African countries, only seven (7) have promulgated laws, which are inadequate in many respects. The Platform for the Protection of Whistleblowers in Africa (PPLAAF) is inadequate because it covers state officials only (Frohlich, 2022), leaving the majority of whistleblowers to their own devices. Existing legislation is inadequate and, in some cases, defective. Whilst persecution of whistleblowers rages on and corruption ravages Africa, governments have continued to be despondent and paralysed. Whereas Ghana has "the strongest whistleblower laws" in Africa, it does not accord reporting anonymity nor protection against retaliation attempts, whilst Nigeria "has virtually no" whistleblowing law (Frohlich, 2022). South Africa, whose democratic experiment is touted as a beacon of hope for Africa, has been embroiled in industrial-scale corruption, persecution, and execution-style murder of whistleblowers.

Gavin (2021: n.p.) notes that contemporary South Africa is afflicted by "a toxic combination" of "corruption, cynical politics and high levels of violence," which created fertile conditions for the detrimental treatment and killing of whistleblowers. Wiener (2020) presents a scathing indictment of the state of South Africa, lamenting the treatment of whistleblowers whose life of misery involves ostracism, depression, negative stigma and execution-style murder. South Africa now has a melee of political toxicity and violence (Gavin, 2021) that has imposed an extraordinarily high cost on the governance of the democratic experiment. The July 2021 public unrest has conclusively demonstrated tolerance for violence and disregard for the rule of law among most South Africans (Gavin, 2021). Political anarchists harnessed South Africa's political toxicity, especially the ANC's factional tension and governance paralysis, to resist accountability and transparency. As a ruling party, the ANC is

characterised as "a vast criminal enterprise," under which whistleblowers have suffered severely, whilst evidence is mostly "swept under the carpet" (Wiener, 2020; Gavin, 2021; Jansen, 2022). Whereas corruption and illegality are pervasive in South Africa, and the public is "inured," whistleblowers are often characterised as societal misfits, enduring calamitous and fatal consequences (Wiener, 2020; Gavin, 2021; Jansen, 2022), at the same time as the country is riddled with public anti-corruption protests, mostly violent (Frohlich, 2022; Mojapelo, 2022; Wright, 2022). Contemporary South Africa has a woeful ethical leadership deficit in all life spheres, including the traditional and religious domains. In general, South Africa has treated whistleblowers with utter disdain, an indictment of the integrity of the democratic experiment and the sanctity of its stateness.

ODAC (2015: 1) notes, "When we consider the actual experiences of citizens who blow the whistle in South Africa, it becomes clear that the ambitious constitutional principles that promote transparency are not enough to create a safe environment for those that speak out on wrongdoing." A democratic experiment has to effectively protect whistleblowers because they serve society by uncovering the truth and exposing corruption at significant personal risk (Frohlich, 2022; Mojapelo, 2022; Wright, 2022). In most of Africa, whistleblowers have been ostracised and murdered (Wiener, 2020; Frohlich, 2022). Whistleblowing is a crucial corruption and malfeasance-busting strategy but at a high cost for the whistleblowers. Ordinarily, the provision of legislation to protect whistleblowers has been inadequate and, sometimes, an outright lip servicing exercise. According to Loggerenberg, "No democracy can survive without people who act when they see something going on that is wrong" (cited in Frohlich, 2022: n.p.). The state has to protect citizens so that they may "not be afraid of the consequences ... because fear only creates a breeding ground for more corruption and crime" (Frohlich, 2022: n.p.). According to Williams (cited in Frohlich, 2022: n.p.), state capture whistleblowers in South Africa had "Fear for their physical integrity," "fear of legal action", and fear of being unable to provide for their families, respectively, because "government does not provide protection," existing laws do not cushion them from legal exposure and the "negative stigma" that see companies refusing to employ and secure their livelihoods. Also, the ODAC (2015: 1) concludes that whereas whistleblowers' stories are each unique, they have similarities "that paint a picture of struggle and adversity for people seeking to do the right thing in the public interest," which can be a high-risk act, including being killed.

For South Africa, Wiener (2020) describes Mpumalanga Province as "the centre of whistleblower murder," where Jimmy Mohlala and Sammy Mpatlanyane were shot to death for uncovering corruption in the construction of the 2010 FIFA World Cup Mbombela stadium (Wiener, 2020). Their killing was followed by "a farcical chain of police ineptitude and malpractice," allegedly extending to "the highest levels of the ANC" (Wiener, 2020: 11). Jimmy Mohlala, who was the Mbombela Municipality manager in Mpumalanga Province was shot dead for exposing tender corruption in the 2010 Soccer World Cup stadium (Mojapelo & Faku 2019; Mojapelo, 2022). The murder of whistleblowers is planned and conducted with sheer arrogance by groups of men, as attested to variously by cases involving Babita Deokaran and Sindiso Magaqa (Wiener, 2020; Frohlich, 2022; Jansen, 2022; Mojapelo, 2022). Babita Deokaran, who blew the whistle on corrupt transactions involving Tembisa Hospital multi-million rand contracts in Gauteng Province was brutally shot dead on August 23, 2021 (Gavin, 2021; Wright, 2022). Babita Deokaran was not only a whistleblower but also a witness in the SIU investigation regarding corruption and irregular procurement in the Gauteng Department of Health (Gavin, 2021; Wright, 2022). Sindiso Magaqa, a former ANC Youth League secretary and ward councillor in KwaZulu-Natal, was shot multiple times in July 2017 and died later from stomach pain, allegedly because of uncovering corruption in the uMzinkhulu Municipality for the renovations of a town hall (Jansen, 2022; Mojapelo, 2022). Exposés of corruption in the Free State Province Vrede Estina Dairy Farm saw a Department of Agriculture civil servant, Moses Tshake, suffering a gruesome death when he was kidnapped, tortured and towed behind a car to death, a price he paid for doing a diligent job and being patriotic (Wiener, 2020). A councillor, Moss Phakoe, of Bojanala Platinum District Municipality, North West Province, was shot dead in 2009 after he had exposed corruption perpetrated by other councillors and officials in the municipality (Wiener, 2020; Wright, 2022). Following Moss

Phakoe's killing, police work was shoddy, dockets disappeared, and his ally in exposing corruption is now condemned to misery (Wiener, 2020; Wright, 2022).

Whereas President Ramaphosa hailed Babita Deokaran as "a hero and a patriot" (Gavin, 2021), his government has not done enough to halt the terrorisation and brutal killing of whistleblowers, some of whom have now self-exiled. Those lucky not to be killed suffer profusely and, sometimes, with long-lasting calamitous life consequences. Athol Williams, who blew the whistle on state capture in 2021, was forced to flee the country, fearing for his life (Frohlich, 2022). An anti-corruption activist, Thabiso Zulu, in kwaZulu-Natal Province was ambushed and shot in the arm after exposing corruption, tender rigging and price inflation by high-profile politicians in uMzimkhulu Municipality; and, he has accepted that he will not come out of this situation alive (Clarke, 2021; Jansen, 2022; Mojapelo, 2022). According to Thabiso Zulu, South African whistleblowers are awaited by "prison, death or self-imposed exile" (cited in Clarke, 2021). Cynthia Stimpel and Themba Maseko at the SAA and Government Communications Information System (GCIS), respectively, experienced calamitous lives following their exposure or prevention of corruption. Themba Maseko was a Director General at the GCIS. He refused to allow the allocation of government media buying budget contract worth R600 million to the Gupta newspaper, the New Age (TNA). He was dismissed, and he suffered a calamitous life (Buckland & Willis, 2012, cited in Mojapelo, 2022: 10). Having exposed corruption and illicit transactions at the SAA, Cynthia Stimpel lost her job and was subjected to "a tough time" (Frohlich, 2022; Mojapelo, 2022). Mosilo Mothepu, a former Trillian Financial Advisory Chief Executive Officer, revealed that Trillian secured R1.6 billion in contracts through insider and commercially sensitive information from Transnet and Eskom, among other SOEs. She paid a heavy price of disciplinary hearings, dismissal, an arduous legal battle and a bill worth R1.4 million, bankruptcy, unemployment during 2016-2018, and ominous threats (Mojapelo, 2022). To achieve an ethical and moral society, each citizen must be involved; to endure, the democratic experiment needs whistleblowers to deter and uncover corruption. The state must provide security and ensure that society may not be ruled by fear. In constitutional infidelity, industrial-scale corruption, escalation in public distrust in state institutions, deconsecration of stateness and desanctifying state-society subsidiarity described above, the South African democratic experiment cannot endure.

4. Public distrust, state-society subsidiarity and the democratic experiment

Public trust and democratic state governance are driven by similar principles, attributes and values (Alkon & Urpelainen, 2018; Brankovic, 2019; Festenstein, 2020), which subsume under generic state-society subsidiarity relations. If state-society subsidiarity relations are defiled, public distrust will escalate, and an ominous societal leadership vacuum will form.

4.1 State-society subsidiarity relations

Governance of democratic experiments and state-society subsidiarity relations are contestable because they are connected through public trust, simultaneously subjective and objective, as well as symbolic and instrumental value. Whereas public trust is a resource for the legitimacy and stability of public institutions, it is both an outcome-based and process-based phenomenon, which is crucial in creating opportunities for the sustainability of democratic experiments (Alkon & Urpelainen, 2018; Festenstein, 2020). In addition, inclusive decision-making processes and democratic governance generate and strengthen public trust in ways that mediate risky public behaviour through state-society subsidiarity. Public value of the citizenry's trust resides in the legitimacy of institutions, allowing for vibrant citizen engagement and societal partnerships. Thus, principles that subsume under state-society subsidiarity constitute the foundations for effective governance because the former involves "sharing of powers between" different levels of public/state authority in order "to guarantee a degree of independence" at all scales (Alkon & Urpelainen, 2018; Festenstein, 2020). By its nature, democratic governance turns on state-society subsidiarity relations, sound policymaking, leaving no one behind or outside the process, and non-discriminatory vibrant citizen engagement (Alkon & Urpelainen, 2018; Festenstein, 2020).

With public trust, state-society subsidiarity is impossible when dysfunctional institutions breed public distrust that extends to political systems (Alkon & Urpelainen, 2018; Festenstein, 2020). Hence, democratic governance invokes the treatment of all citizens fairly and justly, respecting and upholding human rights and the rule of law, creating opportunities for access to public goods and services as well as allowing for unhindered citizens engagement (Putman, 1993; Putman, Leonardi & Nanetti, 1993), which do not hold where corruption is rampant, and whistleblowers are brutally killed. Also, social cohesion is necessary in state-society subsidiarity for collective decision-making, especially within heterogeneous societies, because it connects to equality of opportunity, inclusivity, the rule of law, order, stability, transparency and accountability (Alkon & Urpelainen, 2018; Festenstein, 2020). On the converse, corruption, illegality and dysfunctional public institutions desanctify state-society subsidiarity and cause public distrust and despondence (Putman, 1993; Putman, Leonardi & Nanetti, 1993; Brankovic, 2019). A democratic experiment cannot endure under these conditions of public violence and crime, corruption, the assassination of whistleblowers, deconsecrated stateness and defiled state-society subsidiarity. This article asserts that the ANC has, in 28 years, failed the state-society subsidiarity test by creating the "triple crisis of governance," which imbued public distrust of state institutions, political systems and the democratic experiment itself amidst insecurity, illegality and instability. Unsurprisingly, an increasing majority of South Africans who qualify to vote have yet to register in recent elections (IEC, 2019, 2021; Calland & Sithole, 2021; BTI, 2022).

4.2. Public distrust in South Africa's democratic experiment, societal leadership vacuum and deconsecrated stateness

Public trust in state and democracy-supporting institutions has been eroded to the lowest historical levels. Where evidence of executive abuse of power emerged, the ANC-dominated legislature failed to exercise effective oversight because public representatives are beholden to their political parties than to the country, pitting self-interested personal career ambitions with conscience and personal convictions (Wiener, 2020; Calland & Sithole, 2021; BTI, 2022; Wright, 2022). In May/June 2021, Afrobarometer surveyed to determine the level of public trust in societal institutions, including parliament, courts of law, police, religious and traditional leaders and political parties, among others, which revealed that confidence in these institutions has generally declined to its historic lows. Public trust in the local councils, opposition parties, police, the ANC, provincial premiers and parliament was below 30% (Moosa & Hofmeyr, 2021). Public trust in traditional leaders, Electoral Commission of South Africa, the presidency and SARS was between 31% and 40%. For religious leaders, the Public Protector, courts of law and the army were between 42% and 49%. There is a significant public trust deficit, and an increasing majority of South Africans have lost confidence in these democracy-supporting institutions, undermining the vibrancy of citizen engagement. To this extent, state-society subsidiarity relations have been eroded, and the democratic experiment defiled.

Whereas the judiciary remained highly effective and independent, an increasing majority of the public distrusted it. South African citizens are granted extensive civil rights. Still, in too many cases these rights are not sufficiently respected, especially in regard to basic rights such as access to water, electricity, education and physical integrity, and access to justice through courts of law is extraordinarily expensive (Calland & Sithole, 2021; BTI, 2022). Public trust in the Office of the Public Protector too has collapsed drastically (Calland & Sithole, 2021; BTI, 2022). The ANC's vote share in national elections has declined from its peak of 70% in 2004, as citizens have become increasingly frustrated with rampant corruption and the ruling party's governance paralysis (Wiener, 2020; Calland & Sithole, 2021; BTI, 2022). Although most voters continued their support of the ruling ANC, which won its sixth successive free and fair election, its majority declined from 62% in 2014 to 58% in 2019, which is its lowest-ever vote share (Calland & Sithole, 2021; BTI, 2022). Inevitably, the legitimacy and authority of the state are under questioning, especially as corruption is accompanied by public insecurity and the killing of whistleblowers. One of the major concerns arising from the 2019 elections was the decreasing voter turnout, as only 66% of registered voters cast their ballots compared to 74% in 2014 (IEC, 2019; Calland & Sithole, 2021; BTI, 2022). Aside from registered voters choosing to stay away, millions of South Africans are not registered on

the voters' roll and therefore ineligible to vote; and, taking these non-registered voters into account, the voter turnout drops to 49% (IEC, 2019; Calland & Sithole, 2021; BTI, 2022). South Africa is widely regarded as one of the most successful democracies in Africa, but public confidence in the democratic experiment has declined significantly, as demonstrated above. Instead of voting for opposition parties, many voters elected to not participate in the elections at all (IEC, 2019, 2021; Calland & Sithole, 2021; BTI, 2022), primarily because of the distrust in democracy-supporting institutions.

Conversely, an increasing majority of South Africans distrust these institutions of the democratic experiment, especially the police, local councils, opposition parties and the ANC, followed by the provincial premiers, the presidency, Electoral Commission, courts of law, SARS, religious leaders, Public Protector, the army and traditional leaders (Moosa & Hofmeyr, 2021). Public trust in the ANC dropped drastically between 2011 and 2015; it has since never recovered as it reached its lowest in 2021 (Moosa & Hofmeyr, 2021). For opposition parties, public trust has always been below that of the ANC during the democratic experiment. In 2006, public trust in the ANC was at its highest (62%), and it dropped to 50% in 2008, recovered to 61% in 2011, and declined drastically to 27% between 2011 and 2021 (Moosa & Hofmeyr, 2021). The South African public has historically had confidence in the national liberation movement since at least the 1950s. The distrust of the ruling party of about 73% in 2021, as estimated from the Afrobarometer survey, is unprecedented and concerning because it points to the consolidation of an ominous societal leadership vacuum which opposition parties or any other credible institution have not usurped. Despite the hyperbolic campaigns around "Thuma Mina" and "Ramaphoria" since 2017, public trust in the ANC dropped from 43% in 2015 to 38% in 2018, reaching a historic low of 27% in 2021. The inability of the ANC to significantly recover public trust, even after the December 2017 national elective conference that installed a new president who took over control of the state presidency in early 2018, demonstrates that the underlying factors are systemic and institutional rather than personality traits. Consolidating the societal leadership vacuum means that the July 2021 civil unrest, destruction of infrastructure and looting could be a function of a shadowy leadership, if not a leaderless uprising. That this societal leadership vacuum will be consolidated is unquestionable because, in 2021, Afrobarometer showed high public distrust in almost all democracy-supporting institutions, except for the broadcasters. As a momentous Phala Phala Farm scandal is already desanctifying the Ramaphosa presidency, there is no hope of the ANC reclaiming, reducing or de-intensifying the societal leadership vacuum.

In the same manner, as public distrust in democracy-supporting institutions has increased from 2006 to 2021, the proportion of South Africans who have expressed a willingness to forego electoral democracy has risen from 57% in 2006 to 65% in 2008, declining to 63% in 2011, remaining at 62% in 2015 and 2018, to 67% in 2021 (Moosa & Hofmeyr, 2021). During the same period, South Africans unwilling to forego electoral democracy dropped from 35% in 2006 to 29% in 2008. It recovered to 33% in 2011 and 35% in 2015 and 2018, to a historic low of 30% in 2021 (Moosa & Hofmeyr, 2021). The last defence of the democratic experiment and governance has virtually collapsed because public confidence and trust on which it turns, and source legitimacy and support, have been decimated. An increasing majority of South Africans perceive and/or experience no public value in the democratic experiment and governance, and this societal character is, in the context of a consolidated societal leadership vacuum, an ominous sign for the nation-state. The July 2021 civil unrest, political upheaval, public violence and destruction of infrastructure amidst state institutions' paralysis is not an epiphenomenal concurrence of an angry public. Deconsecrated stateness in the context of such a significant majority of the public willing to forego electoral democracy amidst a yawning public distrust of democracy-supporting institutions means that the most profound defences of democracy, the state-society subsidiarity relations, is decimated and that South Africa's democratic experiment may not endure.

Underlying the ANC's internal strife, fragmentary factionalism and simmering tensions, there has been "a willingness to use political violence" (Muller, 2021: 2). The optics of leaderless civil unrest, political violence, destruction of infrastructure and rampant looting are ominous. It is worrying that an increasing majority of South

Africans have expressed their willingness to forego electoral democracy in favour of being ruled by an unelected but influential government if security, legality, stability, service delivery and prosperity are guaranteed. As already stated above, 67% and 30% of South Africans registered a willingness and unwillingness, respectively, to forego their rights to electoral democracy in favour of an unelected but effective government in May/June 2021 (Moosa & Hofmeyr, 2021). Understood in the context of the majority of South Africans who are tolerant of violence, this 67% of people willing to forego electoral democracy, together with the unreasonable July 2021 public violence and the daily brutal gender-based violence, suggest a void of societal leadership. An increasing majority of South Africans perceive no value in the democratic experiment, and the consolidation of the societal leadership vacuum while state institutions remain paralysed means that future violent civil unrest cannot be discounted. South Africa's democratic experiment cannot endure under these circumstances of deconsecrated stateness. The last lines of defence of the democratic experiment, which are a public trust, state-society subsidiarity relations and stateness, have been defiled and breached. The ANC's hope that public confidence could be recovered through party renewal commitments whilst ignoring the locus of the forces of their erosion in defiled stateness, dysfunctional state institutions, the "triple crisis of governance," insecurity, illegality, impunity, factional tensions, industrial-scale corruption and murder of whistleblowers, is a pipe dream. South Africa is under the "triple crisis of governance" public insecurity, tolerance of violence, lawlessness, social conflicts and economic crisis, intolerance of state-society subsidiarity and deconsecrated stateness.

5. Conclusions and Recommendations

This article explored concepts of the "triple crisis of governance" and the state-society subsidiarity relations to demonstrate that the ANC has defaulted on its liberation struggle promise by ceding public/state power and authority to non-state actors, thereby normalising corruption, illegality, insecurity and deconsecration of stateness. The ANC's state governance failures have created extraordinarily high public distrust, manifestly affecting critical institutions of the state, religion and politics, creating an ominous societal leadership vacuum. To this extent, an increasing majority of South Africans are willing to forego their right to electoral democracy in favour of an unelected but effective government that would guarantee security, the rule of law, stability, service delivery and prosperity. The article argued that South Africa's democratic experiment is in the grip of the "triple crisis of governance," signified by the blatant defiling of stateness, abuse of state power, intolerance of state-society subsidiarity, industrial-scale corruption and persecution of whistleblowers. It has cited cases of persecution and killing of whistleblowers in the face of elite industrial-scale corruption, the ANC's state governance paralysis and the deconsecration of South Africa's stateness. The ANC has mysteriously initiated a deviant narrative that points to solace because opposition parties did not necessarily take up the votes they had lost in recent elections. This solace about lost votes misses the point that an increasing majority of South Africans, especially those constituting the ANC's constituencies, are now willing to forego electoral democracy and settle for an unelected but effective government in the context of tolerance of public violence, deconsecrated stateness and public distrust of democracy-supporting institutions. This article has asserted that political party state governance is "relational" and "situational," requiring citizenry legitimacy and public trust, without which control of public/state power and authority would be impossible outside the use of force, violence or fraudulent means. It concludes that having ceded public/state power and authority to non-state actors and deconsecrating stateness, the ruling ANC created a societal leadership vacuum that normalised the "triple crisis of governance," industrial-scale corruption and elite criminality within the South African democratic experiment. The article recommends that institutions of society embark on nationwide campaigns that would sanctify South Africa's stateness to counter the phenomenon of a defiled statehood and reinvigorate vibrancy of citizenship and civic duty to recover public confidence and trust in the democratic experiment.

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