

# **MUNICIPAL DISASTER MANAGEMENT IN SOUTH AFRICA: INTERGOVERNMENTAL RELATIONS AS A PLANNING INSTRUMENT**

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## DECLARATION OF INDEPENDENT WORK

I, BONGANI ELIAS SITHOLE, student number: [REDACTED], do hereby declare that this research project submitted to the Central University of Technology, Free State for the DOCTOR TECHNOLOGIAE: PUBLIC MANAGEMENT degree, is my independent work; and complies with the Code of Academic Integrity, as well as other relevant policies, procedures, rules and regulations of the Central University of Technology, Free State; and has not been submitted before to any institution by myself or any other person in fulfilment (or partial fulfilment) of the requirements for the attainment of any qualification.



**SIGNATURE OF STUDENT**

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## EXECUTIVE SUMMARY

As part of the drafting of the *White Paper on Intergovernmental Relations* in the Republic of South Africa (RSA) the then Department of Constitutional Development commissioned the National Democratic Institute to undertake case studies of international experience in intergovernmental relations (Department of Constitutional Development and Provincial Affairs, 1998:3). The objective of the study was to determine whether the outcome of the international intergovernmental case studies could assist with the implementation of sections 40 and 41 of the *Constitution of the Republic of South Africa, 1996* (Act 108 of 1996) (the *Constitution*). Section 40 of the *Constitution* determines the three spheres of government, namely national, provincial and local government, while section 41 of the *Constitution* determines the principles of cooperative government and intergovernmental relations (IGR). Like many countries in the world, the RSA is at risk from a wide range of man-made and natural (meteorological, topological and biological) disasters that can lead to disasters such as civil disturbances (riots, demonstration); warfare (conventional, nuclear, biological, chemical, guerrilla including terrorism); refugees (forced movements of large numbers of people normally across frontiers); accidents (transportation, collapse of buildings and dams, mine disasters and technological failures such as pollution, chemical leaks or nuclear accidents); meteorological (storms, hailstorms, tornadoes and snowstorms, cold spells, heat waves and droughts (famine); topological (earthquake, floods, landslides) and biological (insect swarms and epidemics of communicable disease). In the past the RSA has pursued various strategies to counter the effects of such disasters.

However, it has now been recognized by the stakeholders in disaster management that these strategies were not adequate. There was a need for a clear policy on disaster risk reduction and disaster management that is proactive and not reactive.

Disaster management has been placed in the context of the development challenges that the country faces as a whole. There is a significant relationship in the way that disasters and development affect one another. These development challenges are set out in the government's Reconstruction and Development Programme (RDP), now called the Breaking New Ground Programme (BNG), which becomes the cornerstone and vision of the government's efforts for social and economic transformation. The BNG is a response to some identified challenges that were not adequately dealt with by the Housing Code. The BNG manifests a paradigm shift in housing as it provides plans and programmes for housing and outlines various indicators and interventions that are necessary to ensure the success of the programme. The Growth Employment and Redistribution Strategy (GEAR) also significantly impacted on the path that development takes in the country. Duncan (2014:7) argues that GEAR effectively domesticated neoliberalism in South Africa. GEAR, which is a substitute for the RDP, was aimed at macro-economic changes (Visser, 2004:9).

It was a framework for accelerated economic growth coupled with rapid development in order to provide a sustained increase in employment and a reduction in poverty. These factors are critical for reducing vulnerability to disasters.

Since the promulgation of the *Disaster Management Act, 2002* (Act 57 of 2002) (the *Act*) on 15 January 2003, disaster management managers, government officials and stakeholders are guided by the *Act* pertaining to all matters related to disaster management. This *Act* as compared to its predecessor, the *Civil Protection Act, 1977* (Act 67 of 1977), as amended by the *Civil Defence Amendment Act, 1990* (Act 82 of 1990), places emphasis on the importance of measures to avoid and minimize human and economic losses during disasters and establishes prevention and mitigation strategies as the core principle of a future disaster management policy.

Section 4 (1) of the *Act* provides that the President of the RSA must establish an Intergovernmental Committee on Disaster Management consisting of Cabinet members involved in disaster management or the administration of relevant legislation.

Section 4(3)(a) of the *Act* determines that the Intergovernmental Committee on Disaster Management must give effect to the principles of cooperative government referred to in Chapter 3 of the *Constitution* on issues relating to disaster management.

Section 41(1) (h) of the *Constitution* determines that all spheres of government and all organs of state within each sphere must cooperate with one another in mutual trust and good faith by fostering friendly relations, assisting and supporting one another and building on common interest.

They also have to coordinate their actions, including legislative measures, adhering to agreed procedures and avoiding legal proceedings against one another. Section 15(4) of the *Act* also requires the national disaster management centre to liaise and coordinate its activities with the provincial and municipal disaster management centres.

Section 30(4) of the *Act* determines that a provincial disaster management centre must liaise and coordinate its activities with the national disaster management centre and the municipal disaster management centres in the province, while section 44(4) of the *Act* emphasizes the importance of a municipal disaster management centre to liaise and coordinate its activities with the national disaster management centre and relevant provincial disaster management centres.

Section 152(1) (d) of the *Constitution* also requires that local government ensure a safe and healthy environment.

In the light of the above, and the established understanding of disaster management, the primary responsibility for disaster management in the RSA rests with government.



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## **ABBREVIATIONS AND ACRONYMS**

ANC	African National Congress
COGTA	Cooperative Governance and Traditional Affairs
Contralesa	Congress of Traditional Leaders of South Africa
COMSEC	Electronic Communication Security
CBO	Community Based Organization
CSC	Cyber Security Centre
CSRC	Cyber Security Response Committee
CCCM	Cabinet Committee for Constitutional Matters
CCEM	Cabinet Committee for Economic Matters
CCWM	Cabinet Committee for Welfare Matters
CCSM	Cabinet Committee for Security Matters
CSIRT	National Computer Security Incidence Response Team
DMA	Disaster Management Act
DM	Disaster Management
DMAF	Disaster Management Advisory Forum
DMC	Disaster Management Centre
EMS	Emergency Medical Services
HFA	Hyogo Framework for Action
IDP	Integrated Development Plan

ILO	International Labour Organization
IDMC	Interdepartmental Disaster Management Committee
JMC	Joint Management Centre
JCC	Joint Coordinating Centre
JOC	Joint Operation Centre
LCC	Local Coordinating Centre
MIDMC	Municipal Interdepartmental Disaster Management Committee
MDMAF	Municipal Disaster Management Advisory Forum
MDMC	Municipal Disaster Management Centre
MDMF	Municipal Disaster Management Framework
NSMS	National Security Management System
NCM	National Coordination Mechanism
NATJOINTS	National Joint Operational and Intelligence Structures
NATJOC	National Operational Centre
NATHOC	National Health Operational Centre
NDMC	National Disaster Management Centre
NDMPF	National Disaster Management Policy Framework
NICC	National Intelligence Coordinating Committee
NIA	National Intelligence Agency

PDMC	Provincial Disaster Management Centre
PROVJOINTS	Provincial Joint Operational and Intelligence Structure
PROVJOC	Provincial Joint Operational Centre
PROVHOC	Provincial Health Operational Centre
PICC	Provincial Intelligence Coordinating Committee
PSA	Public Service Act, 1994
PVA	Public Viewing Area
SASS	South African Secret Service
SAMHS	South African Military Health Services
SANA	South African National Academy of Intelligence
SSC	State Security Council
UNISDR	United Nations Inter-Agency Secretariat of the International Strategy for Disaster Reduction
UNHCR	United Nations High Commissioner of Refugees
UN	United Nations
VOC	Venue Operational Centre
WHO	World Health Organization



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# CHAPTER 1: INTRODUCTION AND ORGANIZATION OF RESEARCH

## 1.1 INTRODUCTION

Organizations manage, maintain infrastructure and contribute to society by providing employment and essential goods and services to communities. Events, such as unexpected or unplanned major hazardous incidents, natural disasters causing infrastructural damage and deliberate attacks on an organization including crime threats impact on the ability of organizations to continue to function. A significant challenge to achieve this goal lies within the complexity of organizations and the ever-changing context within which they operate (Stephenson *et al*, 2010:1).

### 1.1.1 Governance

According to Peters (2001:1) governance is a scarce commodity although widely used; the concept of governance is, however, far from precise and has taken on a number of alternatives (Pierre and Peters, 2005:1).

Governance is defined by Lowe and Sako (2002:37) as a system of values, policies and institutions by which a society manages its economic, political and social affairs through interaction within and among the state, civil society and private sector. The success of disaster management efforts is critically dependent on political commitment manifested through good governance. Good governance is at the heart of the effective functioning of municipalities (Department of Cooperative Governance (DCOGTA), 2014:5).

Good governance includes the adoption and promotion of robust and sound policies, legislation, coordination mechanisms and regulatory frameworks.

The creation of an enabling environment that is characterized by appropriate decision-making processes to allow effective participation of stakeholders is complemented by the appropriate allocation of resources. Governance is seen by the United Nations (UN) as the process of decision-making and by which decisions are implemented (or not implemented). It brings together the actions of several actors at all levels including government, ministries, international organizations, non-governmental organizations (NGOs), research institutes, universities and finance institutions (International Federation of Surveyors, 2006:35).

Government is the dominant actor in moving towards sustainable development and disaster management, but the private sector and civil society are also playing an even more active role in successful disaster risk reduction. The public sector no longer governs society in what had been the conventional “command and control” manner, but, yet it remains capable of participating in governance (Pierre and Peters, 2005:3). Reddy (2010:91) argues that good governance serves as a vehicle for government and civil society to jointly participate.

It is being increasingly recognized that disaster management at the local level is a key element in any viable national strategy to reduce disaster risks (United Nations Development Programme (UNDP), 2004:76).

Together with this, the issue of decentralization poses an important institutional challenge. However, as increasing performance challenges have built up within the local sphere over the last decade, with over 30 municipalities in the RSA having experienced an intervention, it became apparent that these mechanisms were not sufficiently inclusive of national government or sufficiently institutionalized.

Apparent is the absence of monitoring, post-intervention measurement of improvement, and the weak application of intergovernmental checks and balances, i.e. the oversight and the review process by the Minister, the National Council of Provinces (NCOP) and the Provincial Legislatures (National Department of Human Settlements, 2010:23).

Decentralizing the leadership and authority of disaster management to the provincial or local spheres encourages local participation and engages people to volunteer, based on their own self-interest and community well-being. Besides the aspect of participation, the other characteristics of good governance, such as the rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness, efficiency, accountability and strategic vision, are a precondition for sustainable development and effective disaster risk reduction (Magel and Wehrmann, 2001:310-316).

### **1.1.2 Domain for governance of disaster management**

Kreps (1989:35) argues that domains represent actual or threatened physical and temporal impacts as legitimated spheres of collective action. Domains are collective representations of bounded units and their reasons for being. Domains are bounded spheres of human activity that point to the existence of a unit and what it does. Domains identify organization as an open system that has power and objective (external) legitimacy and is also subjective (internal), represented in the communication of those included in these spheres of activity and those who interact with them at the boundaries of the unit (Kreps, 1989:53).

A unit specification does not imply anything else about the existence of organization. As an individually necessary condition, then, domain points to a form of association that is distinct from all others. Its establishment may take place at any point in the origins of organization (Kreps, 1989:39).

According to Long (2002:59) and Villarreal (1994:58-63) social domains can be defined as areas of social life that are organized by reference to

a central cluster of values, which are recognized as a locus of certain rules, norms and values implying a degree of social commitment.

Cohen (1987:16), quoted in Long (2001:59), posits that domains for people represent some shared values that absolve them from the need to explain themselves to each other but leaves them free to attach their own meanings to them.

### **1.1.3 Disaster policy domain**

A policy domain is the substantive subject of policy over which participants in policymaking compete and compromise. Domains prone to disasters are policy domains that are the most sensitive to policy change in the wake of a disaster. These domains generally gain very little attention until a sudden event gives issues priority on the agenda (Birkland, 2007:7). Disasters cause major shifts in national priority and significant change in other policy domains. The 9/11 terrorism disaster induced policymakers to move federal emergency management into a holding company of agencies implementing policies ranging from migration control, border security, coastal maritime work, aviation security, public health, domestic intelligence collection, right up to Secret Service protection of government leaders ([http://www.scribd.com/doc/36355764/Disaster-Policy and Polity](http://www.scribd.com/doc/36355764/Disaster-Policy-and-Polity) (Accessed 15 January 2013)).

A policy community consists of the individuals acting on behalf of groups that are actively involved in policymaking in a particular domain. Domains not prone to disasters include domains such as consumer product safety or most kinds of disease.

Many policy domains are prone to disasters. A wide range of natural disasters, from the generally inconvenient, such as blizzards, to the potentially catastrophic, have the potential to change perceptions of problems and thus the policy. The accidents that are a consequence of modern technology can lead to policy change but these accidents have the added dimension of being caused by or blamed on human error.

The politics of policymaking after such events is likely to be different in analytically important ways and it is worthwhile to consider both kinds of disasters, natural and humanly caused (Birkland, 2007:27).

#### **1.1.4 Three main domains**

There are three main domains of response to risk and disasters, which are the domain of disaster management and science, the domain of disaster governance and the domain of local responses (Bankoff, Frerks and Hilhorst, 2004:57), namely:

- Domain of disaster management and science;
- Domain of disaster governance; and
- Domain of local knowledge.

#### **1.1.5 The domain of disaster management and science**

The domain of disaster management and science is dominated by a hazard-centred paradigm. Disasters seem to pose challenges to this paradigm since they are made up of moments where nature clearly escapes human control (Bankoff, *et al*, 2004:58).

#### **1.1.6 The domain of disaster governance**

The domain of disaster governance is the disaster response domain where society's priorities regarding risk and vulnerability are defined. It is the domain where disaster knowledge and management are mediated and altered through political and bureaucratic governance practices and institutions (Bankoff *et al*, 2004:59).

In a broader sense, the domain of disaster management is also the domain in which it becomes apparent how disasters affect society relations and vice versa, how state-society relations affect responses to risk and disaster (Bankoff *et al*, 2004:59-60).

The domain of disaster governance is also important because it allows for the analysis of the mutual impact of risk and disaster response and

state-society relations. Holla and Vonhof (2000) argue that everyday practices of disaster management may substantially diverge from official policy and reflect more the historically developed patterns of bureaucrat-client relationships.

For instance, after the floods in Mozambique, students of disaster studies found that managers of relocation camps charged people to get access to the camps, thereby effectively excluding the vulnerable people whom the camp was meant to shelter (Bankoff *et al*, 2004: 60).

These practices were probably the effect of years of post-war construction programmes where low-income bureaucrats who handled foreign-funded projects had grown accustomed to getting paid for services that were supposed to be given free. Hence, risk cultures do not form an invisible infrastructure of risk regulation. Instead, patterns of risk governance evolve in the everyday practices of risk and disaster management (Bankoff *et al*, 2004:61).

The domain of disaster governance is also important because it allows for the analysis of their mutual impact of risk and disaster response and state-society relations. The ideas that people have of the state in relation to society shape their interpretations of and responses to disaster.

In Turkey in 1999, an earthquake shook people's confidence in the state because it strongly brought out the fallacy of the dominant discourse promoted by the state that father state would take care of everything. In some countries, disasters are increasingly seen as the implicit breach of a social contract where states should protect their citizens from vulnerability to disaster. The responses to risk and disaster also affect state-society relations. Where disaster is frequent, such as in the Philippines, disasters can be seen as one of ordering elements that over centuries shape state-society relations and the differentiations within societies (Bankoff *et al*, 2004: 61).

Single disaster events can accelerate, reverse or change the way in which state-society relations evolve. A disaster in Nicaragua speeded the downfall of dictator Somoza and the American earthquake in 1988 accelerated Glasnost in the former Soviet Union (Benthall, 1993:108-121).

Hoffman and Oliver-Smith (1999:10) argue that the direction of disaster impact is not always the same; disasters can enhance radical change or bureaucratic reform, bringing about the potential for change by exposing conditions that need alteration. However, disasters also often reinforce existing power relations when resourceful people manage to profit from the potential for change over more vulnerable people, or provide an opportunity for military factions to strengthen their grip on democratic institutions.

Shackley, Wynne, and Waterton, (1996:201) noted that complexity resides especially in the social relationship within and between institutions and agents. The domain of disaster governance is clearly no exception to this rule. It is highly complex because it is in the interactions between governance institutions and scientists and managers on the one hand, and vulnerable people on the other, that disaster response is shaped.

### **1.1.7 The domain of local knowledge**

Local knowledge domains are different from the other two mentioned because they are rarely self-referential. The domain of local disaster response is constituted by the manifold ways in which local people cope with emergencies, maximizing their own capacities, resources and social networks. People anticipate disaster and rely on themselves and their community for survival (Bankoff *et al*, 2004: 62).

### **1.1.8 Classifying domains and social units**

A hierarchy of units is involved in the performance of any domain and this hierarchy can be represented as a form of association.



**Table 1.1: Types of disaster domains and types of enacting units**

<b>Domains</b>	<b>Types of enacting units</b>
Local governance	Emergency unit
Law enforcement	Relevant emergency voluntary agency
Evacuation	Emergency unit of individuals
Public education	Emergency unit of groups and organizations
Protective action	Military unit
Dissemination of predictions and warnings	Mass media

(Adapted from Kreps, 1989:46-48).

Most post-disaster domains, such as those reported here, are impelled by physical impacts and social disruption. In either case, locating instances of organization is critically tied to the identification of domains.

Whether before or after impact, it must be remembered that many domains are not pre-designated and quite often more than one unit is independently engaged in the same domain.

Thus, boundary specification is a continuing methodological concern because discrete instances of organization are linked to broader networks of social units, some of which are doing the same thing. That is to say, where social units are engaged in the same domain, the systemic character of ecological organization is being revealed by relationships among them. Notwithstanding the intricacies of classifying domains, the enacting units can be identified and compared in various other ways. Depending on the characteristics of events and impacts, the location and relevance of these units may be local, regional, national or international (Kreps, 1989:47).

### 1.1.9 Organizational structure

In a disaster, a structure is a form of association that is conditioned by the content of historical events. Such a conception is impelled by the empirical reality of organization as process. The four elements - domains, tasks, resources and activities - are individually necessary and collectively sufficient for organization to exist. Domains and tasks are structural ends of organization. The resources and activities are structural means (Kreps, 1989:53).

### 1.1.10 Types of organizations

Every type of organization concerned may not be involved in each disaster because different disasters affect and arouse concerns in diverse groups of people. The organizations concerned can be placed into six main categories.

1. **Primary:** the organization or organizations to which the disaster occurs.
2. **Auxiliary:** the organizations which have had some form of interactive contact with the primary organization during the disaster's incubation period.
3. **Alleviating:** organizations such as the fire, ambulance and police services.

These organizations attend disasters as a matter of course, since one of their fundamental roles is to give assistance at such events.

4. **Unionate:** organizations such as trade unions or professional institutions. These will typically have no direct link with the disaster but are often required to attend to an inquiry.
5. **Pressure group:** some of these have grown up informally as a result of a disaster, and then take on a more formal role.
6. **Commissioning:** those organizations which commission inquiries. These are often, but not always, the government

departments responsible for overseeing the particular area of commerce or industry in which the disaster occurred.

These six types of organization can be involved in a disaster at two physically and conceptually distinct levels. The first level is that part of the organization which was physically involved with a disaster in some way. The second level is more remote from the disaster (Toft and Reynolds, 1994:53).

#### **1.1.11 Policy implementation for disaster**

There are three extremely important patterns of policy implementation for disaster relief, namely bottom up, confused and top down. Although the specific nature and detail of natural disasters vary widely, almost all disaster response efforts conform to one of these patterns. They provide clear representations of the government's overall performance in this policy area. Government responses that conform to the bottom-up process are most likely to be labelled successes; those that proceed in a confused, disorganized manner are usually viewed with mixed reactions; and those that follow the top-down pattern are generally perceived to be complete failures (Schneider, 1995:7).

#### **1.1.12 Disasters as public policy issues**

Certain problems are so large and salient that they automatically attract public attention. Analysts have referred to such problems as trigger mechanisms or focus events. Some trigger mechanisms develop gradually over time.

All trigger mechanisms convert routine problems into important policy issues. The question could be asked: When does a problem become a trigger mechanism? It could be accepted that when the number of people affected by the situation and public perceptions of how important the event is, then it became a focal point (Schneider, 1995:10).

According to Schneider (1995:9) the process through which social problems evolve into public and governmental concerns is called

agenda building. A dramatic event is responsible for catapulting an issue onto the agenda almost instantaneously.

Once it is on the agenda, the issue receives intense public and governmental attention (Schneider, 1995:11).

### **1.1.13 Disaster policy and intergovernmental relations**

Disaster policy and emergency management both inherently involve intergovernmental relations, which in turn involve the interaction and exchanges of public and private organizations with all layers of government.

The growth of social interdependence, in economic and technological terms has created a webbed and networked world that depends on both the support and regulation of government, legislations and policies (<http://www.scribd.com/doc/36355764/Disaster-Policy> (Accessed 15 January 2012)).

The following legislations regulate and contribute to disaster management in the RSA and are administered by national and provincial government:

- Animal Health Act, 2002 (Act 7 of 2002);
- Alienation of Land Act ,1981 (Act 68 of 1981);
- Budgetary Guidelines: Implementation of the Act and Framework-PPO, dated 20 December 2005;
- Civil Protection Act, 1977 (Act 67 of 1977);
- Civil Aviation Act, 2009 (Act 13 of 2009);
- Civil Aviation Authority Act, 1998 (Act 4 of 1998);
- Conservation and Agriculture Resource Act, 1983 (Act 43 of 1983);
- Constitution of the Republic of South Africa, 1996 (Act 108 of 1996);
- Communal Land Rights Act, 2004 (Act 11 of 2004);
- Cooperatives Act, 2005 (Act 14 of 2005);
- Criminal Procedure Act, 1977 (Act 51 of 1977), section 334-appointment of Peace Officers;
- Development Facilitation Act, 1995 (Act 67 of 1995);
- Disaster Management Amendment Draft Bill, 2013, published in Government Gazette no: 36580, Notice no: 637 of 2013;
- Discussion White Paper on Fire Services, Notice no. 223 of 2013;
- Division of the Revenue Act, 2012 (Act 5 of 2012);
- Engineering Profession Act, 2000 (Act 46 of 2000);
- Explosives Act, 1956 (Act 26 of 1956);
- Expropriation Act, 1975 (Act 63 of 1975 as amended);
- Electronic Communications Act, 2005 (Act 36 of 2005);
- Fund-Raising Act, 1978 ( Act 107 of 1978);
- Fire Brigade Services Act, 1987 (Act 99 of 1987);
- Fire Brigade Services Amendment Act, 1990 (Act 83 of 1909);
- Fire Brigade Services Amendment Act, 2000 ( Act 14 of 2000);
- Financial Relations Act, 1976 (Act 65 of 1976);

- Forestry Laws Amendment Act, 2005 (Act 35 of 2005);
- Gauteng Ambulances Services Act, 2002 (Act 6 of 2002);
- Gauteng City Improvement District Act, 1997 (Act 12 of 1997);
- Gauteng Land Administration Act, 1996 (Act 11 of 1996);
- Gauteng Type of Municipalities Act, 2000 (Act 3 of 2000);
- Gauteng Traditional Leadership and Governance Act, 2010;
- Gauteng Housing Act, 1998 (Act 6 of 1998);
- Gauteng Land Administration, 1996 (Act 11 of 1996);
- General Intelligence Laws Amendment Bill (B25-2011);
- Green Paper on Disaster Management, 1998;
- General Intelligence Laws Amendment Act, 2013 (Act 11 of 2013);
- Hazardous Substances Act, 1973 (Act 15 of 1973);
- Higher Education Act, 1997 (Act 101 of 1997);
- Housing Act, 1997 (Act 108 of 1997);
- Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005);
- Interim Constitution of the Republic of South Africa Act, 1993 (Act 200 of 1993);
- International Health Regulations Act, 1974 (Act 28 of 1974);
- Land Administration, 1995 (Act 2 of 1995);
- Legal Succession to South African Transport Services Act, 1989 (Act 9 of 1989);
- Less Formal Township Establishment Act, 1991 (Act 113 of 1991);
- Local Government Amendment Laws Act, 2008 (Act 19 of 2008);
- Minerals Act, 1991 (Act 50 of 1991), focused mostly on the effects that mining has on the environment;
- Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002), the socio-economic responsibility of the mining companies toward the mining communities;
- Mine Health and Safety Act, 1996 (Act 29 of 1996);
- Non-Profit Organization Act, 1997 (Act 71 of 1997);

- National Disaster Management Act, 2002 (Act 57 of 2002);
- National Buildings Regulations and Building Standards Act, 1977 (Act 103 of 1977);
- National Health Act, 2003 (Act 61 of 2003);
- National Strategic Intelligence Act, 1994 (Act 39 of 1994), as amended;
- National Energy Act, 2008 (Act 34 of 2008);
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008);
- National Environment Management: Air Quality Act, 2004 (Act 39 of 2004);
- National Veld and Forests Fire Act, 1998 (Act 101 of 1998);
- National Environmental Laws Amendment Act, 2009 (Act 14 of 2009);
- National Emergency Telephone Service Act, 1993 (Act 143 of 1993);
- National Qualification Framework Act, 2008 (Act 67 of 2008);
- National House of Traditional Leaders Act, 2009 (Act 22 of 2009);
- National Water Act, 1998 (Act 36 of 1998);
- National Key Points and Strategic Installations Bill, 2007;
- National Key Points Act, 1980 (Act 103 of 1980);
- National Veld and Forest Fire Amendment Bill, 2013;
- Natal Ordinance 21 of 1981;
- NEMA Waste Act, 2008 (Act 59 of 2008);
- Occupational Health and Safety Act, 1993 (Act 85 of 1993);
- Protection of Constitutional Democracy Against Terrorist and Related Activities Act, 2004 (Act 33 of 2004);
- Protected Disclosures Act, 2000 (Act 26 of 2000);
- Protection of State Information Bill, 2013;
- Promotion of Access of Information Act, 2000 (Act 2 of 2000);
- Provincial and Local Authority Affairs Amendment Act, 1992 (Act 134 of 1992);
- Public Service Act, 1994 (Act 30 of 2007) as amended;

- Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000);
- Rationalization of Local Government Affairs Act, 1998 (Act 10 of 1998);
- Refugee Act, 1998 (Act 130 of 1998);
- Refugees Amendment Act, 2008 (Act 33 of 2008);
- Removal of Graves and Dead Bodies Ordinance Act, 1925 (Act 7 of 1925);
- South African Police Service Act, 1995 (Act 68 of 1995);
- South African Police Service Amendment Act, 1998 (Act 83 of 1998);
- South African Defence Act, 2002 (Act 42 of 2002);
- South African Disaster Management Handbook Series, 2008;
- Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010);
- Security Services Special Account Act, 1969 (Act 18 of 1969);
- Special Measures Act, 2006 (Act 11 of 2006);
- 2<sup>nd</sup> Special Measures Act, 2006 (Act 12 of 2006);
- South African Maritime and Aeronautical Search and Rescue Act, 2000 (Act 44 of 2002);
- South African Weather Service Amendment Bill, 2013;
- Skills Development Act, 1998 (Act 97 of 1998);
- Skills Development Levies Act, 1999 (Act 9 of 1999);
- Standards Act, 1993 (Act 29 of 1993);
- Spatial Data Infrastructure Act, 2003 (Act 54 of 2003);
- Urban Transport Act, 1977 (Act 78 of 1977);
- White Paper on Intelligence, 1995;
- White Paper on Disaster Management, 1999; and
- White Paper on Education and Training, 1995 (Act 196 of 1995).

Other legislation administered by local government also has a direct effect on disaster management, namely:



- Cross-Boundary Municipalities Act, 2000 (Act 29 of 2000);
- Dangerous Goods Act, 1973 (Act 15 of 1973);
- Hazardous Substances Act, 1973 (Act 15 of 1973);
- Intergovernmental Fiscal Relations Act, 1997 (Act 97 of 1997);
- Local Government Laws Amendment Act, 2008 (Act 19 of 2008);
- Municipal Demarcation Act, 1998 (Act 27 of 1998);
- Municipal Structures Act, 1998 (Act 117 of 1998);
- Municipal Systems Act, 2000 (Act 32 of 2000);
- Municipal Finance Management Act, 2003 (Act 56 of 2003);
- Municipal Integrated Development Planning Regulations, 2001;
- Organized Local Government Act, 1997 (Act 52 of 1997);
- White Paper on Local Government, 1998.

The following are By-Laws which assist and are relevant to disaster management risk reduction initiatives:

- Ekurhuleni Metropolitan Municipality, Emergency Services By – Laws;
- City of Tshwane Metropolitan Municipality Fire Brigade Service By-Laws;
- City of Johannesburg Metropolitan Municipality Emergency Services By-Laws as amended on 24 July 2003;
- City of Johannesburg, Waste Management, By–Laws;
- City of Johannesburg, Water Services By–Laws, 2003 as amended;
- City of Cape Town, Community Fire Safety By-Law;
- Emergency By-Laws;
- Midvaal Local Municipality, Fire Safety By-Laws; and
- Westrand District Municipality: By-Laws relating to Fire Brigade Services and the use and Handling of Flammable Liquids and Substances.

The following are disaster management strategies which regulate the implementation of the disaster management activities in South Africa:

- Disaster Management Monitoring and Evaluation Instruments;
- Draft National Veldfire Management Strategy, 2013;
- Draft Gauteng Provincial Government: Fire and Rescue- Norms and Standards, 2014;
- Draft National Security Strategy, 2013;
- Ekurhuleni Community Emergency Response Team Policy;
- Eskom Emergency Preparedness Framework;
- Federal Emergency Management Agency Guide for All-Hazard Emergency Operations Planning, 1996;
- Fire Protection Association Financial Assistance Policy;
- Flood Forecasting, Warning and Response Systems;
- Gauteng Urban Search and Rescue Policy;
- Guidelines for Human Settlement Planning and Design, published in 2000;
- Guidelines for Indian Ocean Tsunami Risk Assessment;
- Hyogo Framework of Action (HFA) 2005- 2015;
- International Strategy for Disaster Risk Reduction (ISDR);
- Indian Ocean Tsunami Early Warning and Mitigation System;
- International Charter on Space and Major Disasters;
- Integrated Fire Prevention and Fire Safety Strategy;
- Higher Education Qualification Framework, 2007;
- National Disaster Management Framework, 2005;
- National Disaster Risk Management Education and Training Framework, 2013;
- National Cyber Security Policy Framework (NCPF), 2012;
- National Integrated Disaster Management Strategy for the SAPS, 2007;
- National Disaster Management Guidelines, 2006;
- National Directive on the implementation and maintenance of the Integrated National, Provincial and Municipal Disaster Management Project, Programme and Portfolio System, July 2006; PPO Directive no. 20/13/1/1;
- National Skills Development Strategy, 2011;

- National Broadband Policy, 2010;
- National Radio Frequency Spectrum Policy, 2010;
- Memorandum of Agreement for rendering of Ambulance Service; 29 January 2010;
- National Spatial Development Perspective (NSDP);
- Provincial Growth and Development Strategy;
- Regulations for Medical Services of Mass Gatherings and Emergency Treatment;
- South African Dolomite Risk Management Strategy;
- South African Integrated National Disaster Early Warning System;
- South African Disaster Management Communication Framework; and
- Terministic Seismic Hazard Assessment and Risk Programme.

National-provincial agreements regulating disaster response in South Africa, Africa and internationally:

- Cooperation Agreement entered into by and between the National Department of Cooperative Governance and the Gauteng Provincial Government via its former Department of Local Government and Housing (now, Department of Cooperative and Traditional Affairs) on 01 December 2010; and
- Cooperation Agreement entered into by and between the National Department of Cooperative Governance and the Western Cape Provincial Government via its Department of Local Government, December 2010.

Regulations which regulate activities which impact on disaster management:

- Asbestos Regulations, 2001, 10 February 2002;
- Construction Regulations, 2003 (GG 25207), 18 July 2003;

- Draft Regulation in Terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013);
- Emergency National Services Regulations, published in the Government Gazette no. 37869 on 24 July 2014;
- Hazardous Biological Agent Regulations, 27 December 2001;
- Hazardous Chemical Substances Regulations, 05 February 2010;
- National Civil Aviation Regulations;
- National Fire Services Framework Regulations, 2010, no. R.23;
- Regulations into section 21 (1) of the Water Act, GN. No. 991.18/05/1984;
- Regulations into section 26 of the Water Act, GNR. 2834427/12/1985;
- Regulations into section 29 of the Conservation of Agricultural Resources Act, GNR 104825/05/1984;
- Regulations into section 2 (a) of the Nuclear Energy Act, GNR 74016/04/1994;
- Regulations of the Interception of Communications and Provision of Communication-related Information Act, 2002 (Act 70 of 2002);
- Regulations into section 2 (1) of the Hazardous Substance Act R. 1381112/08/91;
- Regulations into section 2 (1) of the Hazardous Substance Act R. 138212108/94;
- Regulations into section 3 (a) of the Hazardous. R. 24626/01/93; and
- South African Local Government Major Hazards Installation Regulations.

Regional agreements regulating disaster response in Southern Africa:

- Southern African Development Community (SADC) Protocol on Health (Article 25), signed on 18 August 1999;
- Southern African Development Community, Multi-Sectoral Disaster Risk Management Strategy, 2001;

- The Malaria Control Protocol on the Lubombo Spatial Development Initiative between the government of the Republic of South Africa, the government of the Kingdom of Swaziland, and the government of the Republic of Mozambique, signed on 14 October 1999; and
- The agreement between the government of the Republic of Botswana, the government of the People's Republic of Mozambique, the government of the Republic of South Africa and the government of Zimbabwe relative to the establishment of the Limpopo Basin Permanent Technical Committee, came into force on 5 June 1986.

Bilateral agreements regulating disaster response in Southern Africa:

- The agreement between the Republic of South Africa and the Food and Agriculture Organization (FAO) on Assistance to Tsetse Control in Northern KwaZulu-Natal which was signed on 2 May 1996;
- The Memorandum of Understanding (MOU) between the Republic of Zimbabwe and the Republic of South Africa on the transportation by road of commodities related to drought relief was signed on 9 June 1992;
- The MOU between the Republic of Zambia on the transportation by road of commodities, related to drought relief was signed on 26 June 1992;
- The agreement between the government of Mozambique and the government of the Republic of South Africa regarding the coordination of Search and Rescue Services was signed on 10 May 2002; and
- The agreement between the government of Namibia and the government of the Republic of South Africa regarding the coordination of Search and Rescue Services was signed on 8 September 2000 (Field, 2003:16-17).

International agreements regulating disaster management and response:

- International Health Regulations, 2005, the purpose was to prevent and detect international health threats;
- China-South Africa cooperation agreement in science and technology was signed in March 1999;
- Philadelphia Declaration of 1994 and the Declaration on Fundamental Principles and rights at work of 1998, affirms that labour is not a commodity;
- International Maritime Organization Protocol of 1992;
- South Africa, Nigeria and Egypt established COSPAS SARSAT (Search and Rescue Satellite) for local user and mission control centres; and
- South Africa and the United Kingdom (UK) signed a bilateral agreement on science and technology cooperation in February 1995, focusing on areas such as climate change, biotechnology, astronomy and global change.

The other United Nations resolutions administered by the RSA government that have a direct effect on disaster management are the following:

- UN General Assembly Resolution 2816 (xxvi) of 14 December 1971;
- UN General Assembly Resolution 45/100 of 14 December 1990;
- UN General Assembly Resolution A/Res/61/200, Natural Disasters and Vulnerability;
- UN General Assembly Resolution adopted, 61/202 (A/61/422/add 5, Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and / or Desertification, Particularly in Africa;
- UN General Assembly Resolution adopted, 61/138 (A/61/436), new international humanitarian order;

- UN General Assembly Resolution adopted, 61/131 (A/61/C.42 and add 1), International cooperation on humanitarian assistance in the field of natural disasters, from relief to development;
- UN General Assembly Resolution adopted (A/Res/62/192), Global Platform for Disaster Risk Reduction;
- UN General Assembly Resolution adopted Resolution 44/236 to declare the 1990s the International Decade for Natural Disaster Reduction (IDNDR);
- UN General Assembly adopted Resolution 54/219 and 56/195 for the establishment of an Inter-Agency Secretariat and an Inter-Agency Task Force for Disaster Reduction (IATF)/DR;
- UN General Assembly adopted Resolution (A/63/351) implementation of the International Strategy for Disaster Reduction;
- Global Platform for Disaster Risk Reduction, mandated by the United Nations General Assembly, Resolution (A/RES/62/ 192);
- South African government has ratified the 1951 United Nations Convention Relating to the Status of Refugees, the UN's 1967 Protocol, as well as the 1969 OAU Convention Governing the Specific Aspects of Refugee Protection in Africa;
- UN General Assembly Resolution 57/150 of 22 December 2002 (Annexure A), strengthening the effectiveness and coordination of the international Urban Search and Rescue assistance; and
- UN General Assembly Resolution 46/182 of 19 December 1991, contains the guiding principles for strengthening the coordination of humanitarian assistance of the United Nations system and its resolutions 54/233 of 22 December 1999, 55/163 of 14 December 2001, and recalling agreed conclusions 1998/1 and 1999/1 of the Economic and Social Council and Council Resolution 2002/32 of 26 July 2002.

The following standards contain references to a host of in-development standards associated with disaster management. These disaster management standards enhance the organization and take all

appropriate actions to help ensure that the organization has continued to be viable.

- SANS 10264: 2009, Part 1;
- SANS 10264: 2009, Part 2;
- SANS 10264: 2009, Part 3;
- SANS 10366:2001:2009, Health and Safety at events-requirements;
- SANS 25777:2010-Information and communications technology management-Code of Practice;
- SANS 31000:2009 (*ed*) Risk Management-Principles and Guidelines;
- SANS 31010:2009, Risk Management- Risk Assessment Techniques;
- SANS OHSAS:181001, Occupational Health and Safety Management Systems - Requirements;
- SANS OHAS: 18002: Occupational Health and Safety Management Systems: Guidelines for the implementation of OHSAS: 18001-2007;
- SABS 0400, 087 (Part iii) or SABS 089 (Part i), Sprinkler system is required in the building;
- SABS 090: Community protection against fire standard, standard development in 1972;
- SANS 1009:2003-South African National Standards, Community protection against fire;
- SANS 10400, the application of the building standards;
- South African National Standards (SANS) 10366; and
- South African Bureau of Standards-ISO/TC, Societal Security-Guidelines for exercises and testing.

The International Organization for Standardization (ISO) as these standards apply to the Disaster Management environment:

- ISO 9001:2008: Quality management systems-requirements;



- ISO 9004:2000:Quality management systems: Guidelines for performance improvements; and
- ISO 14001:2004: Environmental management systems-requirements with guidance for use.

Society Security standards that have a specific impact on disaster management include the following:

- ISO/PAS 22399;2007: Societal Security-Guidelines for incident preparedness and operational continuity management;
- ISO 22301:2012: Societal Security-Business continuity management systems-Requirements;
- ISO 27001: 2005: Information Technology-Security technique-information security management systems-Requirements;
- ISO/IEC 31010:2009: Risk Management-Risk Assessment techniques;
- ANS/ASIS SPC:1-2009: Organizational Resilience: Security-preparedness and Continuity Management systems-Requirements with guidance for use;
- PD 25888:2011: Published document-Business Continuity Management-Guidance on organization recovery following incidents;
- ISO/CD 22300, Vocabulary;
- NWIN 202, Societal Security- Emergency Management-Public Warning;
- ISO/CD 22311, Societal Security-Video Surveillance;
- ISO/WG 1, Societal Security-Guidelines for Exercises and Testing No: 089;
- ISO/NP 22397, Societal Security-Public Private Partnership-Guidelines to set up partnership agreement;
- ISO 1182-Reaction to fire tests for building products-non combustibility;
- ISO 1716-Reaction to fire tests for building products-Ignitability when subjected to direct impingement of flame;

- EN 13823-Reaction of fire tests for building products-building products excluding floorings exposed to the thermal attacks by a single burning item;
- EN 13238-Reaction to fire for building products-conditioning procedures and general rules for selection of substrates;
- EN 14390- Fire Test - full-scale room test for surface products; and
- BSEN 13501-1 Fire classification of construction products and building elements.

National Fire Protection Association (NFPA) standards that have a specific impact on disaster management:

- NFPA 291, Fire flow testing and marking of hydrants;
- NFPA 1201, Developing fire protection services for the public;
- NFPA 1500, Fire department occupational health and safety programme;
- NFPA 1561, Fire department incident management system;
- NFPA 1710, Standard for the organization and deployment of fire suppression, emergency medical operations and special operations to the public by career fire departments; and
- NFPA 1901, automotive fire apparatus.

## **1.2 SIGNIFICANCE OF STUDY**

The intention of conducting this research was to develop a model for cooperative governance on disaster management using IGR as a planning instrument.

It is envisaged that the model will contribute to the improvement of the management of disasters in RSA, which in turn will contribute to a reduction of loss, damage to lives, property, infrastructure and the environment. Intergovernmental relations refers to the complex and interdependent relations amongst the three spheres of government as well as the coordination of public policies amongst the national,

provincial and local government. The research is directed towards the very core of disaster management and its current status.

This governmental function continues to be increasingly professionalized and practitioners are cooperating with the scientific community for answers (Department of Provincial and Local Government, 2007a:2).

The objective of the research is also to shed light on the historical development of disaster management in the RSA, the current process and achievements and the effectiveness and coordination of disaster management. Up until this point in history, the main focus of civil defence in the RSA was on an external military threat, be it conventional warfare or a nuclear attack. Several shortcomings in the *Civil Defence Act, 1966 (Act 39 of 1966)* were identified in this regard.

Two of these shortcomings were that provision should also be made in legislation for actions in terms of natural disasters as well as the function of civil defence in the provincial and local government spheres. The communities were not fully involved in the risk reduction strategies and the *Act* was reactive instead of being proactive.

These shortcomings of the past need not be repeated indefinitely, but lessons learned from the past should be used to require skilful transformation, policy development and implementation.

### **1.3 PROBLEM STATEMENT**

The problem being investigated in this research is the absence of a model of cooperative governance for the development of a disaster management strategy in the RSA and specifically in the local sphere of government. It is universally accepted that the application of disaster management occurs most at local government level (UNISDR, 188-195).

During the period between 1994 and 2002, the RSA embarked on a process of reforming its approach to the manner in which disasters were to be managed.

The result of this reform process was the promulgation of the *Disaster Management Act, 2002* (Act 57 of 2002) (the *Act*), followed by the publication of the *National Disaster Management Framework (NDMF)* in 2005. The *Civil Defence Act, 1966* (Act 39 of 1966), amended by the *Civil Defence Amendment Act, 1967* (Act 69 of 1967), was abolished and only certain sections of the *Civil Protection Act, 1977* (Act 67 of 1977) remained.

The *NDMF* is the legal instrument specified by the *Act* to address needs for consistency across multiple interest groups, by providing a coherent, transparent and inclusive policy on disaster management appropriate for the RSA in terms of section 7(1) of the *Act*.

In this context, the *NDMF* recognizes a diversity of risks and disasters that occur or could occur in Southern Africa, and gives priority to developmental measures that reduce the vulnerability of disaster-prone areas, communities and households.

Also in keeping with international best practice, the *NDMF* places explicit emphasis on the disaster risk reduction concepts of disaster prevention and mitigation as the core principles to guide disaster management in RSA.

The *NDMF* also informs the subsequent development of provincial and municipal disaster management frameworks and plans, which are required to guide action in all spheres of government.

In giving effect to the fact that disaster management is the responsibility of a wide and diverse range of role-players and stakeholders, the *Act* emphasizes the need for uniformity in approach and the application of principles of cooperative governance.

In this regard the *NDMF* calls for an integrated and co-coordinated disaster management policy which focuses on risk reduction as its core philosophy, and on the establishment of disaster management centres in the three spheres of government to pursue the direction and execution of the disaster management legislation and policy in RSA.

The *Act* places particular emphasis on the engagement of communities and on the recruitment, training and participation of volunteers in disaster management. In terms of a proclamation, the President proclaimed 1 April 2004 as the date of commencement of the *Act* in the national and provincial spheres and 1 July 2004 in the local government sphere.

In order to achieve consistency in approach and uniformity in its application, the *Act* mandated the Minister of Provincial and Local Government<sup>1</sup> to prescribe the *NDMF* to all spheres of government and to all stakeholders (South Africa, 2004:2).

Despite the fact that all the disaster management planning instruments regarding intergovernmental planning, alignment and coordination are crucial to ensuring the desired integrated and uniform approach to disaster management, one of the important cooperative challenges facing local government, therefore, is the management of their powers and functions for effective service delivery.

Research has shown that successful disaster management is evident when disaster management institutions cope well with, amongst other factors, the development of the coordination and communication process, the flow of information and the exercise of authority and decision-making (Sylves, 1996:78; Hall, 2002:22).

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<sup>1</sup> Minister of Cooperative Governance and Traditional Affairs since 2004

In a British post-disaster evaluation report it was concluded that one of the major issues or requirements for success is effective cooperation at all levels so that coordination can be possible, which could be enhanced by good relations between different spheres of government and communities by providing training and establishing communication links in advance (Sylves, 1996:77-78).

Kent (1987:21) identifies coordination as one of six crucial aspects of disaster relief while Sylves (1996:95) identifies coordination as the most important requirement.

According to social and behavioural research, coordination is a major challenge for the individuals, groups and institutions that are involved in disaster management.

According to research undertaken, it was repeatedly found that coordination among responding government institutions, volunteers, business and humanitarian institutions is often not sufficient because there is no cooperation. At the same time the lack of coordination along with over-bureaucratic behaviour ranks high on the list of criticism of disaster management (Kent, 1987:160; McEntire 2002:369).

The main thrust of the *Act* and the *NDMF* is the creation of appropriate institutional arrangements for disaster management. It is argued by the National Disaster Management Centre and Reid (2008: a-f) that the ideals of disaster management cannot be achieved without structures to support its myriad of actions.

Essentially, the focus of the *Act* is fourfold. It establishes an elaborate institutional framework for disaster management; it entrenches a detailed policy development and strategic planning framework for disaster management; it provides for the classification and declaration of disasters; and it deals provisionally with the funding of post-disaster recovery and rehabilitation. It also deals with disaster management

volunteers and a few other ancillary matters (Department of Cooperative and Traditional Affairs (COGTA), 2012:8).

Disaster management planning instruments are structured in components consistent with those of the *NDMF*, namely into four Key Performance Areas (KPAs) supported by Performance Enablers (PEs) and other supporting disaster management policies (NDMF, 2005:4).

### **1.3.1 Key Performance Areas**

- KPA 1: Integrated institutional capacity for disaster management;
- KPA 2: Disaster risk assessment;
- KPA 3: Disaster risk reduction; and
- KPA 4: Disaster response and recovery.

### **1.3.2 Performance Enablers**

The three PEs facilitate and support the achievement of the objectives of each KPA and are detailed as follows:

- PE 1: Information management and communication;
- PE 2: Knowledge management; and
- PE 3: Funding.

Clearly, whilst each PE is applicable to each KPA there are also inextricable interdependencies between each of the PEs.

Other supporting disaster management planning instruments are:

- Key performance indicators;
- Terms of reference, good practice standards and parameters for measuring performance;
- Regulations;
- Provincial Disaster Management Framework;
- Provincial risk reduction plans;

- Provincial contingency plans;
- Provincial response and recovery operating protocols;
- Directives;
- Municipal Disaster Management Framework;
- Municipal risk reduction plans;
- Municipal contingency plans;
- Municipal response and recovery operating protocols;
- By-Laws;
- Safety at sports and recreational events regulations;
- Gauteng Template for standardization of the drafting of the disaster management plan;
- South African National Standards Codes (SANS);
- International Standards Organization (ISO); and
- National Disaster Management Centre: Disaster management guidelines for municipalities (South Africa), 2006:10).

The problem, however, is the absence of disaster management forums, which hampers local governments' ability to achieve the integrated multi-sectoral approach to disaster management as envisaged by the *Act*. Due to the lack of involvement of key stakeholders (communities, response agencies, municipal departments, provincial departments and national departments) on disaster management committees, a clear picture cannot be obtained regarding the disaster risk profile of an area. Mechanisms should be put in place or improved to bring about a positive change in the level of cooperation between national, provincial, metropolitan, district and local municipalities.

The question whether the provincial disaster management frameworks and provincial disaster management plans should be the driver, and the municipalities IDPs be prepared in terms of these provincial disaster management plans and frameworks, or vice versa, is still unresolved because of the lack of cooperative governance between the national, provincial and municipal spheres of government.



The *Act* does not provide detailed guidelines to disaster management managers for the preparation of disaster management plans to be included in an IDP.

The forums consist of the different stakeholders varying from one place to another. The National Disaster Management Advisory Forum consists of the following stakeholders:

- Department of Agriculture, Forestry and Fisheries;
- Department of Arts and Culture;
- Department of Basic Education;
- Department of Communications;
- Department of Cooperative Governance and Traditional Affairs;
- Department of Correctional Services;
- Department of Defence;
- Department of Economic Development;
- Department of Energy;
- Department of Environmental Affairs;
- Department of Government Communication and Information Systems;
- Department of Health;
- Department of Higher Education and Training;
- Department of Home Affairs;
- Department of Human Settlements;
- Independent Complaints Directorate;
- Department of International Relations and Cooperation;
- Department of Justice and Constitutional Development;
- Department of Labour;
- Department of Military Veterans;
- Department of Mineral Resources;
- State Security Agency;
- National Treasury;
- South African Police Service;

- Department of Public Enterprises;
- Public Service Commission;
- Department of Public Service and Administration;
- Department of Public Works;
- Department of Rural Development and Land Reform;
- Department of Science and Technology;
- Department of Social Development;
- South African Revenue Service;
- Department of Sport and Recreation;
- Statistics South Africa;
- Department of Tourism;
- Department of Trade and Industry;
- Department of Transport;
- Department of Water Affairs;
- Department of Women, Children and People with Disabilities;
- The Presidency;
- Eastern Cape Province: Department of Local Government and Traditional Affairs;
- Free State Province: Department of Cooperative Governance and Traditional Affairs;
- Department of Human Settlements;
- Gauteng Province: Department of Local Government;
- KwaZulu-Natal: Department of Government and Traditional Affairs;
- Limpopo Province: Department of Local Government and Housing;
- Northern Cape Province: Department of Cooperative Governance, Human Settlements and Traditional Affairs;
- Western Cape Province: Department of Local Government and Housing; and
- North-West Province: Department of Local Government;
- Mpumalanga Province (Department of Local Government <http://www.gov.za>) [Accessed 27 July 2010].

In addition to government departments the following associations, public entities and non-governmental organizations also form part of the National Disaster Management Advisory Forum:

- South African Jewish Board of Deputies;
- AgriSA;
- Chamber of Mines of South Africa;
- Council of Geosciences;
- Council for Scientific and Industrial Research (CSIR) (Risk Management);
- Development Bank of South Africa (DBSA);
- Disaster Management Institute of South Africa (DMISA);
- Eskom;
- National African Farmers Union SA;
- National Nuclear Regulator (NNR);
- South African Nuclear Energy Corporation (NECSA);
- Rand Water Board;
- South African Emergency Services Institute (SAESI);
- Salvation Army;
- South African Qualification Authority (SAQA);
- State Information Technology Agency (SITA);
- South African Civil Aviation Authority (SACAA);
- South African Council of Churches;
- South African Insurance Association (SAIA);
- South African National Parks (SANParks);
- South African Roads Agency Ltd;
- South African Local Government Association (SALGA);
- South African Red Cross Society;
- Spoornet;
- Transvaal Agricultural Union;
- Telkom;
- The Order of St John;
- Transnet Freight Rail;

- Water Research Commission;
  - Business Unity of South Africa (BUSA);
  - Airports Company South Africa (ACSA); and
  - Agricultural Research Council (ARC).
- (DPLG, 15 November 2007).

According to Kent (1992:9) some of the information in a disaster management plan concerns operational procedures which are not for general stakeholder consumption because it contains sensitive operational information.

Kent (1992:5) also states that the challenge exists in deciding which of the multiplicity of a disaster management plan should be included in the IDP development projects, as section 26(g) of the *Municipal Systems Act, 2000* (Act 32 of 2000) determines that “applicable disaster management plans” are regarded as a core component of an IDP.

The *Systems Act* provides a framework for participation by stakeholders (e.g. communities) of a municipality in the sustainable development of that municipality through the development of an IDP.

The *Systems Act* stipulates the inclusion of disaster management plans as a core component of an IDP. Section 53(2) (a) of the *Act* also stipulates that a disaster management plan for a municipal area must form an integral part of the municipal integrated development planning.

Disaster management plans that are included in an IDP of a municipality should provide sufficient information for discussion between the spheres of government and all stakeholders.

Information with regard to vulnerability reduction, specific priority risk reduction programmes and projects which are aimed at achieving the vision, mission, statement goals and strategic objectives should be provided in the IDP. This will make it possible for the role-players in the approval process of the IDP to take an informed decision.

The *Act* emphasizes the need for disaster management managers to move away from the customary approach, which focused only on reactive measures, to a new global focus on disaster management of reducing risk through sustainable development, building resilience and promoting sustainable livelihoods.

The aforementioned aspects present new challenges not only with regard to negotiating and drafting a disaster management plan, but also of developing disaster management plans for general public scrutiny. Public scrutiny and acceptance of disaster management plans, prior to their implementation, have become a legislative requirement in terms of section 5(1) of the *Systems Act*.

Section 25 of the *Systems Act* determines that each municipality should adopt a “single, inclusive and strategic plan for the development of a municipality”. The plan referred to is the IDP. Section 26(g) of the *Systems Act* determines further that “applicable disaster management plans” are a core component of the IDP.

## **1.4 OBJECTIVES**

The objective of this study is to design a model for co-operative governance for the development of an integrated disaster management strategy for the municipalities in the RSA using intergovernmental relations as a planning instrument.

### **1.4.1 Sub-objectives**

- To explore and describe cooperative governance;
- To explore and describe the main role-players to participate in the cooperative governance;
- To explore and describe the inherent requirements for a disaster management *Act* which include an *NDMF*;
- To explore and describe internationally recognized best practices in disaster management intergovernmental relations; and

- To describe a model for inter-sectoral, inter-agency disaster management planning that will enable role-players and stakeholders to effectively plan and execute disaster management plans.

In addition, the following complementary objectives address the problem of the research:

- To determine the extent to which essential activities, such as a contingency plan for known priority risks; response and recovery plan; risk reduction strategies should be included in the IDP by municipalities in the spirit of cooperative governance;
- To do an assessment of the effectiveness of existing disaster management structures such as the National Disaster Management Committee (NDMC), Provincial Disaster Management Advisory Forum (PDMF), Municipal Disaster Management Advisory Forum (MDMAF) and Ward Disaster Management Committees (WDMC) for the application of the principles of cooperative governance; and
- To make recommendations with regard to ways in which forums or structures can be established and to utilize the *Intergovernmental Relations Framework Act, 2005* (Act 13 of 2005) to give effect to the implementation of cooperative disaster management strategies.

## **1.5 KEY CONCEPTS**

### **1.5.1 Disaster**

The Longman Dictionary of Contemporary English (2003:442) defines disaster as “a sudden event such as a flood, storm, or accident which causes great damage or suffering”; whereas disaster area is “the area which suffered disaster; needs emergency aid; person or a place or a scene is in disarray or a failure or a disaster calamity” (The South African Concise Dictionary (1997:408).

The term disaster is derived from the Latin roots *dis* and *astro* meaning “the ways from the stars” or in other words, an event to be blamed on an unfortunate astrological configuration.

Disasters occur when a hazard risk is realized to be considered disastrous and the realized hazard must overwhelm the response capability of a community (Coppola, 2007:25).

Disasters, both creeping (drought) and sudden (floods), unleash and uncover a range of impacts that include primary and various third-order impacts (e.g. immediate loss of life or damage to infrastructure as well as psychological trauma associated with disasters that may only emerge many months after an 'event').

Disasters are usually the products of a number of factors including a hazard (e.g. flood event) as well as a range of factors that shape or configure the degree to which the unit (e.g. landscape, coastal zone, settlement and/or household) will be able to withstand or respond to the external stress (e.g. vulnerability) (South Africa. Department of Agriculture, Forestry and Fisheries, 2007:4).

Section 1 of the *Act* describes disaster as a “progressive or sudden, widespread or localized, natural or human caused occurrence which, causes or threatens to cause death, injury or disease, damage to property, infrastructure or the environment; or disruption of the life of a community; is of a magnitude that exceeds the ability of those affected by the disaster to cope with its effects using only their own resources”.

The definition of disaster is a contentious point within modern literature; insufficient consensus exists between different authors and organizations as to the exact definition of the term. It is also not uncommon to find varying definitions of the term within one discipline.

Although difficult to define it is imperative for the purpose of understanding disaster management that such a definition is given (Smith, 2002:28).

Gunn (1993:17) defines disaster “as the result of a vast ecological breakdown in the relationship between humans and their environment”. He is of the opinion that disaster is a serious and sudden event on such a scale that the stricken community needs extraordinary efforts to cope with it, often with outside help or international aid.

The International Strategy for Disaster Reduction (ISDR) (2002:25) held the opinion that a disaster “is a function of the risk process. It results from the combination of hazards, conditions of vulnerability, and insufficient capacity or measures to reduce the potential negative consequences of risk”.

The UNISDR (2009:9) defines a disaster as “a serious disruption of the functioning of a community or society causing widespread human, material, economic or environmental losses which exceed the ability of the affected community or society to cope using its own resources.”

Benson and Clay (2004:5) say that a disaster is the “occurrence of an abnormal or infrequent hazard that affects vulnerable communities or geographic areas, causing substantial damage, disruption, and perhaps casualties and leaving the affected communities unable to function normally”.

From an economic perspective, a disaster implies some combination of losses, in human, physical, and financial capital, and a reduction in economic activity such as income generation, investment, consumption, production, and employment in the “real” economy.

There may also be severe effects on financial flows such as the revenue and expenditure of public and private institutions and organizations.



During the 1960s disasters were understood as uncontrollable events in which a society undergoes severe danger, disrupting all or some of the essential functions of the society (Fritz, 1961:651-694). Paulsen (2004:2), however, postulates that the impact of disaster on vulnerable communities is growing each year.

Rassin, Avraham, Nasi-Bashari, Idelman, Peretz, Morag, Silner and Weiss, (2007:37) define a disaster as an event that causes damage to people's lives, health and/or property to an extent that they have no ability to cope.

Gebhart and Pence (2007:68) simply define a disaster just as an event in which response capabilities are overwhelmed.

Disasters are defined as disruptive or deadly and destructive events that occur when a hazard interacts (or multiple hazards interact) with human vulnerability (McEntire, 2007:2).

### **1.5.2 Disaster management**

Coburn, Spence and Promonis (1994:67) are of the opinion that disaster management is a collective term encompassing "all aspects of planning for and responding to disasters, including both pre- and post-disaster activities. It refers to the management of both the risks and the consequences of disasters".

Disaster management in the South African context is defined by section 1 of the *Act* as "a continuous and integrated multi-sectoral, multidisciplinary process of planning and implementation of measures aimed at:-

- a) preventing or reducing the risk of disasters;
- b) mitigating the severity or consequences of disasters;
- c) emergency preparedness;
- d) a rapid and effective response to disasters; and
- e) post-disaster recovery and rehabilitation.

The RSA definition places emphasis on a multi-sectoral and multi-disciplinary approach. Therefore, this means that disaster management is not seen as the responsibility of only one implementing agency, as is the case of disaster management in the international arena.

The fact that this definition also places the emphasis on the implementation of measures to reduce risk clearly indicates that it is in actual fact referring to disaster management. This will be dealt with in the next section.

Gratwa and Bollin in Van Niekerk (2006:97) define disaster management as a “series of actions (programmes, projects and/or measures) and instruments expressly aimed at reducing disaster risk in endangered regions, and mitigating the extent of disasters”. In their opinion disaster management includes risk assessment, disaster prevention and mitigation and disaster preparedness.

The objective is to increase capacities to effectively manage and reduce risks, thereby reducing the occurrence and magnitude of disasters (City of Tshwane Municipality, Municipal Disaster Management Framework (CoTMMDMF, 2007:123).

Disaster management is therefore a more tactical and operational embodiment of strategic decisions (policy, strategies, and programmes). Bankoff *et al* (2007:8) state that disaster management is notorious for its structural and hierarchical methods for governance through the use of armed forces.

For all means and purposes it would be accurate to argue that disaster management is aimed at addressing the disaster risk problem within the resources and constraints imposed by the strategic focus of disaster risk reduction, within tactical and operational levels.

Kotze and Holloway (1996:3) define disaster management as a collective term encompassing all aspects of planning for and responding to disasters, including both pre- and post-disaster activities.

Christophos, Mitchell and Liljelund (2001:195) echo the importance of this principle by propagating that disaster management depends on political will.

### **1.5.3 Vulnerability**

The term vulnerability is derived from the Latin word “vulnerabilis”, which means to “wound” (Copolla, 2006:25). The vulnerability of people to disasters depends on their social, economic, cultural and political conditions, which are influenced by both internal changes and outside influences (Rottach, 2008:6).

UNISDR (2009:30) defines vulnerability is the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard.

Section 1 of the *Act* defines vulnerability as “the degree to which an individual, a household, a community or an area may be adversely affected by a disaster”. McEntire (2011:297) also explains vulnerability as a dual concept.

Van Niekerk, Reid and Monkonyama (2002:52) refer to vulnerability as “a set of prevailing or consequential conditions resulting from physical, social, economic and environmental factors, which increases the susceptibility of a community to the impact of hazards”.

The UNISDR (2002:6) defines vulnerability as the degree to which someone’s life, livelihoods, property and other assets are put at risk by a discrete and identifiable event or cascade of events in nature and in society.

Vulnerability may be expressed as the degree of loss (expressed, for example, as a percentage) resulting from a potentially damaging phenomenon or hazard. Vulnerability thus refers to the extent to which a community will degrade when subjected to a specified set of hazardous conditions. Vulnerability has some distinct underlying causes. The magnitude of each disaster, measured in deaths, damage, or costs (for a given developing country), increases with the increased marginalization of the population.

This is caused by a high birth rate, problems of land tenure and economic opportunity, poverty, and the misallocation of resources to meet the basic human needs of an expanding population (CoTMMDMF, 2007:122).

Aryal (2003:5) argues that vulnerability is too complicated to be captured by models, frameworks and maps.

#### **1.5.4 Hazard**

UNISDR (2009:17) defines hazard as a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption or environmental damage.

A number of scholars defined hazard from a natural or human-induced perspective like Kotze and Holloway (1996:4) who term it a rare or extreme natural or human-made event that threatens to adversely affect human life, property or activity to the extent of causing a disaster.

A hazard is a potentially damaging physical event, phenomenon or human activity which may cause loss of life or injury, property damage, social and economic disruption or environmental degradation (Van Niekerk *et al*, 2002:9).

Alexander (1993:7) proposes that a hazard may be regarded as the pre-disaster situation in which some risk of disaster exists.

Hazards can include hidden conditions that may represent future threats and which may have different origins. These include natural (geological, hydro meteorological, and biological) processes and/or processes induced by humans such as environmental degradation and anthropogenic hazards (ISDR, 2002:24).

Hazards may be single, sequential, or combined in their origin and effects. Each hazard is characterized by its location, intensity and probability.

Typical examples of hazards may include the absence of rain (leading to drought) or the abundance thereof (leading to flooding). Chemical manufacturing plants near settlements or the transport of dangerous chemicals may also be regarded as hazards.

Similarly, incorrect agricultural techniques will in the long run lead to an increase in crop failure risk. Hazards may either be a creation of humans or of the environment. Although the former can be planned for easier than the latter, the management of the hazard will in both cases remain the same.

The UNDP (2004:16) only makes provision for defining natural hazards as “natural processes or phenomena occurring in the biosphere that may constitute a damaging event”.

A disaster is triggered by an event; this is the common denominator in all disasters. This triggering agent (or agents) is called a hazard (McEntire, 2001:190).

Scheidegger (1994:19-25) describes hazards as the result of sudden changes in long-term behaviour caused by minor changes in the initial conditions.

Smith (2001:6) views hazards as a naturally occurring or human-induced process or event with the potential to create loss.

### **1.5.5 Mitigation**

Mitigation is defined by section 1 of the *Act* as “measures taken that aim to reduce the impact of the effects of a disaster”.

Disaster mitigation is a collective term used to encompass all activities undertaken in anticipation of the occurrence of a potentially disastrous event, including preparedness and long-term risk reduction measures.

It is also the process of planning and implementing measures to reduce the risks associated with known hazards and to deal with disasters, which do occur (Van Niekerk *et al*, 2002:47).

UNISDR, 2009:19 defines mitigation as a lessening or limitation of the adverse impacts of hazards and related disasters.

### **1.5.6 Post-disaster recovery and rehabilitation**

Recovery and rehabilitation refer to the operations and decisions taken after a disaster.

They aim at restoring a stricken community to its former living conditions, while encouraging and facilitating the necessary adjustments to the changes caused by the disaster (Van Niekerk *et al*, 2002:52).

### **1.5.7 Preparedness**

Preparedness is first of all a series of discourses, practices, and technologies, in short, an apparatus of security (Adey and Anderson, 2012:101).

Section 1 of the *Act* refers to preparedness as “a state of readiness, which enables organs of state and other institutions involved in disaster management, the private sector, communities and individuals to mobilize, organize, and provide relief measures to deal with an impending or current disaster or the effects of a disaster”.

Preparedness is the measures taken in view of disasters and consists of disaster plans and action programmes designed to minimize the loss of life and damage to property, to organize and facilitate effective rescue and relief, and rehabilitation after the disaster (Van Niekerk *et al*, 2002:49).

Preparedness does not obey a single logic of performance. Underpinning preparedness are rationalities and logics of security performed through techniques of risk management (Aradau and Van Muster, 2007:89-115).

UISDR (2009:21) defines preparedness as the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, events or conditions.

### **1.5.8 Contingency planning**

Choularton (2007:3) defines contingency planning as a process in anticipation of potential crisis of developing strategies, arrangements and procedures to address the humanitarian needs of those adversely affected by a crisis.

UNISDR (2009:7) defines contingency planning as a process that analyzes specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events or situations.

Arroyo in United Nations High Commission of Refugees (UNHCR) (2003:2) argues that contingency planning does not guarantee absolute preparedness but instituting prior arrangements can help alleviate the plight of disaster victims.

The UNHCR handbook for emergencies (1996:5) defines contingency planning as a forward planning process, in a state of uncertainty, in

which scenarios and objectives are agreed, managerial and technical actions defined and potential response systems put in place in order to prevent, or better respond to, an emergency or critical situation.

A review of present UNHCR (2003:10) writing indicates that the word “contingency” simply means that the emergency for which the response plan is being developed may or may not take place and planning implies that the response has to be done before the emergency event.

FEWSNet (2004:1) defines contingency planning as the process of establishing objectives, approaches and procedures to respond effectively to situations or events that are likely to occur, including identification of those events and developing likely scenarios and appropriate plans to prepare and respond to them in an effective manner.

Care (2006:4) highlights that contingency planning is one of the scenario-based planning tools used to ensure that adequate arrangements are made in anticipation of a crisis.

IFRC (2006:10) defines contingency planning as making sure that a response is coordinated because roles, goals, strategies and responsibilities are clarified in advance.

### **1.5.9 Prevention**

Prevention is defined as disaster measures aimed at stopping a disaster from occurring or preventing an occurrence from becoming a disaster (section 1 of the *Act*).

Disaster prevention encompasses measures to ensure that the effects of a disaster or the disaster itself are prevented (Van Niekerk *et al*, 2002:41).

UNISDR (2009:22) defines prevention as the outright avoidance of adverse impacts of hazards and related disasters.



### **1.5.10 Response**

According to section 1 of the *Act* disaster response is the measures taken during or immediately after a disaster in order to bring relief to people and communities affected by the disaster.

This is the period immediately following the occurrence of a disaster when exceptional measures are taken to search for and find survivors as well as to meet their basic needs for shelter, water, food and medical care (Van Niekerk *et al*, 2002:52).

The *White Paper on Disaster Management* (1999:73) describes response as activities that are arranged to deal with emergency situations and can involve the evacuation of people, dealing with incidents, extinguishing fire, etc.

Carter (1992: 245) includes both time and operational dimensions in the definition by describing response as the actions taken immediately prior to, and following, a disaster. However, in this context Carter (1992:57) introduces the term “emergency response” attaching the timeframe of two to three weeks, but then concedes that longer-term measures may also constitute response.

The UNISDR (2004:6) definition incorporates both the dimensions of time and the nature of actions which take place during response.

UNISDR (2009:24) defines response as the provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected.

### **1.5.11 Disaster management strategy**

The joint implementation of national disaster management strategies and operations takes place within the Inter–Ministerial Committee for

Disaster Management and under the auspices of the national disaster management centre.

The structures designed for the oversight and coordination of integrated disaster risk reduction, planning, response, relief and rehabilitation functions are as follows:

- National Sphere: National Disaster Management Centre (NDMC);
- Provincial Sphere: Provincial Disaster Management Centres (PDMC); and
- Metropolitan/District Sphere: Municipal Disaster Management Centres (MDMC)(City of Cape Town, 2007:5).

#### **1.5.12 Integrated approach**

All services and disciplines are responsible for their own functional planning, operating procedures and responses to all types of incidents or hazards occurrence, in accordance with their relevant enabling legislation, but they will still be required to integrate their planning and response activities according to the *Act* in order to facilitate multidisciplinary collaboration, coordination and communication (City of Cape Town, 2007:5).

According to Reddy (2010:94), an integrated approach in the form of a multidisciplinary/sectoral perspective improves effectiveness of risk reduction intervention as a shared objective, saves time and is more economical.

#### **1.5.13 Alert**

An “alert” is declared for an incident that currently does not affect the local or general population but has the potential for a more serious emergency. The situation is still unresolved and should be monitored closely. Some limited protective actions may be implemented and

additional assistance can be requested from the relevant specialist agencies (City of Cape Town, 2007:7).

#### **1.5.14 Disaster Coordination Team**

The appointed person in the Disaster Operation Centre (DOC), who is the Chairperson of the Disaster Coordination Team (DCT), is also responsible for the implementation of strategic decisions made by this multidisciplinary team to deal with any incident, emergency or disaster in the metropolitan area (usually the Head: Disaster Management Centre or the Duty Coordinator: DOC or other designated senior manager) (City of Cape Town, 2007:7).

#### **1.5.15 Multidisciplinary team**

The multidisciplinary team convened at the DOC, under direction of the Head: Disaster Management Centre or the Duty Coordinator: DOC is responsible for the strategic decision-making and directing of the actions required in the mitigation of the major incident, emergency or disaster (City of Cape Town, 2007:7).

#### **1.5.16 Disaster Operation Centre**

It is an off-site, centralized and fully equipped dedicated facility which is part of disaster management, where, in the event of a major incident, emergency or disaster, multidisciplinary coordination, tactical and strategic decision-making takes place at the metropolitan level. It is the location from which level 4, 5 and 6 response operations are directed (South Africa, 2005:60).

#### **1.5.17 Disaster Management Centre**

A Disaster Management Centre is established in metropolitan municipalities, district municipalities, provinces and at national level in terms of the *Act* to oversee all disaster risk reduction and reactive

activities for that level (City of Cape Town, 2007:7 and also refers to sections 3.6, 4.4.1.3 and 4.4.1.4 of the *Act* and the *NDMF*).

### **1.5.18 Disaster Management Plan**

A Disaster Management Plan is a document that describes the organizational structure, its roles and responsibilities and concept of operation covering all aspects of the Disaster Management Continuum and placing an emphasis on measures to reduce vulnerability, namely hazard identification, risk and vulnerability assessment, risk reduction and mitigation, planning and preparedness, emergency response, relief and recovery efforts (NDMF, 2005:84).

### **1.5.19 Emergency**

Emergency is defined as a complex system of events that threatens with infrastructural failure (Little, 2010:27-40 and Graham, 2010:25).

Adey and Anderson (2012:105) argue that a materializing complex series of events such as a fire or flood that must be stopped in its tracks is a popular characterization of emergency by the contingency apparatus.

An emergency is the period during which extraordinary measures have to be undertaken in order to save lives, protect property and secure livelihood (UNDP, 1992:14).

ISDR (2009:13) defines emergency as a sudden threatening condition/event or occurrence that demands immediate action to minimize its adverse consequences.

The World Health Organization-Western Pacific Region (WHO-WPR) (2003:9) defines an emergency as any public health situation endangering the life or health of a significant number of people and demanding immediate action.

UNHCR (2003:38) defines an emergency as a situation in which the life or well-being of a community will be threatened unless immediate and appropriate action is taken, and which demands an extraordinary response and exceptional measures.

### **1.5.20 Emergency Response Plan**

This is a document describing the organizational structure, its roles and responsibilities, concept of operation, principles of intervention and resources to be used during any incident or emergency at a particular event or location (MIMPCoCT, 2007:8).

### **1.5.21 Evacuation**

Evacuation is the controlled, rapid and directed withdrawal of a population, during an emergency, from a place of danger to a place of safety in order to avoid acute exposure to any incident (MIMPCoCT, 2007:8).

### **1.5.22 Incident**

According to Firescope (1999:11) an incident is an occurrence requiring urgent response by emergency services in order to prevent or reduce loss of life, injury, damage to property, infrastructure and the environment.

The *White Paper on Disaster Management* (South Africa, 1999b:73) concurs with this precept but suggests that an incident does have the potential to escalate to more serious proportions.

### **1.5.23 Early warning systems**

Kent (1994:30) is of the view that warning systems should be planned around the assumption that the functioning communication systems, such as telephones, may not be available during disasters.

An early warning system is the process of information gathering and policy analysis to allow the prediction of developing crises and actions either to prevent them or their effects.

#### **1.5.24 Level 1 Disaster Management Plan**

A Level 1 Disaster Management Plan applies to municipal departments and entities that have not previously developed a coherent disaster management plan. It focuses primarily on establishing foundation institutional arrangements for disaster management, putting in place contingency plans for responding to known priority threats as identified in the initial stages of the disaster risk assessment, identifying key municipal and other stakeholders, and developing the capability to generate a Level 2 Disaster Management Plan (NDMF, 2005:85).

#### **1.5.25 Level 2 Disaster Management Plan**

A Level 2 Disaster Management Plan applies to municipal departments and entities that have established the foundation institutional arrangements, and are building the essential supportive capabilities needed to carry out comprehensive disaster management activities.

It includes establishing processes for a comprehensive disaster risk assessment, identifying and establishing formal consultative mechanisms for the development of disaster risk reduction projects and introducing a supportive information management and communication system and emergency communications capabilities (NDMF, 2005:86).

#### **1.5.26 Level 3 Disaster Management Plan**

A Level 3 Disaster Management Plan applies to municipal departments and entities that have established both the foundation institutional arrangements for disaster management and essential supportive capabilities.

The plan must specify clear institutional arrangements for coordinating and aligning the plan with other governmental initiatives and plans of institutional role-players.

It must also show evidence of informed disaster risk assessment and ongoing disaster risk monitoring capabilities, as well as relevant developmental measures that reduce the vulnerability of disaster-prone areas, communities and households (NDMF, 2005:86).

### **1.5.27 Municipal departments and entities**

In terms of section 239 of the *Constitution* “organ of state” is defined as:

- (a) any department of state or administration in the national, provincial or local sphere of government; or
- (b) any other functionary or institution-
  - (i) exercising a power or performing a function in terms of the *Constitution* or a provincial constitution; or
  - (ii) exercising a public power or performing a public function in terms of any legislation, but does not include a court or a judicial officer.

### **1.5.28 Disaster risk reduction**

The term disaster risk reduction was formally defined for the first time in the Bruntland Report in 1987 (Wisner, Gaillard, and Kelman, 2012:15).

The report suggested the importance of taking into account the needs of the poor as well as the livelihoods for future generations (Bacon, 2012:157-158).

The ISDR (2002:25) defines disaster risk reduction as “the systematic development and application of policies, strategies and practices to minimize vulnerabilities and disaster risks throughout a society, to avoid (prevent) or to limit (mitigate and prepare) adverse impacts of hazards, within the broader context of sustainable development”.

Successful risk reduction projects depend on the political leadership commitments (Reddy, 2010:91).

Disaster risk reduction refers to those groups who are recipients or targets of policy programmes, risk reduction or development initiatives (Rho, 2009:8; Petkus, 2008:27; Hutt, 2010:182). Furthermore, risk reduction should be a part of land-use planning, housing and infrastructure development (Reddy, 2010:92).

It aims to reduce socio-economic vulnerabilities to disasters, as well as dealing with environmental and other hazards that trigger these events (Twigg and Bottomley, 2011:1; and UNISDR, 2009:10-11).

DFID (2005:2) defines disaster risk reduction as measures to curb disaster losses by addressing hazards and people’s vulnerability to them.

Disaster risk reduction aims furthermore at limiting people’s vulnerability and minimizing their disaster risk concerning hazards (Vermaak and Van Niekerk, 2004:556; and Twigg, 2007:6).

A disaster risk reduction process is a multidisciplinary approach including various sectors of society (Stanganelli, 2008:94; Vermaak and Van Niekerk, 2004:556; Twigg, 2007:6; UNISDR, 2004:13-14; UNISDR, 2005:6-7; South Africa, 2004:1,4 and 8 and South Africa, 2002:12-14).



### 1.5.29 Risk

Bollin, Cardenas, Hahn, and Vatsa (2003:67) adopted the conceptual framework to identify risk which distinguishes four components of disaster risks: hazard, exposure, vulnerability and capacity measures. This framework states that risk is the sum of all the named components.

Risk is usually associated with the human inability to cope with a particular situation. Risk embraces exposures to dangers, adverse or undesirable prospects, and the conditions that contribute to danger (Hewitt, 1997:22).

According to Wisner (2004:4) the risks involved in disasters must be connected to the vulnerability created by people by their very existence. This view is supported by McEntire (2007:190) who indicates that disasters could also be human-made.

Helm (1996:4-7) as well as Sayers, Gouldby, Simm and Meadowcroft (2002:36-38) define risk as the probability of an event occurring linked to its possible consequences or potential losses from one particular course (UNISDR, 2009:25).

Tobin and Montz (1997:282) differ slightly from Helm and argue that risk is the product of the probability of an occurrence and expected loss due to vulnerability to the occurrence. These authors express risk as:

Risk = probability of occurrence X vulnerability.

Sometimes risk is equated erroneously with hazard, the perceived risk with hazards perception. In fact, risk is part of hazard but the two terms are not synonymous. Risk is an important component of hazard analysis and risk analysis forms an important subdivision of the study of national hazards.

To put the two in perspective we might consider the elements of risk analysis. Frequently, risk is seen as the product of some probability of occurrence and expected loss.

The probability of recurrence of particular geophysical events can be assessed through historical trends, for example from lengthy historical records it is possible to determine the approximate size of a 100-year flood and to estimate the probability of certain sized events occurring in any given year. While this information is useful in evaluating technical risk, it does not indicate the numbers of people exposed to a hazard or the losses expected from a specific event. To get a better assessment of hazard risk, details on vulnerability must be incorporated in the analysis. Statistically, this relationship can be expressed as risk (Tobin and Montz, 1997:282).

Blaikie, Cannon, Davis and Wisner (1994:21) differ partially from Tobin and Montz and indicate that risk is a complex combination of vulnerability and hazard.

The ISDR (2002:24) defines disaster risk as the probability of harmful consequences, or expected losses (lives lost, persons injured, damage to property and/or the environment, livelihood lost, and the disruption of economic activities or social systems) due to the interaction between humans, hazards, and vulnerable conditions (Cardona, 2003:2).

Risk could therefore be viewed as the possibility that a particular hazard (of certain magnitude within a certain timeframe) might exploit a particular vulnerability (of a certain type within a specific timeframe). It is the product of the possible damage caused by a hazard due to the vulnerability within a community. It should be noted that the effect of a hazard (of a particular magnitude) would affect communities differently, due to different levels and types of vulnerabilities (Kotze, 1999a:35).

This is also true because of the different coping mechanisms within a particular community. In general, poorer communities are more at risk

(and less resilient) than communities in possession of coping capacities (be they social, economic, physical, political or environmental).

Increased emphasis is now placed on risk, and an acceptance that disaster, development and environmental problems are inextricably linked. Disasters occur when a significant number of vulnerable people experience a hazard and suffer severe damage and/or disruption of their livelihood system in such a way that recovery is unlikely without external aid (Wisner et al, 2004:50).

As with the definition of disaster risk reduction, the UNDP (2004:136) and ISDR (2002:25) agree on the definition of disaster risk and express risk as:

Risk = Hazards x Vulnerability.

The multiplicative form of the equation stresses that without vulnerability (or more precisely, a vulnerable population that could be affected by hazards) there can be no disaster. The authors define disaster risk as a compound function of the natural hazard and the number of people, characterized by their varying degree of vulnerability to that specific hazard. This relation is formally expressed in a simple pseudo-equation as indicated above (Wisner et al. 2004:49).

Lewis (1999:8) and Bethke, Good and Thomson (1997:10-11) concur with the above and are of the opinion that risk is therefore the product of hazard and vulnerability.

Risk is a statistical probability of damage to a particular element which is said to be “at risk” from a particular source or origin of hazard. Kotze and Holloway (1996:5) also concur with the above that risk is the expected losses (lives lost, persons injured, damage to property and disruption of economic activity or livelihood) caused by a particular phenomenon.

Disaster risks exist, or are created, within social systems (ISDR, 2003:24). Rather than merely responding to their consequences (Lewis, 1993:37) communities, governments, civil society and professionals from various fields are increasingly recognizing the value of sustained efforts to reduce the social, economic and environmental costs associated with disasters by addressing disaster risk (ISDR, 2003:15). Disaster risks must be systematically integrated into policies, plans and programmes for sustainable development and poverty reduction (UNISDR, 2006:3).

### **1.5.30 Disaster risk assessment**

Paulsen (2004:2) postulates that the impact of disaster on vulnerable communities is growing each year. De Guzman (2003:8) claims that the disaster potential of natural hazards and the vulnerability of social systems have worsened.

The Asian Disaster Preparedness Centre (ADPC), 2004:23) describes risk assessment as a process to determine the nature and extent of risk by analysing potential hazards and evaluating existing conditions of vulnerability/capacity that could pose a potential threat or harm to people, property, livelihoods and the environment on which they depend.

Quarantelli (2002:10) confirms the theory that a local risk assessment provides the starting point for understanding the most immediate threats and preparing appropriately.

### **1.5.31 Coordination**

The most generally applicable definition of coordination in the policy and administration literature is that coordination is the extent to which organizations attempt to ensure that their activities take into account those of other organizations (Hall *et al*, 1976:459).

According to Lindblom (1965:23-154) coordination is mutual adjustment between actors or more deliberate interaction produces positive outcomes to the participants and avoids negative consequences.

Coordination is defined as to function together or function in a proper order. Coordination or any mechanism of coordination should be regarded as a resource. In other words, coordination does not involve the taking over of responsibilities but rather agreeing to assist (Central Intelligence Agency (CIA), 1990:324-326).

Coordination is one of the oldest problems facing the public sector. As soon as government was sufficiently differentiated to have several organizations providing different services or providing the same service in different ways, coordination became an issue (Bouchaert *et al*, 2010:13).

### **1.5.32 Cooperation**

Cooperation is defined as the process of seeking concurrence from one or more groups, organizations or agencies regarding a proposal or activity for which they share some responsibility and which may result in contributions, concurrences or dissent (Insider's Dictionary, <http://www.odci.gov/cia/publications/factbook>-accessed, 22 September 2014).

According to Passas (1995:15) cooperation also relates to working together to the same end and concurring in producing the same effect.

### **1.5.33 Emergency planning**

Emergency planning is a modality of future-orientated security that sits within much broader and diverse nested approaches towards the anticipation and governance of events that have their origin in the Second World War emergence of civil defence and air raid precautions

and the subsequent Cold War context of thermonuclear threat and industrial instability (Adey and Anderson, 2012:101).

Anderson (2010:777-798); Aradau (2010a:2-7); and Lakoff (2008:399-428) argue that emergency planning under the rubric of civil protection and co-existing with multiple logics of security does not seek to stop an event from happening and beginning, but rather to manage the way in which it is responded to as an emergency.

### **1.5.34 National security**

This concept can be traced back to the post-Second World War period in the US, when the government under Harold Truman adopted a hard line against Communism in an attempt to establish itself as the main world superpower (Duncan, 2014:19).

National security has been defined by Busan (1991:16) as the preservation of a way of life acceptable to the people and compatible with the needs and legitimate aspirations of others.

The concept of national security, as traditionally defined, has been broadened to include non-military threats such as economic and environmental security (Azar and Moon, 1984:113).

Hough (1995:58) argues that non-military threats faced by most of the Third World States relate to those threats that tend to undermine the national cohesion of these states as well as their internal socio-economic and political stability and progress.

## **1.6 RESEARCH METHODOLOGY**

### **1.6.1 Introduction**

According to Welman; Kruger and Mitchell (2007:2) methodology is that which considers and explains the logic behind research methods and techniques. Research refers to the activities which are undertaken by

researchers in order to find answers to their research questions or solutions to their research problems. These activities include data collection, the analysis of the data collected and the writing of reports for their research studies (Reinard, 2001: 34). Knowledge gained in this regard will assist in developing, implementing and evaluating cooperative governance strategies.

The research methodology is important because it shows how the research was conducted and to confirm the reliability of data. The method of research sets out to reflect on the research design methodology. Hussey and Hussey (1997:54) define research methodology as the overall approach to the research process from the theoretical underpinning to the collection and analysis of the data. Mahlangu (1987:3-4) defines research methodology as the study of the logic or rationale underlying the implementation of the scientific approach to the study of reality. It is a theory of correct scientific decisions.

According to McMillan and Schumacher (1989:39), research methodology is systematic and purposeful. Procedures are not haphazard activities; instead they are planned to yield data on a particular problem. This can be done with measurement techniques, extensive interviews and observation or a collection of documents.

The way in which the steps in the research process were structured gives an indication of the direction that the research has taken.

Consideration was also given to the research design that involved research methods, data collection techniques and the analysis of the collected data. A research design is a plan for the research which is envisaged (Thomas, 2009:70). Methods were techniques for collecting data about the world around us, whereas methodology is the logic of applying a scientific perspective to the study of events.

Furthermore, the researcher explained under 1.6.3 why a combined quantitative and qualitative research approach was chosen as the two research methods used in the study. The discussion of the multi-method approach adopted here was concentrated on the application of quantitative and qualitative research in the study.

The target population consists of forty-six district municipalities in the RSA, six metros and nine provinces. Questionnaires were possible in view of the relatively limited number of sampling units in each category and will not have a significant effect on cost and time, with regard to:

- Number of provinces and municipalities that have drafted a disaster management framework and disaster management plans;
- Information about the existence of municipal disaster management centres and the extent to which they are involved in cooperative governance issues; and
- Levels of compliance with the *Act* and the *NDMF*.

### **1.6.2 Qualitative research methodology**

The researcher used a qualitative research approach in this study. According to Welman, Kruger and Mitchell (2005:188) a qualitative research approach is an umbrella phase covering an array of interpretive techniques which seek to describe, decode, translate and otherwise come to terms with the meaning of naturally occurring phenomena in the social world. It can be used successfully in the description of groups, (small) communities and organizations.

A mixed methodology (triangulation design) was found to be an appropriate design for the research study as it requires collecting data by means of multiple methodologies. According to Berg (2004:5) triangulation is used to observe reality on the research question from different sides to the same point. The design ensures that what one method could not uncover would be uncovered by the other method



during the study. The mixed methodologies used were questionnaires, structured interviews and a literature review.

According to Kincheloe (1991:143), qualitative research aims at understanding and interpreting the meanings and intentions that underlie everyday human action.

Qualitative research is also viewed as an interdisciplinary, trans-disciplinary and sometimes counter-disciplinary field as it crosscuts humanities and the social sciences (Nelson, Trechler and Grossberg, 1992:2).

Qualitative researchers maintain that many natural properties cannot be expressed in quantitative terms; they will lose their reality if expressed simply in terms of frequency. Qualitative research as a multi-perspective approach is making sense of interpreting or reconstructing this interaction in terms of meanings that the subjects attach to it.

This approach deals with data that is principally verbal. It is the approach in which the procedures are not as strictly formalized as in quantitative research and the scope is more likely to be undefined and a more philosophical mode of operation is adopted.

Qualitative research methodology refers to research which produces descriptive data: generally no numbers or counts are assigned to observations. The indispensable condition or qualification for qualitative methodology is a commitment to seeing the world from the point of view of the actor.

Because of this commitment to see through the eyes of one's subjects, close involvement is advocated (Bryman, 1984:78).

Studying small samples can be very useful in qualitative research, and this is often misunderstood. Many researchers believe that the ultimate goal of the research is to be able to generalize it, and this could ultimately mean a larger sample size is more efficient. However, an

appropriate size for a sample in qualitative research is one that allows efficient and adequate answers for the main research questions.

Both simple questions and very detailed studies might require only single-digit sample sizes for adequate answers to be obtained, while for complex questions, large samples might be needed (Marshall, 1996:169).

Based on the qualitative research methodology, the researcher designed and compiled semi-structured interview questions in order to collect information from disaster management centres. In this regard information was collected through the use of questionnaires.

The qualitative and quantitative research methodology was used because it provides a framework for a subject to speak freely in his or her own terms about a case which the researcher brings to the interaction.

The nature of this study necessitates the researcher to use the qualitative research design. The ontological dimension of qualitative research design addresses the nature of reality of the study in question. By utilizing this design, the researcher will be able to determine different perspectives from practitioners in the field to the research problem at hand (Van Schalkwyk, 2000:38).

Qualitative research concentrates on words and observation to express reality and attempts to describe people in their natural situations (Van Schalkwyk, 2000:39). Qualitative methods are a major tool in the quest for deeper understanding (Denzin and Lincoln, 2003:18-29).

### **1.6.3 Quantitative research methodology**

A quantitative and qualitative methodology was used to conduct this study. This was achieved by using a structured questionnaire that was administered to disaster management authorities in different provinces, metros and local municipalities. The quantitative approach was

appropriate for this study because of its ability to investigate a wider geographical area in a short period of time. Quantitative researchers collect numerical data when conducting their research studies (Muijs, 2011:2).

Mouton (2001:53) strongly argues that an empirical study addresses a real-life problem. It allowed the researcher to quantify information thus providing him with an opportunity to interpret data through the use of figures, tables and other mathematical symbols (Bles and Higson, 1995:105). The numbers in quantitative research enable researchers to understand and fully describe some aspects of the research problem (Coldwell and Herbst, 2004:15; Dan, Dietz and Kalof, 2008:14-15).

The quantitative study was conducted using an attitude scale to test the opinions and attitudes of respondents to the developed model (Welman and Kruger, 1999:89 and 155). According to Blaxter, Hughes and Tight (2010:186) quantitative data is collected through the use of multiple-choice questions.

The measuring instrument which was used to assist the researcher to analyse the feasibility of introducing a model and the relevance of the model was a semantic differential scale (Welman and Kruger, 1999:157).

In the development of the model, comparisons were made with international experience and benchmarks. The completed model was tested against the opinions of international experts.

These experts were discriminately selected to test and verify the model (Strauss and Corbin, 1990:187).

#### **1.6.4 Information required**

The following information was collected for the purpose of the research:

- The number of disaster management structures established in the provinces and in municipalities for the purpose of intergovernmental relations in the RSA in terms of the *Intergovernmental Relations Framework Act*;
- The number of disaster management projects (e.g. risk assessment projects, awareness programmes, etc.) conducted by all three spheres of government to effect cooperative governance in disaster management;
- The number of provinces and municipalities that have drafted a disaster management framework and disaster management plans;
- Information about the existence of municipal disaster management centres and the extent to which they are involved in cooperative governance issues; and
- Levels of compliance by the provinces and the municipalities with the *Act* and the *NDMF*.

### **1.6.5 Data sources**

Primary, secondary data sources and empirical research (interviews) were utilized for the study. Denscombe (2010:216) posits that official documents can be treated as a data source in their own right as they constitute the original and fundamental message intended by those concerned, such as lawmakers.

These sources according to McNabb (2002:391) could be wide ranging and could be from symbols or non-verbal signs, non-written communication to written text, which could either be formal or non-formal in nature.

#### **1.6.5.1 Primary sources**

Primary data was gathered by means of personal interviews, telephone surveys and questionnaires.

### **1.6.5.2 Secondary sources**

An internet search for relevant information was launched. The internet searches revealed several journals which were referred to in the study.

### **1.6.6 Data collection technique**

Allwright (1998:274) notes that collecting the relevant data is the “central methodological question for any research”. In this study qualitative and quantitative research methods were used for the collection of information and data by means of a questionnaire, personal interviews, informal discussions and a literature review. As the data collecting progressed, constant comparisons were made until saturation was reached.

When all categories were saturated, sorting took place and thereafter writing commenced (Strauss and Corbin, 1996:188).

### **1.6.7 Target population**

LeCompte and Preissle (1993:60) define the term population as referring to potential human respondents or participants in a study. Non-human phenomena and inanimate objects are also potential populations.

Some population groups are naturally bounded and share a common geographical location such as a village, schools and factories.

McMillan and Schumacher (1989:161) and Borg (1987:8) define a research population as a larger group of cases from which a sample can be selected.

The target population identified for the research includes the following:

- National government departments;
- Provincial government departments, especially the departments responsible for local government;

- Metropolitan, district municipalities and local municipalities;
- Academic institutions that are involved in teaching disaster management; and
- Private companies which are involved in disaster management.

### **1.6.8 Sampling**

Sampling refers to the process used to select a portion of the population for study. According to Mulder (1989:55) a sample is a group which is selected from the population and is thus less than the population, while remaining as representative as possible. The research sampling, a simple random sampling method adopted by Babbie and Mouton (2001:53) was used for this research study.

The method is a probability sampling where the unit of analysis (Provinces, Metros, District and Local Municipalities) had the same chance of being inclusive in the sample and the probability of being chosen in the sample (Welman and Kruger, 2001:47). A list of 278 municipalities and nine provinces was drawn up from the national COGTA contact list and had an equal chance of being included in the sample of 100, irrespective of the province or region. A table of random numbers as adopted by Welman and Kruger (2001:55) was used to select the unit of analysis.

Each municipality and province was allocated a number that represented it. Random numbers were drawn from 1 to 278 and random selection was then conducted.

Probability sampling formed the basis of gathering information and data as each element in the population has a known chance of being included in the sample. Mulder (1989:55) defines a sample as a group which is selected from the population and is thus less than the population, while remaining as representative as possible.

This is the process whereby all the elements in the sample frame have equal representation. Elements that will appear more than once will have a greater probability of selection. Findings based on a sample can be taken as representative only from the aggregation of elements that compose the sample frame.

The research population alluded to in this study is local government, therefore warranting that all three categories of local government are included as a focused sample.

### **1.6.9 Questionnaires**

Although it is more difficult and time-consuming to analyse the responses to open-ended questions (Welman and Kruger (1999:174), it was essential in this case so as to enable the respondents to express their opinions freely (Reid, 2005:19). The research instruments employed for this purpose ranged from questionnaires, deliberations and field surveys. This method of gathering data was employed because it is fast and efficient at collecting large amounts of information, which enables data to be easily quantified and can thus provide a comparable data basis from different perspectives. The questionnaire has the advantage of being able to collect a lot of information in a snapshot, which could cover a lot of areas.

It was with this view in mind that a questionnaire was considered an appropriate instrument to use for this group of people. Czaja and Blair (1996:106) describe the strength of the questionnaire as the indispensable means by which the opinions, behaviours and attitudes of respondents are converted to data. Mouton (2001:100) also supports the use of questionnaires by suggesting that in the human sciences, measuring instrument refers to such instrument as questionnaires, observation schedules, interviewing schedules and psychological tests.

The questionnaire is composed of a list of questions or statements to which the individual is requested to respond in writing. The response

may range from a checkmark to extensive written statements (Wiersma, 1980:142).

A questionnaire was hand delivered to the target population. Local municipalities were limited to 77 respondents. These categories of local government identified, played a pivotal role in the data collection (Predey, 1989:41), (metropolitan (6), district municipalities (46) and 9 provinces).

Questionnaires were possible in view of the relatively limited number of sampling units in each category and will not have a significant effect on cost and time.

The questionnaires will consist of dichotomous, multiple choice, open-ended questions and weighted scales in a manner consistent with the objectives of the research. The questionnaire was made easy to understand as instructions for completion were given and the wording of the questions was unambiguous and specific to the target group (Denscombe, 2010:161).

In view of the notoriously low response rate (10%) due to hand delivery, telephone follow-ups were utilized to ensure that the maximum number of questionnaires was returned.

#### **1.6.10 Personal interviews**

The purpose of qualitative interviewing is to provide a framework for a subject to speak freely in his or her own terms about a case which the researcher brings to the interaction.

Data collection in this instance took the form of in-depth interviews. It allows the researcher to explain his or her questions if the respondent is not clear on what was asked. It also allows the study to probe deeper following the answer of a respondent. As Swanson, Watkins, and Marsicks in Swanson, and Holton (1997:96) argue, an in-depth interview enables the researcher to gather quantities of information



from people in the workplace, or people who connect in various ways to the institution.

Personal interviews, utilizing structured questions, will be conducted with officials responsible for disaster management and intergovernmental relations. Mouton (1996:157) posits that reliability during the interviews can be strengthened through assurance of anonymity and the rapport created with the interviews.

#### **1.6.11 Data analysis**

The aim of data analysis is to understand the various constitutive elements of the data by examining the relationship between concepts, constructs or variables isolated or to establish repeated themes (Mouton, 2006:108).

A statistical method was utilized to analyse the results of the survey. The methods include correlation analyses and cross tabulation and analyses. The aforesaid indication was gained from the application of intergovernmental relations as an effective cooperative principle in the coordination and awareness and development of disaster management planning.

Data collected from 100 questionnaires was firstly coded by hand on the questionnaires. Responses for open-ended questions and interview questions were clustered in similar categories and assigned numbers and then transferred to the computer by means of Excel software. Two different master coding sheets were used; one for the questionnaire and one for the interview session. The researcher then sent the coded data to a professional statistical analysis.

#### **1.6.12 Validity and reliability of the study**

Reliability relates to whether a particular technique, applied repeatedly to the same object, would yield the same result each time under

comparable conditions (Neuman, 2006:196; Bless; Higson-Smith, 1995:130; Bless, Higson-Smith, and Kagee, 2005:150).

Validity refers to the extent to which an empirical measure adequately reflects the real meaning of the concept under consideration (Bless *et al*, 2005:156; Neuman, 2006:196; Struwig and Stead, 2001:143).

The research processes need to pass a set standard of evaluation. It is important, therefore, that the field notes as well as the tape-recording device be kept intact for purposes of verification, should the need arise. The limitations of tape recordings are that the respondents' facial expressions during the interviews are lost to the evaluator. It is also important to exclude the possibility of personal bias as far as is reasonable. Measures will be taken to ensure that the questionnaire meets the requirements for validity and reliability.

The reliability and validity of the research design was followed as discussed by Welman and Kruger (2001:118). The research findings can be implemented at government level by all the spheres of government including areas where there was no participation in the research study. Since the participants were not influenced in any way, the findings of the study can be generalized.

### **1.6.13 Ethical issues**

Conducting social research is an ethical enterprise and research ethics provide researchers with a code of moral guidelines on how to conduct research in a morally acceptable way (Bless *et al*, 2006:140; Struwig and Stead, 2001:67; Wisker, 2001:168; and Willis, 2007:311-316).

Ethical considerations are important, both during the interviews and also during reporting. It is, therefore, important for researchers to always keep in mind that the objects of enquiry in an interview are human beings. It is, therefore, important to protect them and also to let them feel protected at all times. The researcher was careful to keep in

mind the need to act in the welfare of the participants and not to regard his own interests above those of the participants (Weatington *et al*, 2010:32).

In some cases, the respondents might want their identity to be anonymous. There are also other risks that the interview might expose them to and they were allowed to raise concerns to be dealt with thoroughly before the interview commenced (Mouton and Marais, 1993:90). McNabb (2002:36) indicates that there is immense value in maintaining research ethics.

The principle of voluntary participation was followed, and potential respondents were convinced to participate in the research. Respondents were fully informed of the reason for the research and about the procedures involved in the research and they were able to make an informed decision regarding their participation. No participant was subjected to harm or risk of any kind, physical or psychological. Confidentiality was a priority and participants in the semi-structured interviews have been assured that their contributions would remain anonymous (Duvenhage, Van der Walt, and Zaaiman, 2011:40).

#### **1.6.14 Value of study**

The local sphere of government is always expected to deliver effective and efficient services to the communities they are serving. Disaster management in all its facets forms an integral part of these services to communities. Because communities are focusing more on their legitimate expectations with regard to basic services as they affect their daily lives, they are not putting pressure on the relevant authorities to ensure that disaster management plans are in place. Therefore authorities are, in many instances, inclined not to give the priority to disaster management that it deserves. Consequently disaster management also gets the worst share of the budget. Therefore a number of challenges exist with regard to the implementation of the policies, procedures and legislation. This study is significant in the

sense that it will offer solutions to the current lack of cooperation in cooperative governance between all spheres of government and promote public participation in local affairs.

A model will be designed for using intergovernmental relations as a planning instrument for development of the integrated disaster management strategy in RSA.

## **1.7 LIMITATIONS**

There are certain limitations to this research project that are outlined hereunder:

- Currently, there are no comprehensive strategies and programmes and no coherent and coordinated needs analyses that have been undertaken, although the national evaluation tool for capacity has been developed by the national disaster management centre;
- Community awareness programmes focus on disaster response and recovery actions. Little or no attention is paid to potential hazards, particularly those faced by vulnerable communities and what can be done to mitigate their impact. Consequently no structured dialogue exists between public representatives in metropolitan, district and local municipalities to share experiences and focus on institutional issues impacting on disaster management;
- Similarly there are no functional forums except the South African Local Government Association (SALGA) for municipal managers to share experiences and plan together on matters of disaster management; and
- The lack of records, reports and planning documents relating to intergovernmental relations in disaster management in the South African context adds to the limitations of the study, as it will affect the data analysis to a certain extent.

## **1.8 LAYOUT OF CHAPTERS**

The following chapters are included in the delimitation of the research:

### **Chapter 1 Introduction and organization of research**

Chapter 1 provides an overview of the research project in terms of the introduction and problem statement to the thesis. In this chapter the definitions underlying the study as well as goal and objectives are discussed. Key research questions as well as the objectives of the research are alluded to.

The methodological method of research is discussed, and the contribution of the research to the disaster management body of knowledge is given.

### **Chapter 2 South African history regarding disaster management**

This chapter focuses on the theoretical foundation of disaster management in general in the RSA environment. The historical development of disaster management in the RSA is discussed and the institutional arrangement for disaster management in the RSA is alluded to. Currently a historical perspective on disaster management does not exist.

### **Chapter 3 International development of disaster management**

The chapter discusses the development of the concept of disaster management in the international context and its influence on the RSA situation. The theoretical aspects which contribute to disaster management are also examined.

## **Chapter 4 Results and discussions: qualitative and quantitative research**

The results of the research are discussed and analysed. Applicable policies to ensure effective and efficient intergovernmental cooperation are identified in this chapter. The chapter also focuses on the constitutional context of intergovernmental cooperation.

Reference will also be made to the components of the intergovernmental sub-system, which is integrated with the government system in order to effect intergovernmental cooperation. Reference will also be made to the IDP, as the disaster management plan should form part of the IDP plan.

## **Chapter 5 Intergovernmental relations in the Republic of South Africa**

The policy framework for the planning instrument for structural intergovernmental cooperation in the RSA has its foundations in the *Constitution*.

The chapter also focuses on the intergovernmental system of organs of state and the role it should play in disaster management.

## **Chapter 6 Intergovernmental structures and policy framework of disaster management**

This chapter researches whether coherent and integrated governance requires the alignment of policies and priorities across all spheres of government.

There are a number of disaster management planning tools that are designed to achieve alignment across the spheres of government in relation to disaster management.

## **Chapter 7 Conclusion and recommendations**

This chapter summarizes the specific strategies that can be implemented to improve integration and cooperative governance in the municipalities and stipulates relevant suggestions to improve intergovernmental relations in municipalities in the RSA.

### **1.9 CONCLUSION**

It has been illustrated that some forms of information exist that cannot be expressed and analysed by means of quantification, as in the case in quantitative studies (Bless *et al*, 2006:44-45; Willis, 2007:6; Blaikie, 2000:243). In addition, the critical literature study provides a theoretical framework for intergovernmental relations focusing on the theoretical basis for using IGR as a planning instrument.

The qualitative and quantitative research conducted through the selected municipalities presents a critical analysis of the comprehension and the current IGR practice within local government in the RSA. Based on the study objective, the primary and secondary data collected was accordingly correlated, analysed and evaluated by means of the data analysis and interpretative process. It has also been established that the research study has produced both reliable and valid results. Reliability within the study was ensured through instrument reliability.

With regard to the validity of the data sources collected, validity was ensured through the triangulation of data sources. It has also been affirmed that the research was conducted in an ethical manner during all phases of the research process.

This chapter has also introduced the notion of social domains as one way of accommodating the effects of human agency and actors' movements across the systems of disaster response.

Failure to learn from experiences is particularly embarrassing to members of government if their mistakes of the past are repeated.

If the political system and broader social systems fail to learn from these events, the public can plausibly claim that these systems are dysfunctional. At the same time, policymakers must calculate the costs of learning against the likelihood that an event will recur on their watch.



## **CHAPTER 2: HISTORICAL OVERVIEW OF THE DEVELOPMENT OF DISASTER MANAGEMENT IN SOUTH AFRICA**

### **2.1 INTRODUCTION**

All over the world disaster management plays a vital role in government planning and how to deal with natural and man-made disasters when they occur. On many occasions developed countries have to assist developing countries because they do not have the required resources to provide the necessary relief to their people who have been affected by a disaster. Although the RSA is a developing country with many first and third world characteristics, it is in a position to deal with the consequences of a disaster on own soil and can even sometimes assist other developing countries as has been seen in the past. The focus of this research will be on disaster management in the RSA and the important of IGR as a planning instrument in the process. However, to put this objective into perspective, it is also necessary to provide a historical overview of disaster management in the RSA, which allows the researcher to show what Tshikwatamba (2004:256) terms dysfunctional claims that could result where a neutral approach is adopted.

Disaster management in the RSA is still in a developing phase. It started after an international study tour by the members of the Civil Defence Association of South Africa, now commonly known as the Disaster Management Institute of Southern Africa (DMISA), to the United Kingdom and Europe from 7 to 26 September 1990, which also included a visit to the then United Nations Disaster Relief Agency (UNDRA), now referred to as the Department of Humanitarian Affairs (DHA) in Geneva, Switzerland (<http://www.disaster.co.za/history> [Accessed, 03 August 2010]).

The objective of the tour was to enable members of the civil defence association of South Africa to visit public and private organizations and institutions which are involved in emergency management in order to compare existing plans, procedures, and equipment and to investigate new developments, plans, and to learn from recent disasters and experiences.

Prior to the 1990s, the function was commenced with as a type of civil defence organization such as in 1940 where the focus was reactive disaster response.

### **2.1.1 Second World War 1939-1945**

The bombing of London on 10 and 11 May 1940 by the German Luftwaffe heralded a new area in modern warfare. Civilian targets were no longer excluded from attack. The Union of South Africa declared war on Germany on 6 September 1939, and the fear of possible air raids on South African cities became a reality. Van der Westhuizen (1986:2) quoting Pringle (1942:27) argues that since 1939, South Africa had more major natural disasters within its borders than military attacks. It was decided to establish a type of civil defence structure for South Africa. However, as a result of the war not affecting South African soil, the establishment of such a structure was not given any priority. In addition, some organizations were incorrectly perceived to be some form of civil defence.

During 1940 the Minister of Defence promulgated national emergency regulations (Emergency Regulations 36 and 37 of 1940). These regulations authorized the Minister to institute civil defence measures for the protection of people and property in the event of possible attacks during the war.

One of these organizations was the Essential Service Protection Corps, which had the responsibility of protecting key installations. The public concluded that the National Volunteer Corps was the start of civil defence. However, their responsibility was primarily to perform security-related duties (South Africa. Minister of Justice, 1958:1).

To assist in limiting the confusing and incorrect perceptions of the purpose of civil defence and to lighten the burden of the Ministry of Defence, the service was placed under the Ministry of the Interior (Du Plessis, 1971:12 and Van der Westhuizen, 1986:7). A Directorate of Civil Defence was also established within the Department of Defence, thus once again creating confusion.

The main function of this Directorate was to coordinate the implementation of civil defence measures at local government level. City and town mayors were appointed as chief area commandants for civil defence purposes (Van der Westhuizen, 1986:11).

These political appointments in fact meant that in reality the function was not an administrative or civil function, but a political one. Indirectly, however, and unofficially seeing that the mayors were involved, funds were channelled from the Department of Defence to local authorities for the implementation of civil defence structures and mayors were tasked to oversee this. Central government was, however, only prepared to fund the establishment and maintain the Directorate and to make available certain medical facilities such as hospitals, should the need arise as a result of ground or air attacks. The service at local government level had to rely extensively on private donations and taxes from ratepayers.

This resulted in bitterness amongst many local authorities and local authorities' services were in many instances way below par. After the world war, calls were made to retain a civil defence structure, but this was not adhered to and the civil defence structure was dissolved.

To address emergency situations during peacetime, legislation was introduced in South Africa with the passing of the *Public Safety Act*, 1953 (Act 3 of 1953) (South Africa. Debates House of Assembly, 19/02/1953, col. 1544).

In terms of section 2 of the *Public Safety Act*, the central feature was the vesting of powers in the governor-general<sup>2</sup> to declare a state of emergency if, in his opinion, any action or threatened action by any person or persons is of such a nature and of such extent that the safety of the public, or the maintenance of public order, is seriously threatened and the ordinary law of the country is inadequate to ensure the safety of the public, or to maintain public order.

Once an emergency had been declared, in terms of the *Public Safety Act* the governor-general was authorized to issue regulations that he felt were necessary or expedient for safeguarding the public or maintaining public order, and make adequate provision for the termination of such emergency or for dealing with any circumstances that the governor-general felt had been, or could be, caused by the emergency. In 1953, the *Public Safety Act* was considered as a radical measure given the executive powers usually reserved for times of war. It bears striking similarity to the *War Measures Act*, 1940 (Act 13 of 1940) which authorized the governor-general to make regulations that appeared to him to be necessary or expedient for the defence of the Union<sup>3</sup>, the safety of the public, the maintenance of public order, and effective warfare. The *Public Safety Act* was passed in response to the defiance campaign being conducted by the then banned African National Congress (ANC), but it was, however, not enforced in the 1950s (Dugard (*ed.*), 1992:33).

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<sup>2</sup>With the attainment of Republic status in 1961, the governor-general became the state president of South Africa with non-executive powers and later president with executive powers.

<sup>3</sup>From 1910 until 30 May 1961 South Africa was a union before becoming a Republic on 31 May 1961.

From 1945 to 1956, for nearly 12 years, no civil defence structures existed. However, due to the global threat of possible nuclear war and the deployment of ballistic missiles, following the development of weapons of mass destruction in the communist countries, the government felt obliged to reconsider civil defence measures.

### **2.1.2 Civil defence after the Second World War**

From 1 February 1957, the civil defence function was activated again. Little progress was made until the establishment of a council for civil defence. It was still primarily established to deal with the consequences of possible war, to minimize its effect, and to boost the morale of the population during conflict situations.

It was thus solely established to deal with man-made disasters only. The government decided to establish a permanent civil defence organization in 1958 (Report of the General Purposes Committee, 1958). The Secretary for Justice was responsible for its administrative control.

Prince (1920:61) discusses the societal response to the disaster in the transition phase. The phase is characterized by the emergence and organization of relief efforts. Survivors usually conduct the initial efforts, but these efforts are mostly carried out, as Prince puts it, in a rapid and random fashion. Only after formal relief agencies such as the army take control, do relief efforts become more organized and start to illustrate signs of cooperative action. Thus on a basic level, the transition phase aims to illustrate that following a disaster, relief efforts emerge which are initially conducted by survivors in an ad hoc fashion, followed by more organized and formal relief efforts conducted by relief organizations (Prince, 1920:62).

Only during the 1970s did a shift occur away from the purely descriptive ways of describing disaster phases and did disaster phases become incorporated into normative models such as a disaster management cycle.

New security legislation was promulgated at the same time, namely the *Defence Force Act, 1957* (Act 44 of 1957) and the *Police Act, 1958* (Act 7 of 1958). Little progress was, however, made until the establishment of a Council for Civil Defence on 21 May 1959, but this was disbanded in 1962 to make way for the Directorate of Emergency Planning (South Africa. Department of Information, 1962:1).

This Council for Civil Defence was comprised of representatives from government departments and the employer organization for municipal structures, namely the United Municipal Executive. Pretoria was chosen as a prototype for the establishment of a civil defence organization.

In 1963, this Directorate was replaced by the Directorate of Civil Defence (Du Plessis, 1971:12 and Van der Westhuizen, 1986:7).

The *Emergency Planning Civil Defence Bill* (1966) was drafted to provide for the establishment of an Emergency Planning Civil Defence Directorate in the Public Service as an independent department by then Minister of Justice, B.J. Vorster, with the powers to take, during a time of emergency, certain measures to protect the Republic and its inhabitants (South Africa. Emergency Planning, 1966:1).

The *Emergency Planning Civil Defence Bill* (1966) also provided for incidental matters, and for the amendment of section 1 of the *Defence Force Act, 1957* which was amended by the *Defence Force Amendment Act, 1961* (Act 12 of 1961), in order to avert civilian protective services to join the Emergency Planning Civil Defence Directorate.

The *Bill* also repealed section 18 of the *General Laws Amendment Act, 1962*, (Act 76 of 1962), to entrust the said Emergency Planning Civil Defence Directorate with the protection of certain places and areas.

An Emergency Planning Division was established on 1 December 1962 in the Department of Justice and on 1 September 1963 a Civil Defence Directorate was also established in the Department of Justice. Initially volunteers were called from amongst staff of the Department of Justice to manage the Directorate. This, however, did not assist the successful implementation of the function as many of the volunteers had little or no knowledge about civil defence. Many of these officials were subsequently appointed as liaison officers within the Directorate. Most had a legal background, being employed in the Department of Justice and au fait with the functions in the Department (South Africa. Emergency Planning, 1966:1).

### **2.1.3 Organization**

The RSA was divided into eight regions, which had been identified as manageable areas for the implementation of civil defence. For each area an official was appointed with wide powers in the event of a catastrophe. In fact, they had the powers to take over the control of local authorities to effectively deal with the consequences of man-made and natural disasters.

According to the *Public Safety Act* man-made disasters were referring more to the defiance campaign being conducted by the then banned ANC (Dugard (*ed.*), 1992:33).

These eight identified regions were not well received by local authorities, as they were of the opinion that their authority was being undermined. The civil defence function consequently received little support and struggled to survive.

Many misperceptions also prevailed, adding to the problems, as many still believed this to be a function aimed at extending military operations. The Emergency Planning Division was assigned the task of preparing civilian protective measures other than measures taken under the *Public Safety Act*, the *Defence Force Act*, or the *Police Act* against the consequences of possible enemy action and a natural disaster on a national scale (South Africa. Department of Justice, 1965:2).

An Advisory Board, to advise on civil defence matters, was appointed with effect from 1 February 1963 (*South Africa. Department of Justice, 1962:1*). The Department of Justice, in a circular dated 20 December 1966, indicated that as from 1 April 1966, the Emergency Planning Directorate would for all practical purposes be an autonomous institution within the Public Service with a Department of its own.

This followed the recognition of the Director of Emergency Planning as head of a Directorate for the purposes of the *Public Service Act, 1957* (Act 54 of 1957). His appointment as an accounting officer and the introduction of a separate budget confirmed the autonomy of the Directorate (South Africa. Emergency Planning Directorate, 1966:1).

On 19 October 1966, the name of the Directorate was changed from the Emergency Planning Directorate to the Civil Defence Directorate and was effected by the *Civil Defence Act, 1966* (Act 39 of 1966).

The government realized that to succeed it needed to promulgate the first meaningful piece of legislation, which resulted in the *Civil Defence Act*. In terms of the *Act*, the Civil Defence Directorate was tasked with the following two main functions:

- To provide the RSA and its people with the best possible measures of protection and support during a state of emergency; and



- To take effective actions to combat the disruption of civilian life, during a state of emergency (Potgieter, 1980:76 and Du Plessis, 1971:13).

In terms of the *Civil Defence Act*, extensive powers were given to the Minister of Justice to achieve these aims. However, on 1 April 1968, the *Civil Defence Act* became the responsibility of the South African Defence Force and the Emergency Planning Directorate was also transferred to the Civil Defence Directorate of the South African Defence Force. The transfer was effected by the *Civil Defence Amendment Act*, 1967 (no. 69 of 1967) which was promulgated on 1 June 1967 (South Africa, 1967). All the liaison officers were given military ranks and the commanding officers of the nine Defence Force Commands were made responsible for ensuring the implementation of the civil defence function, and thus effectively militarizing the function. This development strengthened the view of critics who believed this to be a paramilitary organization. Many local authorities preferred to pay only lip service to this function. Government soon realized that without the support of local authorities which are closest to the people, civil defence would not be successfully implemented.

The function had to be delegated to local authorities and not just left with the Minister of Defence. An Interdepartmental Civil Defence Committee was appointed to determine the relevance of the *Civil Defence Act* in this regard (Van der Westhuizen, 1986:11).

The Civil Defence Committee came to the conclusion that the *Civil Defence Act* had to be repealed to make way for legislation that could provide for the role of local authorities. On 26 May 1977, the new *Civil Protection Act*, 1977 (Act 67 of 1977), was promulgated.

This paved the way for provincial ordinances, regulations and directives to ensure that local authorities would have a role to play and be compelled to implement civil defence.

Provinces were made “watch dogs” on behalf of the national government, for the implementation of civil defence.

Provinces were closer to the national network known as the National Security Management System (NSMS), which was implementing the total strategy spearheaded by the State Security Council (SSC). A cabinet committee consisting of police and military officers and selected senior ministers was also appointed (Dugard (*ed.*), 1992:59).

The *Security, Intelligence and State Security Act no. 64 of 1972* provided for the establishment of the state SSC, which in 1983 was comprised of 56 percent of National Intelligence Services members, 16 percent of South Africa Police members (including members of the Railway Police) and 10 percent of the SADF members. The aim of the SSC was to advise the government on the formulation of national policy and strategy in relation to the security of the country (South Africa, 1980:11).

Parliament also promulgated the *Fund-Raising Act, 1978 (Act 107 of 1978)* to assist the victims of disasters who use the Disaster Relief Fund to provide relief when a disaster is first declared in terms of the *Fund-Raising Act*. The Disaster Relief Fund is currently the responsibility of the National Development Agency (NDA), a public entity which was established in terms of the *National Development Agency Act, 1998 (Act 108 of 1998)*.

#### **2.1.4 Civil defence transformation process since 1978**

Throughout the 1980s, the security forces were the central institutions in the RSA, not only in implementing policy and enforcing law, but also in formulating policy and reshaping the legal landscape.

The power and political influence of the security forces, which included the South African Police (SAP) (now South African Police Service), the South African Defence Force (SADF) (now South African National

Defence Force), and the police forces of the former non-independent homelands, grew considerably under the leadership of PW Botha<sup>4</sup>, the Minister of Defence at the time.

Their actions were guided by a counter-revolutionary policy known as the “total strategy” and the “total onslaught”, which had been developed by Botha and his generals. The strategy had external and internal dimensions (Dugard (*ed.*), 1992:55).

#### **2.1.4.1 External dimensions**

The Portuguese hastily abandoned their colonies in Angola and Mozambique after years of armed insurgency by African Nationalist movements, which left the door open to newly established black governments that were supported mainly by the communist powers. This opened several new infiltration routes into the RSA (Barlow, 2007:33).

A year after Portugal had abandoned Angola to its fate, the ANC were allowed to establish a training school for military engineers in Luanda. The facilities expanded steadily until 1978. The ANC had guerrilla camps at Fundo, Nova Katenga which was used as a training depot, Quibaxe, Pango and the Quatro detention camp. They paid their rent by assisting the People’s Armed Forces for the Liberation of Angola (FAPLA) in its fight against the National Union for the Total Liberation of Angola (UNITA), ironically the same UNITA that had once given succour to the South West Africa People’s Organization (SWAPO) (Barlow, 2007:34).

Externally, the threats were the ANC, SWAPO, and the black-ruled southern African countries that gave these groups sanctuary. Inside the country, the enemy consisted of the forces of black resistance such as

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<sup>4</sup> PW Botha became Prime Minister in 1978 and executive State President in 1984.

the United Democratic Front (UDF) and those that rose up in the black schools, in the churches, and on university campuses (Dugard (*ed.*), 1992:55).

The SADF establishment traditionally had been a junior partner in security management, until the SAP's brutal suppression of the student-led 1976 Soweto uprising (Dugard (*ed.*), 1992:56).

The military argued that the level of police violence was counterproductive and that the RSA needed a sophisticated strategy that incorporated social, economic and political components. In 1977 the Ministry of Defence prepared a White Paper to introduce the concept of a total strategy in the following terms (Dugard (*ed.*), 1992:56):

- The resolution of a conflict that demands interdependent and co-ordinated action in all fields; and
- The total strategy became the conceptual vehicle for the rapid expansion of the military's role in all spheres of government and the private sector (Dugard (*ed.*), 1992:57).

### **2.1.5 The origins of the Total National Strategy**

The Total Strategy, the term borrowed from French counter-insurgency theorist Andre Beaufre, was meant to coordinate state action in all areas of social life under the aegis of National Security Management System (Price, 1991:86). Author Mufon (1990:275) described Total Strategy's National Security Management System as a "system without faces", yet, McCuen quoted in Weekly Mail, 20 May (1988:58) as principle of the counter organization, suggests that the system must have a face and that face, however, must be the people's own.

Paragraphs 1(2) and 25(d) of the *White Paper* stipulated that the SADF was ready at all times to support the civil authorities in the maintenance of law and order and to provide such help as may be sought with regard

to the protection of lives, health and property and the maintenance of essential services throughout the Republic of South Africa.

The strategy further called for an integrated and coordinated approach to all aspects of political, economic and social life in order to combat the so-called total onslaught being waged against the RSA, both internally and externally, by the Soviet Union and other hostile forces (Dugard (*ed.*), 1992:57).

General Magnus Malan, Chief of the Defence Force at the time, also later Minister of Defence, and the strategy's chief advocate, often stated that the threat against the RSA was 80 percent political and only 20 percent military (Dugard (*ed.*), 1992:57).

Fourteen areas were identified as targets for state strategic planning:

- Intelligence;
- Security;
- Military;
- Political;
- Economic;
- Psychological;
- Scientific/technological;
- Religious/Cultural;
- Manpower services;
- National supplies;
- Resource and production;
- Transport and distribution;
- Financial services;
- Community services; and
- Telecommunication (Price, 1991:86).

By then the ANC headquarters were in Lusaka, Zambia, which was the closest they could get to the RSA border. Their way was still being barred by Zimbabwe, Botswana and to some extent by Mozambique and Swaziland.

This started to change rapidly. In 1978, a deputation of ANC and Umkhonto we Sizwe (MK) leaders flew to Vietnam to meet with the legendary guerrilla leader of Vietnam, General Giap. This deputation included men like ANC President Oliver Tambo, MK Chief of Staff Joe Slovo, MK Commander Joe Modise and the Deputy Secretary of the Revolutionary Council, Cassius Make. The aim of this visit was to seek advice and gain ideas on how to escalate the current phase of low intensity operations into a full scale “People’s War” (Barlow, 2007:34).

General Giap advised the ANC that they should develop a long-term plan with precisely defined military and political objectives. He also stressed the importance of military strategy, training and logistics.

These suggestions and lessons from General Giap were documented in a report to the ANC/MK hierarchy that became known as “The Green Book”. Using the Green Book as a guide, Joe Slovo began to work on a new strategy for the ANC and MK in which military tactics became part of a wider political strategy.

He eventually produced what became known as the “three-year plan for Armed Propaganda” (Barlow, 2007:34).

The military threats by the liberation movements were the primary security concerns for the SADF, National Intelligence Services and the South African Police under the National Security Management System (Cilliers, 1995:128-142).

#### **2.1.6 Role of civil defence in the Total National Strategy concept**

As pointed out earlier in this chapter, early funding in disaster phases was provided by military institutions, which wanted to observe how societies react within mass emergency situations (Quarantelli, 1987:285-310).

The possibility existed that within the military institutions this descriptive information was used to aid in the formulation normative phase models that would govern how the military institution handled certain phases of a disaster situation. Although normative disaster phase models might have existed within military institutions from as early as the 1950s, the mainstream scientific disaster phase research presented in the study only started to demonstrate normative characteristics with the emergence of disaster management cycles in the 1970s (Quarantelle, 1987:285-310).

Under P.W Botha, the State Security Council (SSC) was elevated so that it was no longer considered to be subordinate to the Cabinet (Dugard (*ed.*), 1992:58).

In 1980 the SSC was the focal point of all national decision-making and government power (Frankel, 1980:277).

At national level the NSMS comprised the following structures. The State Security Council consisted of the most senior cabinet members, in particular the Ministers of Law and Order, Defence, Justice and Foreign Affairs, the heads of their departments and the National Intelligence Service. This structure was chaired by the State President and served by a permanent secretariat (Selfe, 1989:151-153).

The Working Committee of the SCC consisted of all the officials serving on the SSC under the chairmanship of the SSC secretary. The secretariat consisted of approximately eighty officials on secondment from other departments of state. This was divided into four branches dealing with administration, strategic communication, the coordinated interpretation of intelligence, and the formulation of strategic plans (Wittenberg and McIntosh, 1992:44).

The Strategy Branch of the Secretariat was ultimately responsible for constructing total strategies but frequently issues would be referred to one of thirteen Interdepartmental Committees (IDC) to see if the

resources or expertise of more than one line department could be brought to bear on the particular problem. These IDCs dealt with issues which were directly or indirectly the concern of more than one government department (Wittenberg and McIntosh, 1992:45).

The Joint Management Centres (JMCs) made up the regional tier of the NSMS. There were eleven of these corresponding to the ten SADF command regions as well as Walvis Bay. The JMCs were usually chaired by a senior officer in the SADF or SAP and consisted of around sixty regional representatives of all the government institutions in the particular area. The JMCs each had three sub-committees:

1. A Joint Intelligence Committee evaluated intelligence gathered locally, either for local action or for transmission to the national level;
2. A Communication Committee was tasked with the duty of influencing public perception; and
3. A Constitutional, Social and Economic Committee was involved with the provision of state welfare and upgrading functions at the local level (Selfe, 1989: 153).

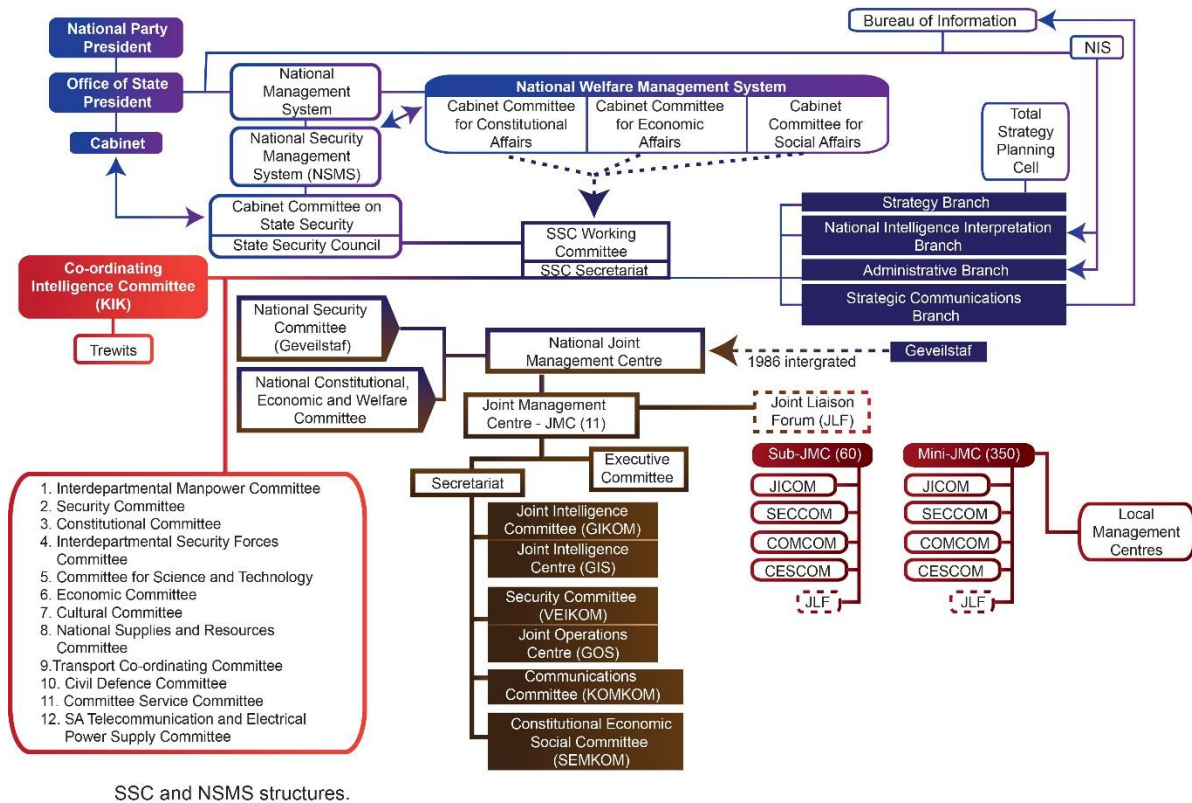
At the local level, there were sub-JMCs and mini-JMCs which overlap with the jurisdictions of the Regional Services Councils and somewhere between 350 and 448 mini-JMCs placed in local areas such as townships. The operations of the JMCs were regarded as classified information (Murray, 1994:75). These too operated according to these three committees, although their *modus operandi* was less formal. The philosophy of the NSMS was guided by a three-phase approach, as outlined by Andriaan Vlok, the then Minister of Law and Order “ you have to address the security situation; secondly, you have to address grievances and bring good government to the ordinary people and, thirdly, you have to address the political situation” (quoted in Borraine, 1989:162).



### **2.1.6.1 Civil defence in disaster management**

One of the primary functions of the Strategy Branch of the Secretariat was the measure taken for safeguarding the civil population against any eventualities arising out of enemy actions during conflict in war whereby necessary steps were taken to minimize the damage to life and property and to bring back every activity of production to normalcy within the shortest time possible. The responsibility of departments extended to carrying out the policy and technical direction of civil defence measures with proper coordination of activities to harmonize with one general plan. This would prevent gaps or overlapping. This principle was to be observed throughout the administration.

**Figure 2.1: The National Security Management System**



(Adapted from Wittenberg and McIntosh, 1992:44)

Two years later, Botha stated that the SSC would become the most important functional element of the proposed new executive presidency created by the 1983 *Constitution* that would come into force in 1984, centralizing power in the hands of the president (Sunday Times, 11 July 1982).

The concept of a Total National Strategy (TNS) became firmly established in South Africa's political vocabulary largely due to PW Botha who, since having become Prime Minister in 1978, had given the concept both a prominence and content previously lacking (Dugard (*ed.*), 1992:58).

In the early 1970s, the TNS was used primarily in a military/security context. Since then, the TNS acquired a much wider meaning of embracing the realms of domestic political/constitutional development,

economics, state administration and foreign relations (*Geldenhuys, 1981:1*). To understand the TNS, it is necessary to consider first the South African Government's perception of a total onslaught on the country. The TNS was in fact officially presented as the Republic's counterstrategy. The notion of an onslaught had additional relevance because it also provided a picture of the RSA's perception of its external environment. While the onslaught was still being perceived as communist inspired, the threat was not simply confined to communist sources but also embraced a host of other hostile forces (*Geldenhuys, 1981:1-2*).

The *White Paper on Defence*, (1977:5) defines TNS "as the comprehensive plan to utilize all the means available to a state according to an integrated pattern in order to achieve the national aims within the framework of the specific policies. A TNS is therefore not confined to a particular sphere but is applicable at all levels and to all functions of the state structure".

General Magnus Malan, the then Minister of Defence, defined the total onslaught as follows: "The total onslaught is an ideologically motivated struggle and the aim is the implacable and unconditional imposition of the aggressor's will on the target state. The aim is therefore also total onslaught, not only in terms of the ideology, but also as regards the political, social, economic and technological areas" (*Institute of Strategic Studies, 1980:18*).

According to General Malan, the enemy applied the whole range of measures it possessed (coercive, persuasive or incentive) in an integrated fashion.

He identified the aim of the onslaught in RSA as, "the overthrow of the present constitutional order and its replacement by a subject communist oriented black government" (*Geldenhuys, 1981:3*).

### 2.1.6.2 Total National Strategy: countering the total onslaught

P.W Botha declared that a TNS was to be established (South Africa. Debates of the House of Assembly, 21/3/1980, col. 3321). The national aims according to the *Defence White Paper* and subsequently reaffirmed on several occasions by P.W Botha (South Africa. Debates of the House of Assembly, 21/3/1980, col. 3315), are set out in the preamble to the *South African Constitution Act, 1983* (Act 110 of 1983) to strive for the co-existence of all peoples in South Africa; to maintain law and order; to safeguard the violability and freedom of the Republic; to further the contentment and spiritual and material welfare of all and to strive for world peace (South Africa. Department of Defence, 1977:8).

The planned utilization of the means of the state refers to what General Malan terms “the management of the RSA’s four power bases as an integrated whole.” (South Africa. Parliament, 21/3/1980, col. 3322 and 3323).

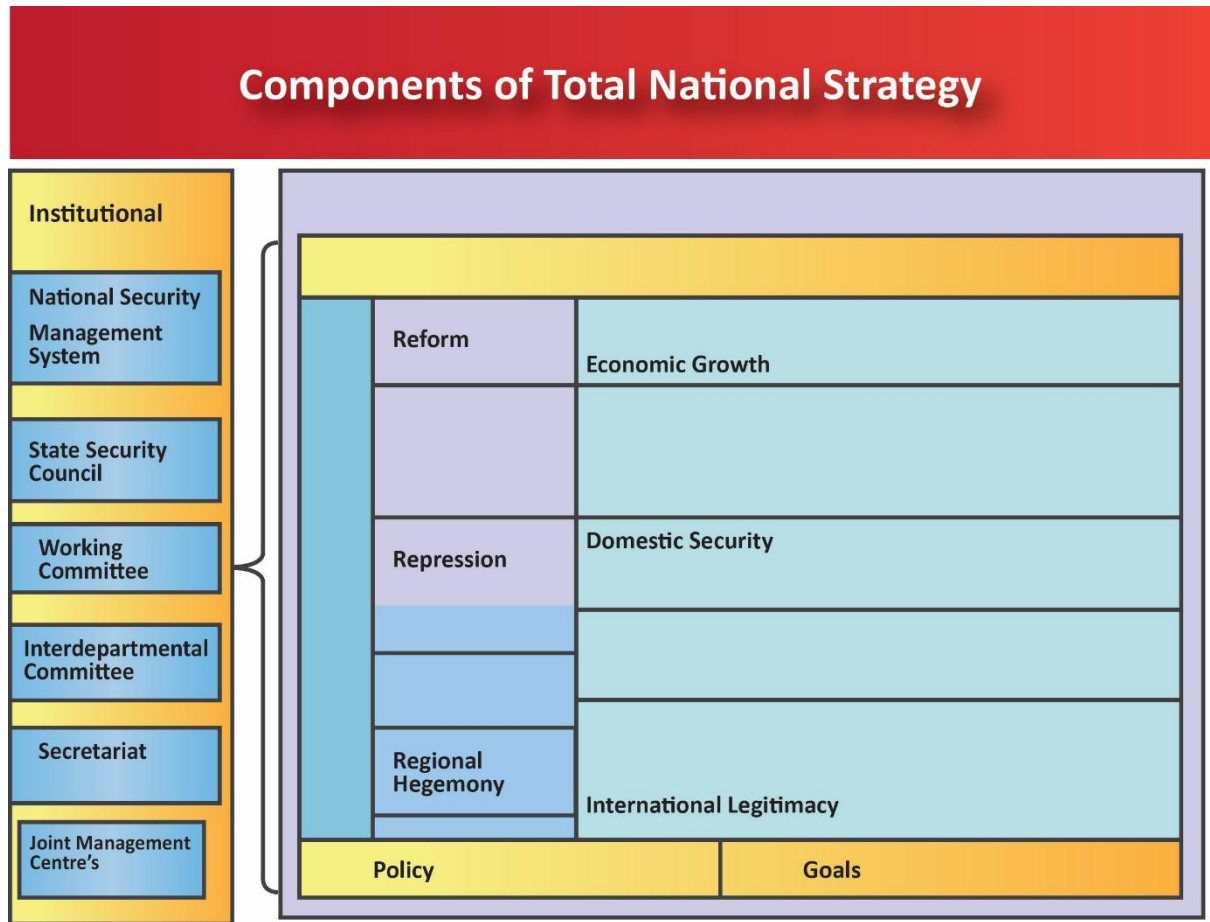
The key structural elements of President Botha’s securocrat establishment were the SSC and its implementation instrument, the National Security Management System (Cilliers (*eds*), 1995:142).

This policy was implemented by means of the so-called National Security Management System, the component parts of which are the following:

- The State Security Council, a Cabinet Committee headed by the Prime Minister (South Africa. Debates of the House of Assembly, 6/2/1980, col. 233 and 244);
- The working committee of the State Security Council;
- The security planning branch of the Prime Minister’s Office;
- A number of the interdepartmental committees; and
- A number of joint management centres and the Department of National Intelligence to provide the essential strategic

background (South Africa. Parliament 29/4/1980, col. 5071 and South Africa. Parliament, 6/2/1980, col. 233 and 244).

**Figure 2.2: Components of the total national strategy**



(Adapted from Price, 1991:96)

### 2.1.6.3 The National Security Management System as from 1975 to 1989

The NSMS was structured along more or less the same lines as the Namibian security architecture. The structure of the National Security Management System (NSMS) comprised seventy-two regional, local and sectional committees called Joint Management Centres (JMCs) which were under the control of the SADF, but accountable to the SSC (Weekly Mail, 3 October 1986; Star, 10 November 1988). The JMCs consisted of local security/national intelligence officials, business leaders, and government designated blacks who formulated local

strategies and assisted in incorporating local personalities into the security system (Weekly Mail, 3 October 1986).

#### **2.1.6.4 The Joint Management Centres**

The JMCs were responsible for designing a comprehensive plan for developing black areas in line with security considerations. Four black townships were targeted as high priority for the JMCs in the 1980s: Alexandra (Johannesburg), Duncan Village (East London), Khayelitsha (Cape Town), and Langa (Uitenhage). The JMCs were criticized on 9 December 1986 by *The Argus* newspaper as a political and insidious system of bureaucratic control answerable only to the state intelligence machine (Dugard, 1992:59).

The effects of this strategy could be seen at many levels. In many areas the mini-JMCs effectively took over the functions of the local state. At the regional level, the implementation of this strategy led to the sidelining or purging of reformist elements within the bureaucracy (Boraine, 1989:162).

With the advent of the De Klerk regime, attempts were made to restructure the operation of the NSMS. This was due in part to the attempt by the politicians of the National Party to reassert control over the way the country was governed.

Accordingly, in terms of a government decision made on 15 November 1989, the NSMS was changed into the National Coordination Mechanism (NCM) (Wittenberg and McIntosh, 1992:46).

From the outset the NCM was presented as being more concerned with welfare and development issues than with security ones. Nevertheless the security element of the strategy was not eliminated (South Africa, 1990: point 2.5).

### 2.1.6.5 The National Welfare Management System and the NSMS

The National Welfare Management System (NWMS) was established under an 18 July 1985 executive order. The system provided for the political needs of the population (under the standard counter-insurgency doctrine); the seurocrats developed the National Welfare Management System as the twin-pillar of the state's strategy to the NSMS. With the changing nature of the conflict from one of counter-insurgency to one of counter revolutionary warfare, it had become obvious that one of the primary methods to defeat the now-“revolutionary onslaught” was to win hearts and minds of the population.

Although in broad terms the structure of the NCM mirrored that of the NSMS (Figure 2.1), there were a number of changes. At the top of the hierarchy was the Cabinet and under it various Cabinet Committees. The status of the State Security Council was subordinated to the Cabinet Committee for Security Matters (CCSM), which itself assumed equal status to the other Cabinet Committees. The overall functioning of the NCM was placed under the Cabinet Secretariat.

The Secretariat of the SSC was dissolved and secretarial services to the CCSM and the SSC were assigned to the Security Secretariat based at the National Intelligence Service. The following six secret accounts with huge budget allocations were created for this purpose:

- The Account for Special Services created under Act 56 of 1978 and administered by the Department of Foreign Affairs.
- The Foreign Affairs Special Account created under Act 38 of 1967 and administered by the Department of Foreign Affairs.
- The Security Service Special Account, created under Act 81 of 1969, also administered by the Department of Foreign Affairs.
- The Information Service of South Africa Special Account, created under Act 108 of 1979, administered by the Department of Foreign Affairs.

- The South African Police Special Account, created under Act 74 of 1985.
- The Special Defence Account created under Act 6 of 1974 and administered by the Department of Defence.

The Working Committee of the SSC was abolished. Where necessary, the various heads of department would be brought together in the form of the Committee of Departmental Heads. To take the place of the SSC Working Committee, a Security Committee was created, consisting of the heads of the SADF, SAP, Department of Constitutional Development, Foreign Affairs, Justice, the State President's Office, the Security Secretariat and the National Intelligence Service.

The Interdepartmental Committee continued to exist. One of these was the Joint Security Staff (JSS) which brought together the different operational divisions within the SAP (e.g. Counter-insurgency and Riot Control, Security Branch) and the SADF, as well as (on a co-opted basis) the Prison Service, the Civil Defence sections of the provincial administrations and other departments, if necessary.

At regional level, Joint Coordinating Centres (JCCs) replaced the JMCs. Like the JMCs, these structures consisted of the regional representatives of government departments. The following committees were created:

1. A Security Committee, assisted by an operations centre. This committee would report upwards to the Joint Security Staff;
2. A Constitutional, Economic and Welfare Committee;
3. A Strategic Communications Committee;
4. An Information Committee, supported by an information centre;  
and
5. A secretariat which was supplied by the provincial authority (Wittenberg and McIntosh, 1992:47).



Local Coordinating Centres (LCCs) replaced the mini-JMCs. Besides coordinating the work of government departments at the local level, the LCCs also brought in some private sector people (Wittenberg and McIntosh, 1992:47).

In particular, the Regional Development Associations (RDAs) were co-opted onto these structures. The purpose of this arrangement was to feed local perceptions about development priorities into the NCM. Parallel to the LCC was a local Security Committee consisting of the same departments making up the regional Security Committee.

This structure did not, however, report to the full LCC (presumably because too many people lacking security clearance were presented in it). The Security Committee would, however, report to the chair of the LCC and to the regional Security Committee.

Despite the fact that the LCCs had some private sector representation, the architects of the NCM noted that this did not embed the system sufficiently in the local communities.

Consequently provision was made for the indirect extension of the LCCs via the local authority to structures called Joint Liaison Forums (also known as “Community Liaison Forums” or “Development Associations”). These JLFs would be initiated by some line functionary of the relevant local authority or provincial authority.

Attempts would be made to bring in as many private sector and community organizations as possible. Representation by the authorities would be kept to the minimum. These JLFs would set priorities and initiate development projects.

Provision was also made for the establishment of ad hoc Projects Teams comprising local authorities, regional services councils, government departments, the community and the private sector to implement specific aspects of any comprehensive plan arising from the

JLF or LCC. Nevertheless, in its practices the NCM showed much continuity with the NSMS. Part of the reason for this was that much of the old security-driven philosophy persisted (Wittenberg and McIntosh, 1992:49).

As a result of the JMC's activities, the term "civil defence" continued to be problematic for those who had to implement the function, because communities believed this to be a front or extension of military activities, even if this was not the case, e.g. the JMC would also serve as the co-planning and coordinating bodies in the attempts (as an operation KATZEN) to develop an alternative structures to the ANC/UDF alliance.

However, some functions like rescue work did include activities, such as shooting lessons that were not required by any legislation covering civil defence (Race Relations, 1966:51).

The former Civil Defence Association (the Association), now known as the Disaster Management Institute of South Africa (DMISA), felt that the function required further investigation, in particular regarding its name(<http://www.disaster.co.za/history>) [Accessed on 8 August 2010].

After the former Minister of Constitutional Development and Planning took over the function of civil defence on 1 February 1987, certain amendments to the *Civil Defence Act* became necessary.

The most important amendments contained in the *Civil Defence Amendment Act*, 1990 (Act 82 of 1990) inter alia were the following:

The definition of a "disaster" was extended to include not only a natural disaster, influx of refugees or the consequences of terrorism, but also the consequences of subversion or sabotage and the disruption of essential services such as the supply of water, electricity, sewerage, refuse removal and health and transport services. Section 9 of the *Civil Defence Amendment Act* amended the *Civil Protection Act* by substituting the expression *civil defence*, wherever it occurs for the

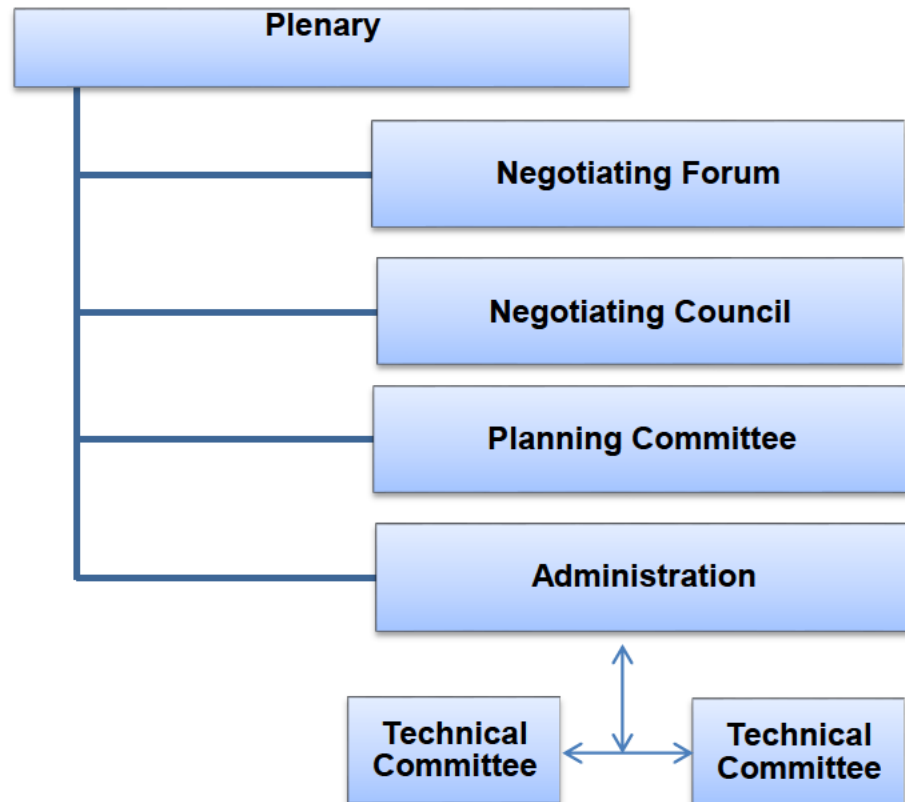
expression civil protection. In the 1990s increasing disaster losses worldwide highlighted the need to move beyond managing disaster events and better address the risk processes that drive them in the first instance (UNDP, 2004:386).

Furthermore, concerned by the upward trend in the number and impact of disasters, the International Decade for Natural Disaster Reduction (IDNDR) was initiated in 1990 to serve as a catalyst for natural disaster reduction (UNDP, 2004:17-18).

From 10 to 12 March 1993 a planning session was held at D' Nyala in Ellisras in the Northern Transvaal (now Lephalale in Limpopo) to discuss the transformation of the civil defence function from predominantly reactive measures, to that practised by most countries in the world, which also include proactive measures.

The Local Government Negotiating Forum was launched on 22 March 1993 during the broader constitutional deliberations that took place in Kempton Park as indicated in the table below.

**Figure 2.3: Multi-Party Negotiating Structure, 1993**



(Adapted from Rantete, 1998:207)

The discussion of the Local Government Negotiating Forum resulted in the *Local Government Transition Act*, 1993 (Act 209 of 1993), Chapter 10 of the Interim *Constitution* of the Republic of South Africa, 1993, and the agreement on finances, services and service rendered. In essence, the *Local Government Transition Act* established the basic timelines for the restructuring of local government by providing for the following:

- The pre-interim and interim phases for the restructuring of local government;
- The establishment of the provincial committees of local government;
- The establishment of the local forums for negotiating the restructuring of local government in each area for the pre-interim period; and

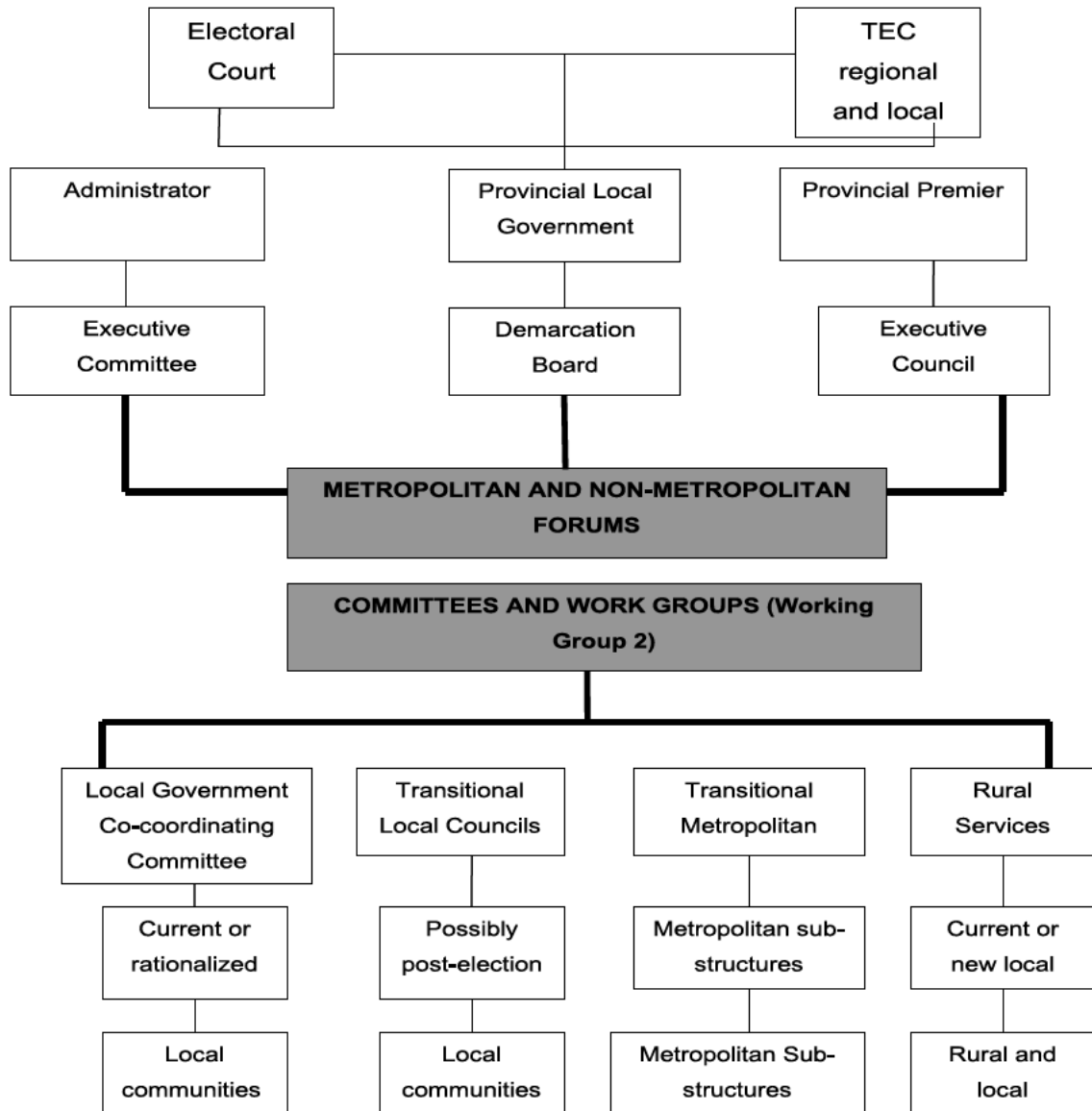
- Provincial demarcation boards to set the boundaries of local authorities and delimit the electoral wards within them.

The term “disaster management” which includes civil protection, fire brigade, ambulance services as well as traffic control, was included in the agenda of the Services and Finance Working Group (Working Group 2) of the Local Government Negotiating Forum (LGNF) as a point of discussion.

The Department of Provincial and Local Government (previously Department of Local Government and National Housing) briefed Working Group 2 on 14 June 1993 on the issue of civil protection. Working Group 2 decided *inter alia* that the matter should form part of the discussions regarding the other services (fire, ambulance, traffic control, etc.), which local authorities render. As a result of the LGNF’s “bosberaad” (bush deliberation) the process was started to change towards a more holistic approach of disaster management (South Africa. Department of Local Government and National Housing, 1994:1).

Severe floods in Cape Town in the historically disadvantaged Cape Flats in June 1994 also emphasized the urgency for legislative reform in the field of disaster management. A draft discussion document, dated 24 August 1994, by Working Group 2, referred to in Figure 2.4, was compiled to address this issue.

**Figure 2.4: Local government change agents**



(Adapted from Cloete, 1993)

### 2.1.6.6 Institutional context for change from 1994 to 1995

While the 1990s were characterized by the formulation of a coherent national policy on disaster management, it is significant to note that in 1994 institutional structures for civil protection already existed at national and municipal levels. The national sphere was reflected by the presence of the Directorate of Civil Protection and Fire Brigade Services located within the Department of Local Government and Housing. This Directorate was responsible for overseeing the

implementation of the *Civil Protection Act* (South Africa. Department of Cooperative Governance and Traditional Affairs, 2006/2007:35).

On 20 September 1994 the draft discussion document dated 24 August 1994 was updated by Working Group 2 to include the inputs received from interested parties. On 15 November 1994 a management meeting of the Committees of Officials on the *Constitution* (COC) was convened to address the concept of disaster management. This was followed by a one-day workshop on 7 February 1995 to determine the aim, name, functions and structures of a national body dealing with disaster management in the RSA (South Africa. Department of Constitutional Development, 1995:2).

The disaster management matter was submitted to a Technical Interdepartmental Committee (TIC) on 20 March 1995 and an Intergovernmental Forum on 7 April 1995 which recommended the submissions to Cabinet. The approval of Cabinet of the TIC submissions was obtained on 28 June 1995. The Cabinet established an Inter-Ministerial Committee on Disaster Management in 1997, which consisted of nine Cabinet Ministers and their Deputies. Public participation in this process was officially called for, with the release of the *Green Paper on Disaster Management* in February 1998 (Western Cape [South Africa], 1994:1).

#### **2.1.6.7 Disaster management reform process from 1996 to 1998**

Moreover, it was not until 1996-1997 (two years later) that the then Minister of Provincial Affairs and Constitutional Development tasked the Chairperson of the Portfolio Committee for Agriculture, Water and Forestry to politically drive the reform process in disaster management.

This led to the Disaster Management Task Team that generated both the discussion paper (*Green Paper*) in 1998 and a policy document (*White Paper*) a year later (South Africa. Department of Provincial Affairs and Constitutional Development, 1998 and 1999).

The *White Paper on Disaster Management* of the RSA emphasized that the fundamental purpose of the policy is to advocate an approach to disaster management that focuses on reducing risks - the risks of loss of life, economic loss and damage to property, especially to those sections of the population who are most vulnerable due to poverty and a general lack of resources. It also aims to protect the environment. Consequently the National Disaster Management Centre was established in 1999 (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:35).

#### **2.1.6.8 The legislative process from February 1999 to January 2003**

As the successor to the United Nations International Decade for Natural Disaster Reduction (IDNDR) in 2000, the UN International Strategy for Disaster Reduction (ISDR) was formed to foster this agenda by focusing on the processes involved in the awareness, assessment and management of disaster risks (UN, 2005:1).

The written and verbal submissions in response to the *Disaster Management Bill*, (285-2000) in January 2000, *Disaster Management Bill*, (58-2001) in September 2001, *Disaster Management Bill*, (B21-2002) in May 2002, were openly and transparently presented to the Portfolio Committee for Agriculture, Water and Forestry as required by law. A day-long orientation workshop for Portfolio Committee Members was organized to present the issues related to the legislation which was largely facilitated by individuals who had drafted the earlier *Green* and *White Papers*. The technical advisor to the Portfolio Committee, who had been actively involved in drafting the *Green* and *White Papers*, was engaged. “It was the insightful political leadership and facilitation of these hearings that created the opportunity for strengthening the risk and vulnerability reduction themes in the eventual *Disaster Management Act*” (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:38).



The skilled and strategic mediation of the Chairperson of the Portfolio Committee with his fellow committee members was able to successfully generate the bridging legislation that was broadly acceptable to both conservative disaster management and progressive risk reduction constituencies (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:38).

In this context, it is significant to note that a proposed name change from *Disaster Management Act* to the *Disaster Management and Risk Reduction Act* was set aside by the Portfolio Committee on the grounds that it was unnecessary and potentially confusing.

Due to the absence of a formal assessment of the draft *Disaster Management Bill*, (B21-2002), by the Financial and Fiscal Commission in 2001, the progression of the legislation was delayed until 2002, when for a third time, the *Disaster Management Bill*, (B21-2002), was gazetted resulting in the eventual promulgation of the *Disaster Management Act* in January 2003 (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:38).

#### **2.1.6.9 Generation of a coherent National Disaster Management Framework: February 2003 to April 2005**

A draft *National Disaster Management Framework* was gazetted for comment in April 2004 and then finalized in April 2005. The “*National Disaster Management Framework* generating process also provided a critical platform for once again aligning the RSA *Disaster Management Act* with international best practice” (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:38).

**Table 2.5: The evolution of disaster management in the RSA and legislation that impacted on the service delivery of Disaster Management (chronological) post-1940**

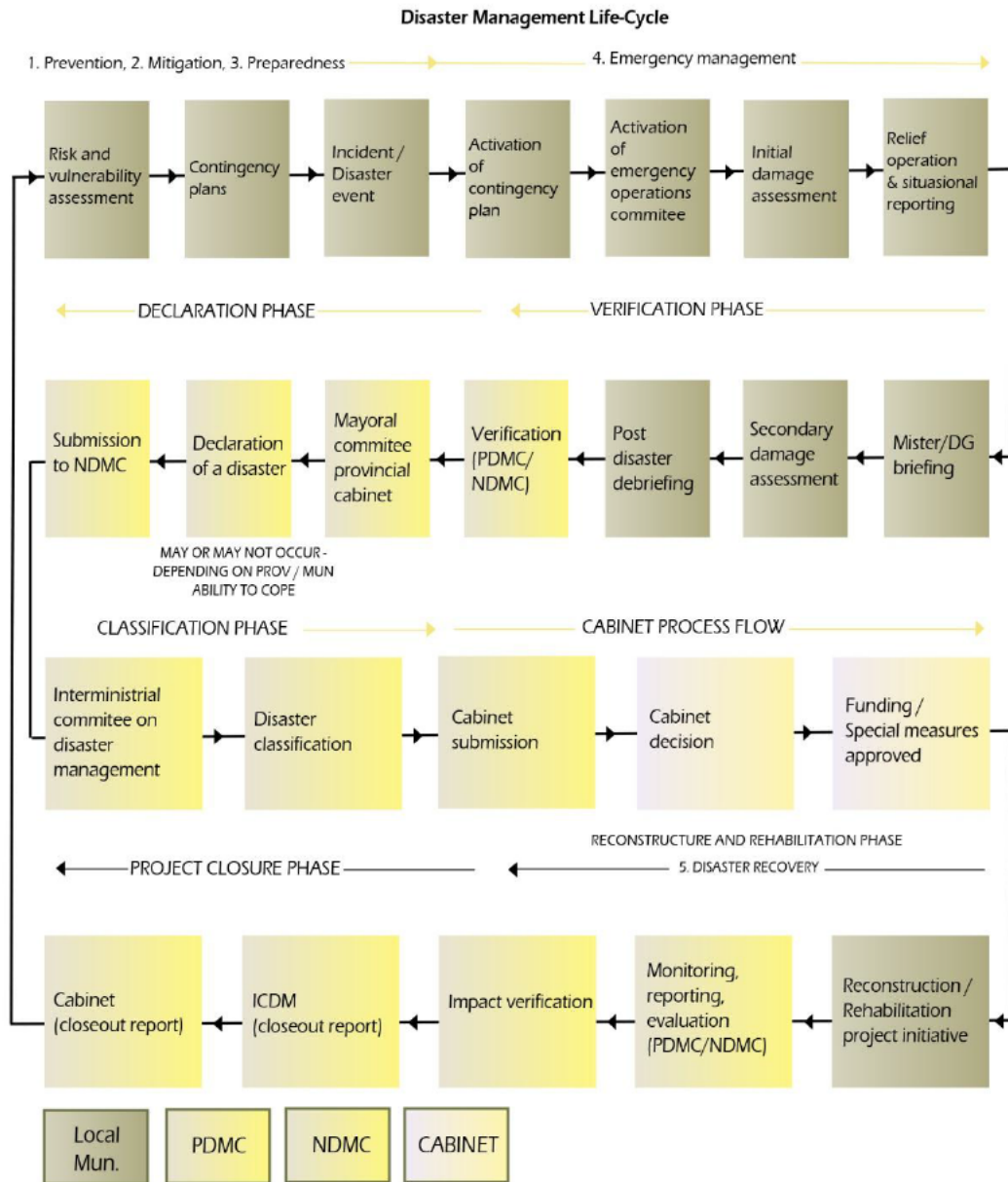
1913:	The <i>Native Land Act</i> forbade blacks to own land except in a few native reserves and forbade them to practise share-cropping (no fire prevention measures were implemented in the reserves);
1940:	The Minister of Defence promulgated the National Emergency Regulations (Emergency Regulations 36 and 37);
1950:	The <i>Suppression of Communism Act</i> made the Communist Party and any other related organization illegal;
1953:	Passing of <i>Public Safety Act 3 of 1953</i> ;
1957:	<i>Defence Force Act 44 of 1957</i> ;
1957:	Director for civil protection appointed under the Department of Justice;
1958:	<i>Police Act 7 of 1958</i> promulgated;
1959:	Council for Civil Defence Services was established;
1962:	Council for Civil Defence Services disbanded to make way for the Division for Emergency Planning;
1963:	Directorate Emergency Planning replaced by the Directorate of Civil Defence;
1966:	Promulgation of the Civil Defence Act 39 of 1966;
1966:	Directorate Civil Defence was instituted;
1969:	Directorate Civil Defence was moved to the Department of Defence 1977;
1972:	Security, Intelligence and State Security Council Act, 1972 (Act 64 of 1972) provided for the establishment of the State Security Council;
1977:	Civil Defence Act 39 of 1966 was revoked and replaced by the Civil Protection Act 67 of 1977;
1977:	Community Councils Act of 1977 also provided for the creation of a community guard for the preservation of the safety of the inhabitants;
1978:	Promulgation of the Fund-Raising Act 107 of 1978;
1990:	Civil Defence Amendment Act 82 of 1990;
1994:	New democratic government;
1994:	Floods in the Cape Flats;
1994:	Establish task team to look at disaster management;

1995:	The Department of Constitutional Affairs (now called the Department of Provincial and Local Government) administers the Civil Protection Act 67 of 1977;
1995:	South African Police Service (SAPS) Act, 1995 (Act 68 of 1995) the mandate of the SAPS is formulated as maintaining internal security and preventing crime which is relevant and applicable during, disasters or major emergencies where looting is rife;
1996:	National Disaster Management Committee;
1997:	National Disaster Management Committee replaced by the Inter-Ministerial Committee on Disaster Management to facilitate the development of a Green Paper;
1997:	Defence Amendment Act 4 of 1997, the legal mandate of the SANDF in terms of section 3(2) (a) (V) the SANDF shall be used on service in the maintenance of essential service;
1998:	Green Paper on disaster management;
1999:	White Paper on disaster management;
1999:	The United Nations General Assembly adopted the International Strategy for Disaster Reduction in December 1999 and established UNISDR, the Secretariat to ensure its implementation;
1999:	Establishment of the National Disaster Management Centre;
1999:	Establishment of the Interdepartmental Committee on Disaster Management (IDMC) to coordinate all disaster management related activities across national departments and provinces;
2000:	First Draft Bill on disaster management;
2000:	Second Draft Bill on disaster management;
2000:	Second Draft Bill on disaster management;
2000:	September – public hearings on the Disaster Management Bill;
2001:	Disaster Management Bill sent to Fiscal and Financial Commission for assessment;
2003:	15 January - promulgation of the Disaster Management Act 57 of 2002;
2004:	1 April – chapters 2 (Intergovernmental Structures and Policy Framework), (National Disaster Management), and (Provincial Disaster Management) of the DMA become operational;

2004:	28 May – draft National Disaster Management Framework is published for public comments;
2004:	1 July – chapter 1 (interpretation, application and administration of the Act), (Municipal Disaster Management), 2004:Interdepartmental Disaster Management Committee workshop to adopt comments and changes on the NDMF (funding of post-disaster recovery and rehabilitation), (Disaster Management Volunteers) and (Miscellaneous) of the Disaster Management Act become operational;
2004:	At the continental level the Africa Regional Strategy for Disaster Risk Reduction, 2004 was adopted and a plan of Action for the implementation for the Africa Strategy (2006-2010) was developed;
2005:	June – publication of the final National Disaster Management Framework;
2005:	Adopted the Hyogo Framework of Action (HFA), in the global recognition of the increase in frequency and intensity of natural disasters, 168 Governments, including South Africa adopted a 10- year plan to make the world safer from natural hazards at the World Conference on Disaster Reduction, held in Kobe, Hyogo, Japan in January 2005;
2008:	Publication of the National Disaster Management Guidelines;
2010:	A Plan of Action for the Implementation of the Africa Strategy (2006-2010) was revised substantially in 2010 to incorporate major developments such as concern with climate change and its implementation period was extended to 2015 to align with the Hyogo Framework of Action;
2012:	First Draft of the South African Disaster Management Amendment Bill;
2013:	Second Draft of the South African Disaster Management Amendment Bill; and
2014:	Final Draft of the South African Disaster Management Amendment Bill.

(Adapted from Van Niekerk, 2005:112 and updated)

**Figure 2.5: The interaction of various role-players across the spheres of government in the Disaster Management Life-Cycle**



(Adapted from: South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:49).

#### **2.1.6.10 Legislative reform and disaster risk reduction: mainstreaming outcomes**

The transition to the new dispensation of the legislative reform process in the RSA was its nationwide transformation of the policy and practice of disaster management.

This included the establishment of far-reaching institutional arrangements, the implementation of risk assessments and a priority of risk reduction. The transversal mainstreaming of disaster management into all organs of state across national, provincial and municipal spheres has not significantly progressed, although it is required by the *Act*.

There are several explanations for this:

- Firstly, the limited nationally led stakeholder consultations both prior to the Parliamentary Portfolio Committee deliberations and during the formulation of the *NDMF* in 2005 may have prevented other stakeholders, including government and non-governmental organizations from acting on their respective risk reduction obligations; and
- Secondly, the process of stakeholder consultation in the advanced stages of the legislative process was characterized by the limited number of written and verbal submissions presented to the Portfolio Committee, with only twelve submissions received with few local municipalities participating. None of the submissions were generated by a national or provincial government department, humanitarian assistance agency or nationally recognized non-governmental organization.

This impact of the limited consultation by the drivers of the process within the national sphere was most significantly reflected in the absence of an unambiguous and enabling funding framework approved by National Treasury because Treasury was unaware of the process

due to the limited consultation for the implementation of the *Act*, three years after it was promulgated. The resultant lack of national funding has clearly constrained implementation and disempowerment, especially at the provincial and municipal levels.

- Thirdly, the demand of high levels of sectorally biased introspection in the course of the reform by the legislative reform process may itself have militated against mainstreaming of the *Act*. This pressure to rapidly transform within one institutional silo may have prevented interdisciplinary engagement with other sectors, perversely discouraging subsequent cross-sectoral mainstreaming (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:43).

This has forced high levels of internal departmental introspection, significantly limiting institutional capacity to absorb the strategic requirements of other legislation that is not viewed as directly linked to a department's core business. One exception to this is section 26(g) of the *Municipal Systems Act, 2000* (Act 32 of 2000) that requires that disaster management plans be incorporated into Integrated Development Plans in the municipal sphere (*South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:43*).

Under such conditions, it may be unrealistic to expect the automatic uptake and adoption of the obligations contained in the *Act* by other national government departments as defined in section 1 of the *Public Finance Management Act, 1999* (Act 1 of 1999) as they are also required by section 19 of the *Act* to support and assist in the preparation and regular review and updating of the disaster management plans and strategies, especially when similar requirements are being applied simultaneously from a wide range of legislative frameworks.

- Fourthly, despite representations to the Portfolio Committee that the disaster management function be located in the highest level of executive authority (i.e. in the Office of the President or Deputy

President) and similar guidance, the function has remained within the Department of Cooperative Government and Traditional Affairs (South Africa. Department of Cooperative Government and Traditional Affairs, 2006/2007:44).

## **2.2 CONCLUSION**

Chapter 2 aimed to provide the reader with an in-depth investigation of the historical development of disaster management in the RSA. Secondly, this chapter intended to explain the complex historical development of civil defence represented under the NSMS and the enormous concentration of governmental power at national level designed to crush local resistance and recompose local power and social relations. National departments as well as regional government institutions were made subordinate to this task. With the advent of the former President Mr De Klerk era more emphasis was placed on achieving local development in order to win the hearts and minds of the community. In line with this strategy the role of the security forces was diminished and that of the provinces correspondingly emphasized.

Although some aspects such as the disaster response played a major role in the development of disaster management, it was the relative lack of prevention measures to disaster events which cemented this international focus. The following chapter will focus on the international historical development of disaster management and the institutional arrangements for disaster management.



## **CHAPTER 3: DISASTER MANAGEMENT: AN INTERNATIONAL PERSPECTIVE**

### **3.1 INTRODUCTION**

Throughout history, the occupation of the earth by humans is in part the recounting of an endless series of disasters. In early times, as human settlements spread over the globe, people found themselves exposed to manifold natural threats in the environment (Ronald and Mushkatel, 1984:1). Man has attributed natural disasters to a divine cause. For generations, perhaps eons, it was believed that the eruption of volcanoes was the cataclysmic expression of the dissatisfaction of the gods. To prevent such a monstrous eruption, the gods were offered the sacrifice of a goat, a virgin, or a child. When the Black Death stalked Europe in the Middle Ages, it was thought to be a retribution exacted from earth's sinners. As the Age of Reason dawned, scientific evidence was substituted for divine intervention. But, as the world has aged and testimony piles up, it is obvious that natural disasters arise from a complexity of causes, some natural and some sociological (Davis, 2002: ix).

### **3.2 THE HISTORY OF DISASTER MANAGEMENT**

#### **3.2.1 Ancient History**

The appearance of man was followed, however, by the incidence of hazards and disasters. The archaeological discovery has shown that our prehistoric ancestors faced many of the same risks that exist today, such as starvation, inhospitable elements, dangerous wildlife and violence at the hands of other humans, disease, accidental injuries and many more. These early inhabitants did not, however, sit idly by and let themselves become easy victims.

Evidence indicates that they took measures to reduce or mitigate their risks. The risk management practices evidence can be found as early as 3200 BC. In what is now modern Iraq lived a social group known as the Asipu.

When community members faced a difficult decision, especially one involving risk or danger, they could appeal to the Asipu for advice. The Asipu would first analyse the problem by using a process similar to modern-day hazard risk management, then propose several alternatives and finally give possible outcomes for each alternative (Covello and Mumpower, 1985:103-118).

Today, this methodology is referred to as decision analysis and it is key to any comprehensive risk management endeavour. Early history is also marked by incidents of organized emergency response. When in AD 79, the volcano Vesuvius began erupting, two towns in its shadow, Herculaneum and Pompeii, faced an impending catastrophe. Herculaneum, which was at the foot of the volcano and therefore directly in the path of its lava flow, was buried almost immediately, but the majority of the Pompeii population survived. Evidence suggests that this was because the citizens of Pompeii had requested the city's leaders to organize a mass evacuation several hours before the volcano covered their city in ash. The few who refused to leave suffered the ultimate consequence and today lie as stone impressions in an Italian museum (Coppola, 2007:2-3).

### **3.2.2 Modern roots**

All hazards, disasters and emergency management, wherein a comprehensive approach is applied in order to address most or all of a community's hazardous risks is relatively new. However, many of the concepts that guide today's practice can be traced to the achievements of past civilizations.

Floods have always confounded human settlements. However, archaeologists have found evidence in several distinct and unrelated locations that early civilizations made attempts to formally address the flood hazards.

One of the most celebrated of these attempts occurred in Egypt during the reign of Amenemhet III (1817-1722 BC). Amenemhet III created what has been described as history's first substantial river control projects. They were using a system of over 200 water wheels, some of which remain to this day. The Pharaoh effectively diverted the annual floodwaters of the Nile River into Lake Moeris, and in doing so, the Egyptians were able to reclaim over 153 000 acres of fertile land that otherwise would have been useless (Coppola, 2007:3).

### **3.2.3 The birth of modern emergency management: Civil defence era**

There are no standards but good practice for how the countries of the world developed their disaster management capacities. However, there is one particular period in recent history that witnessed the greatest overall move toward a centralized safeguarding of citizens, namely the civil defence era.

#### **3.2.3.1 The Great War of 1914-1918**

The first attack by hostile aircraft on English soil was made on Christmas Eve in 1914 when a single German aeroplane dropped a bomb near Dover Castle which caused no damage except broken glass. London was bombed for the first time on 31 May 1915 by a single German airship (O'Brien, 1955:7).

From the summer of 1915 until close to the end of 1916, the attacks on Britain by night were fairly frequent and it was some time before effective means of countering them were devised.

The attack of 31 January 1916, though it was to prove the last of the formidable airship raids, led to some important changes in defence arrangements (O'Brien, 1955:6).

The Great War of 1914-1918 had caused an unprecedented drain on Britain's economic and financial resources, from which recovery in the 1920s and 1930s proved slow and difficult (O'Brien, 1955:5). The large part of the nation continued right up to the startling international events of 1938 to comfort themselves with the idea that the war which ended in 1918 had been a war to end war (O'Brien, 1955:6).

### **3.2.3.2 The long desultory period between 1920 and 1930**

The air attacks of 1914-1918 had proved that public attitude during a war had attained new significance and this lesson was constantly in the minds of the planning authorities. The British themselves had bombed Jalalabad and Kabul in Afghanistan in 1919. They pioneered using air power to control insurgent tribes in Iraq in the 1920s. In the same period the French bombed Tetouan in Morocco and also Damascus and areas in Libya (Stansky, 2007:6).

In 1922, the first of the many committees to examine the problem of further air attack reported that the moral effect of air attack is out of all proportion to the material effect which it can achieve. It recognized that the problem of morale, hitherto regarded as relevant only to the fighting forces, would apply in another war to the entire domestic population (O'Brien, 1955:6).

The Rules of Aerial Warfare, drafted by a Commission of Jurists at The Hague in the winter of 1922-1923 provided no appreciable protection for a civil population against air attack (O'Brien, 1955:18).

### 3.2.3.3 The period of 1939 to 1945

On Saturday, 7 September 1940, 348 German bombers, Heinkels, Dorniers and Junkers and 617 Messerschmitt German fighters crossed the English Channel into British airspace forming a block of 20 miles wide, filling 800 square miles of sky.

It was the most concentrated assault against the Britain since the Spanish Armada (Stansky, 2007:1).

7 September 1940 marked a transition to a war at a more intense level, and one that would be deeply experienced by the home front. Until the middle of 1944 there were more British civilian deaths than military (Stansky, 2007:4). Cumulatively, such episodes led civilians in the 1930s and early 1940s to the realization that they were vulnerable, that they were potential victims (Stansky, 2007:6).

Events during 1939-1945 were to justify fully this emphasis throughout the planning phase as the civil defence of the United Kingdom during the Second World War grew into an affair of great complexity and the area which its history covers is immense (O'Brien, 1955:6).

Any collapse of morale under the threat of war would be disastrous for the national interest and a potent factor in maintaining the spirit of the people at such a time would be the confidence that everything that could reasonable be done to mitigate the effects of an attack had indeed been done (The Royal United Services Institute for Defence Studies, 1982:5).

Civil defence in wartime waxed and waned in size and variety as the threat it was designed to counter was first postponed, then redoubled and then materialized in an irregular and partly unexpected manner (O'Brien, 1955: xv).

Civil defence planning, administration, training and reorganization consumed a large share of the nation's war effort and in the event, the

scale of attack was fortunately much smaller than had been expected (O'Brien, 1955: xvi).

Civil defence did receive some attention in the 1930s. The government started to shape its civil defence plans, concentrating on air raid wardens as well as on other aspects of civil defence (Stansky, 2007:10).

### **3.2.4 Nuclear attack: Civil defence**

Where defence policy is based on deterring through a convincing display of strength, complementary civil defence signifies something more than a government's recognition of its duty to safeguard its people in time of emergency. The tenet is that credible civil defence plans prepared in peacetime, are an essential part of any national defence posture aimed at deterring aggression (The Royal United Services Institute for Defence Studies, 1982:4).

Civil defence has for many years been kept to the lowest level compatible with any credibility in deterrence and almost certainly lower than that needed to sustain public morale in an emergency. Governing civil defence planning in the West provided a further stimulus to rethinking with regard to the number of warnings of attacks likely to be discernible and the concept of operations in Europe (The Royal United Services Institute for Defence Studies, 1982:6).

However, the Soviet bloc's growing ability to launch a massive attack in Europe without extensive, overt preparation was impelling the West towards a much more rigorous assumption about warning time. Other considerations weighted not least that the countries concerned were more prone to natural disasters of a magnitude unknown elsewhere (The Royal United Services Institute for Defence Studies, 1982:8).

The second civil defence planning considerations that are now outdated were that any hostilities in Europe would go nuclear in a

matter of days, owing to the inability of the forces of the North Atlantic Treaty Organization (NATO) to hold any massive conventional attack without using nuclear weapons (The Royal United Services Institute for Defence Studies, 1982:9).

As a direct result of the nature of modern warfare in the 20<sup>th</sup> century, civil defence programmes have become a necessary activity of government. Although originally a European development and strictly war orientated, today they are being organized in many countries. Civil defence is now established in International Law. This was achieved in 1977 when over 100 nations agreed to a protocol to the 1949 Geneva Convention (The Royal United Services Institute for Defence Studies, 1982:222).

Modern disaster management in terms of the emergence of global standards and organized efforts to address preparedness, mitigation and response activities for a wide range of disasters did not begin to emerge until the mid-20<sup>th</sup> century. In most countries this change materialized as a response to specific disaster events. At the same time, it was further galvanized by a shift in social philosophy in which the government played an increasingly important role in preventing and responding to disasters.

The legal foundation that allowed for such a shift was the result of advances in warfare technology. In response to the threat posed by air raids and the ever-present and dreadful prospect of a nuclear attack, many industrialized nations' governments, like in the USA, began to form elaborate systems of civil defence. These systems included space satellites detection systems, early warning alarms, hardened shelters, search and rescue teams and local and regional coordinators.

Most nations' legislatures also established legal frameworks to guide both the creation and maintenance of these systems through the passage of laws, the creation of national level civil defence

organizations and allocation of funding and personnel (Coppola, 2007:4-5).

### 3.2.5 International disaster management

International disaster management by definition is the cooperative international response requirements of disaster events that exceed a single nation's or several nations' disaster management abilities. In these instances, the governments of the affected countries call upon the resources of the international response community (Coppola, 2007:9).

### 3.2.6 Modern disaster management: A four-phase approach

In modern society, comprehensive disaster management is based upon four distinct components:

- a) **Mitigation** - involves reducing or eliminating the likelihood or the consequences of a hazard or both;
- b) **Preparedness** - involves equipping people who may be impacted by a disaster;
- c) **Response** - involves taking action to reduce or eliminate the impact of disasters that have occurred or are currently occurring, in order to prevent further suffering, financial loss or a combination of both; and
- d) **Recovery** - involves returning victims' lives back to a normal state following the impact of disaster consequences (Coppola, 2007:8).

### 3.2.7 Conventional views of disaster

Most of the work on disasters done by Bryant (1991); Alexander (1993); Tobin and Moritz (1997) and Smith (2001), emphasizes the "trigger role" of geo-tectonics, climate or biological factors arising in nature.

Dynes, DeMarchi and Pelandala (*eds*) (1987); Lindell and Perry (1993); Oliver-Smith (1996) focus on the human response, psychosocial and



physical traumas, economic, legal and political consequences of disasters. Both sets of research assume that disasters are deviations from normal social functioning and that recovery from disasters means a return to normal (Wisner, Blaikie, Cannon and Davies, 2006:10).

Wisner *et al*, (2006:10) in their book *At Risk*, differ considerably from such viewpoints of disasters that arise from an alternative approach, which emerged during the last thirty years. This approach does not deny the significance of natural hazards as trigger events, but puts the main emphasis on the various ways in which social systems operate to generate disasters by making people vulnerable. The work of Wisner *et al*, (2006:10) relates to earlier notions of marginality that emerged in studies in Bangladesh, Nepal, Guatemala, Honduras, Peru, Chad, Mali, Upper Volta (now Burkina Faso), Kenya and Tanzania.

In the 1970s and early 1980s the vulnerability approach to disasters began with a rejection of the assumption that disasters are “caused” in any simple way by external natural events and a revision of the assumption that disasters are normal.

A major watershed for relief agencies was the year 1970, when enormous disasters in Peru, East Pakistan (now Bangladesh) and Biafra (Nigeria) coincided.

A new theory of disasters that focused on the vulnerability of “marginal” groups was suggested by subsequent reflections on these events, and also the Sahel famine (1967 - 1973), drought elsewhere in Africa, erosion in Nepal, an earthquake in Guatemala (1976) and a hurricane affecting Honduras in 1976 (Wisner *et al*, 2006: 10).

According to such views, the pressure of population growth and the lack of modernization of the economy and other institutions drive human conquest of an unforgiving nature. This approach usually took the stages of an economic growth model for granted. Thus industrial societies had typical patterns of loss from, and protection against,

nature's extremes, while usually agrarian societies had others and mixed societies showed characteristics in between.

It was assumed that progress and modernization were taking place and that agrarian and mixed societies would become industrialized and that all would eventually enjoy the relatively secure life of a post-industrial society. The 1970s saw increasing attempts to use political economy to counter modernization theory and its triumphant outlook and political ecology to combat increasingly subtle forms of environmental determinism. These approaches also had serious flaws though their analysis was moving in directions closer to conventional views of disaster (Wisner *et al*, 2006:11).

Wisner *et al*, (2006: 1) managed to reintroduce the human factor into disaster studies with greater precision while avoiding the dangers of an equally deterministic approach rooted in political economy alone.

Wisner *et al*, (2006: 11) also avoid notions of vulnerability that do no more than identify it with poverty in general or some specific characteristics such as crowded conditions, unstable hillside agriculture or traditional rain-fed farming technology. Wisner *et al*, (2006:11) reject those definitions of vulnerability that focus exclusively on the ability of a system to cope with risk or loss.

These positions are an advance on environmental determinism but lack an explanation of how one gets from very widespread conditions such as poverty to very particular vulnerabilities that link the political economy to the actual hazards that people face (Wisner *et al*, 2006: 10-11).

Disaster management as a practice and a profession is rapidly expanding and improving. Such change is necessary when driven by the modern needs of governments and nongovernmental organizations involved in one or more of the four phases of emergency management:

- Mitigation;
- Preparedness;
- Response; and
- Recovery.

The international response to disasters is convoluted, at times chaotic and always complex. Every country has its own hazard profile, vulnerability fluctuation and evolution and demise of emergency management systems as well as unique cultural, economic and political characteristics. Each of these qualities influences the country's interaction with international disaster management agencies (Coppola, 2007: xvii).

Losses due to disasters are on the rise with grave consequences for the survival, dignity and livelihood of individuals, particularly the poor and hard-won development gains. Disaster risk is increasingly of global concern, its impact and actions in one region can have an impact on risks in another and vice versa.

This is compounded by increasing vulnerabilities related to changing demographic, technological, socio-economic conditions, unplanned urbanization and development within high-risk zones, underdevelopment, environmental degradation, climate variability, climate change, geological hazards, competition for scarce resources and the impact of epidemics such as HIV/AIDS. This scenario points to a future where disasters could increasingly threaten the world's economy, its population and the sustainable development of developing countries. More than 200 million people on average have been affected every year in the past two decades by disasters (ISDR, 2005:1).

Suffering, especially that which seems principally to be caused by natural disasters, is not always the greatest threat to humanity. Despite the lethal reputation of earthquakes, tsunamis and tornados, a much greater proportion of the world's population find their lives shortened by

events that often go unnoticed like violent conflicts, epidemics, crime and famine. These are events that are accepted as normal in many parts of the world, especially (but not exclusively) in less developed countries (LDCs).

Occasionally earthquakes have killed thousands and very occasionally floods, famines or epidemics have also taken millions of lives at a time. But to focus on these, in the understandably humanitarian way that outsiders responded to in such tragedies, is to ignore the millions who are not killed in such events but who nevertheless face grave risks such as HIV/AIDS, Ebola and malaria.

The crucial point about understanding why disasters happen is that they are not only caused by natural events. They are also the product of the social, political and economic environment because of the way these environments affect the lives of different groups of people and populations all over the world.

During the 1980s and 1990s, war in Africa, the post-war displacement of people and the destruction of infrastructure made the improvement of their lives that were already shattered by drought, virtually impossible. In the early years of the twenty-first century, conflict in countries in Central and West Africa namely Zaire, Congo, Liberia and Sierra Leone displaced millions of people who were already at risk from hunger, malaria, cholera and meningitis. The deep indebtedness of many LDCs has made the cost of rehabilitation to development unattainable. Rapid uncontrolled and overpopulated urbanization is putting increased numbers of people at risk as shown by the terrible death toll caused by the mudslides in 1999 in Caracas, Venezuela and the earthquake in Gujarat, India in 2001 (Wisner, 2000:5).

Disasters in Africa pose a major obstacle to the African continent's efforts to achieve sustainable development, especially in view of the region's insufficient capacities to predict, monitor, deal with and mitigate disasters.

Reducing the vulnerability of the African people to hazards is a necessary element of poverty reduction strategies, including efforts to protect past development gains. Financial and technical assistance is needed to strengthen the capacities of African countries, including observation and early warning systems, assessments, prevention, preparedness, response and recovery (ISDR, 2005:14).

### **3.2.8 The development of disaster risk reduction policies**

A number of disaster risk reduction policies have been developed over time of which the following are worth mentioning.

#### **3.2.8.1 The United Nations Rio Earth Summit and Agenda 21, 1992**

The Rio Earth Summit in Brazil in 1992 brought together delegates from 178 countries, over 100 heads of state and representatives from more than 1000 non-governmental organizations (<http://ciesin.org/datasets/unced/anced.html>) [Accessed 29 June 2009].

The major output of the conference was the non-binding agreement, Agenda 21, which indicated the emergence of clear international consensus on a range of environmental and developmental issues including international cooperation, citizen participation, gender, poverty, sustainable agriculture, de-certification and land degradation. Principle 10 of UN Agenda 21 emphasizes access to information and environmental justice. The RSA has formally adopted Agenda 21 and initiated the development of a National Strategy for Sustainable Development (NSSD) (South Africa. Department of Environmental Affairs and Tourism, 2006:11).

#### **3.2.8.2 1994 Yokohama Conference**

The Yokohama Conference in May 1994 provided an opportunity for UN member states to focus on natural disaster risk reduction. It was the first international conference where social aspects, such as the vulnerability of people, were given serious consideration. Previously a

strong emphasis of the IDNDR had been on science and technology (ISDR, 2005:2).

### **3.2.8.3 The United Nations Conference on Human Settlement (Habitat II)**

The Habitat Agenda was launched at the United Nations Habitat II Conference in Istanbul, Turkey, in 1996. It introduced goals, principles and commitments to turn the vision of sustainable human settlements into a reality and was endorsed by the RSA in 1996.

A sustainable human settlement is one in which all the people have adequate shelter, a healthy and safe environment, basic services and productive and freely chosen employment (South Africa. Department of Environmental Affairs and Tourism, 2006:11).

### **3.2.8.4 The Declaration of the International Decade for Natural Disaster Reduction (IDNDR) Programme: 1990-1999**

In July 1999, five years after the Yokohama Conference, in July 1999, the UN International Decade ended with the IDNDR Programme Forum in Geneva, Switzerland.

By then the social agenda of vulnerability reduction had significantly expanded to the point where no fewer than three of the four “Goals for the International Strategy for Disaster Reduction” were directly concerned with the human dimensions of risk reduction. It is important to note the beginning of a concern for livelihood protection in the conference rhetoric. The following goals were identified:

- **Goal 1** Increase public awareness of risks posed to modern societies;
- **Goal 2** Obtain commitments by public authorities to reduce risks to people, their livelihoods, social and economic infrastructure and environmental resources; and

- **Goal 3** Engage public participation at all levels of implementation to create disaster-resistant communities through increased partnership.

#### **3.2.8.5 Millennium Declaration and Millennium Development Goals (2000)**

After the IDNDR Programme Forum, the United Nations Millennium Summit in New York in September 2000 marked the millennium with a memorable gesture towards the elimination of poverty. Eight Millennium Development Goals (MDGs) were agreed on by world leaders in the Millennium Declaration of September 2000. These goals were further broken down into 18 targets (measured by 48 key indicators) to be achieved by 2015 (South Africa. Department of Environmental Affairs and Tourism, 2006: 11).

While critics may regard these goals as empty political rhetoric, their significance lies in the fact that these are now the internationally agreed yardsticks for national development with numerical targets and quantifiable indicators to assess progress.

All the signatory countries now claim to be working towards these goals and donors are providing sharply focused aid packages to support their endeavours. Within the Millennium Declaration there are several points where disaster risk reduction is relevant.

Under the goal “eradicate extreme poverty and hunger” there is a pair of targets: to reduce between 1990 and 2015 the number of people whose income is less than \$1 a day with 50%, and also to halve during that same period the proportion of people who suffer from hunger. The Millennium Declaration implies that future disaster risk reduction structures, plans and policies can no longer be isolated as distinct entities but will in future have to be synchronized with the structures, plans and policies concerned with poverty reduction. Nobody can deny the fact that poverty is a disaster in itself with so many consequences

which also affect those who are not so unfortunate (Wisner et al, 2006: 325-327).

### **3.2.8.6 World Summit on Sustainable Development: 2002 (Johannesburg Plan of Implementation)**

In 2002, ten years after the Rio Earth Summit, the RSA hosted the World Summit on Sustainable Development (WSSD).

The extensive preparatory work for the summit included a valuable background document, Disaster Risk and Sustainable Development, Understanding the Links between Development, Environment and Natural Hazards Leading to Disasters.

This paper was a salutary and rare example of integrated teamwork by various UN agencies such as UNISDR. The document went far beyond any previous official UN document in its review of the scale and complexity of vulnerability.

Paragraph 37 of the Johannesburg Plan of Implementation (JPOI) of the World Summit on Sustainable Development, held in 2002, requests actions under the chapter: “An integrated, multi-hazard, inclusive approach to address vulnerability, risk, assessment and disaster management, including prevention, mitigation, preparedness, response and recovery, is an essential element of a safer world in the 21st century”, thereby supporting the International Strategy for Disaster Reduction as the first action. The theme of “vulnerability, risk reduction and disaster management” is included in the multi-year programme of work of the Commission on Sustainable Development in 2014-2015, and as a crosscutting theme throughout the programme (ISDR, 2005:20).

### **3.2.8.7 Global Environmental Outlook, 2002**

The Global Environmental Outlook (GEO) project of the United Nations Environmental Programme (UNEP) was initiated in response to the



environmental reporting requirements of Agenda 21. In 2002, UNEP presented the state of the world's environment in the GEO-3 report by identifying global issues like land degradation, biodiversity loss, water demand, climate change, urbanization and human vulnerability that affect environmental sustainability. The GEO-3 report served as a foundation for the WSSD review in 2002 of policies for sustainable development (South Africa. Department of Environmental Affairs and Tourism, 2006:11).

#### **3.2.8.8 New Partnership for Africa's Development (NEPAD) and the Action Plan of the Environment Initiative, 2002**

African countries have responded to these significant challenges through the New Partnership for Africa Development (NEPAD), which was launched in 2002, whereby African leaders pledged to eradicate poverty and to put the continent on the path to sustainable development (<http://nepad.org/2005/files/documents/113.pdf>) [Accessed 29 June 2009].

#### **3.2.8.9 African Union (AU) and New Partnership for Africa's Development (NEPAD)**

Disaster risk reduction has been gaining momentum in Africa at a significantly fast pace over the past few years. The NEPAD was endorsed by the recent first Assembly of Heads of State of the African Union (AU) in Durban during July 2002 (South Africa. Department of Foreign Affairs, 2002:22-29).

In 2004, the AU and NEPAD approved an Africa Regional Strategy for Disaster Risk Reduction. A number of regional economic commissions such as the Intergovernmental Authority on Development (IGAD) and Southern Africa Development Community (SADC) already had strategies and policies for disaster management in place. The Africa Regional Strategy has served as an impetus for others such as the Economic Community of West African States (ECOWAS) and

Economic Community of Central African States (ECCAS) as well as their Member States to engage in disaster risk reduction.

The establishment of an “Africa Advisory Group on Disaster Risk Reduction” began in 2005 and ended with the successful organization of the “First Africa Ministerial Conference on Disaster Risk Reduction” which adopted an “Africa Programme of Action on Disaster Risk Reduction”.

In May 2006 in Brazzaville, the African Ministerial Conference on Environment (AMCEN) mainstreamed the Africa Regional Strategy into its next five-year programme.

IGAD has developed a sub-regional strategy for disaster reduction at the sub-regional level. An Africa Regional Platform for Disaster Risk Reduction was also developed (United Nations, 2007:43).

#### **3.2.8.10 International Strategy for Disaster Reduction: 2000-2010**

The ISDR is a strategic framework adopted by United Nations member states in 2000. It aims to build resilient nations and communities as an essential condition for sustainable development. The UN-ISDR is the secretariat of the ISDR system. ISDR system comprises of numerous organizations, states, intergovernmental and non-governmental organizations, financial institutions, technical bodies and civil society, which work together and share information to reduce disaster risk. UNISDR serves as the focal point for the implementation of the Hyogo Framework for Action (HFA) (<http://www.preventionweb.net/english/professional/resolutions/index> [Accessed, 21 October 2014]).

The World Conference on Disaster Reduction was held from 18 to 22 January 2005 in Kobe, Hyogo, Japan, and adopted the Disaster Risk Reduction Framework for Action 2005-2015. “Building of the Resilience of Nations and Communities to Disasters” (ISDR, 2005:1).

The World Conference on Disaster Reduction was convened by decision of the General Assembly, with five specific objectives:

- a) To conclude and report on the review of the Yokohama Strategy and its Plan of Action, with a view to updating the guiding framework on disaster reduction for the twenty-first century;
- b) To identify specific activities aimed at ensuring the implementation of relevant provisions of the JPOI of the World Summit on Sustainable Development on vulnerability, risk assessment and disaster management;
- c) To share good practices and lessons learned to further disaster reduction within the context of attaining sustainable development, and to identify gaps and challenges;
- d) To increase awareness of the importance of disaster reduction policies, thereby facilitating and promoting the implementation of those policies; and
- e) To increase the reliability and availability of appropriate disaster-related information to the public and disaster management agencies in all regions, as set out in relevant provisions of the JPOI.

One of the Hyogo Framework of Action strategic goals is the development and strengthening of institutions, mechanisms and capacities to build resilience to hazards. It calls on all nations to support the creation and strengthening of national integrated mechanisms such as multi-sectoral national platforms to ensure that disaster risk reduction is a national and a local priority (UNISDR, 2007:3).

In January 2005, 168 countries approved the *Hyogo Framework for Action (HFA) 2005-2015: Building the Resilience of Nations and Communities to Disasters* as an ambitious programme of action to significantly reduce disaster risk.

Since then efforts have been made to strengthen the ISDR system as an international mechanism to support the implementation of the Hyogo Framework for Action (also called 'Hyogo Framework')(United Nations, 2007: vii).

With the building on existing efforts, the Hyogo Framework for Action 2005-2015 calls on states to “designate an appropriate national coordination mechanism for the implementation and follow-up of this Framework for Action”. The Hyogo Framework refers in this regard particularly to national platforms for disaster risk reduction.

The expression “national platform” is a generic term used for national mechanisms for coordination and policy guidance on disaster risk reduction that need to be multi-sectoral and interdisciplinary in nature, with public, private and civil society participation involving all concerned entities within a country (including United Nations agencies present at the national level, as appropriate). National platforms represent the national mechanism for the International Strategy for Disaster Reduction (ISDR, 2005:6).

The establishment of national platforms for disaster risk reduction was requested in Economic and Social Council resolution 1999/63 and in Organization of American States (OAS) (United Nations. General Assembly Resolutions 56/195, 58/214 and 58/215).

These coordination structures should be multi-sectoral and multi-stakeholder and include for example line ministries, national Red Cross/Red Crescent Societies, NGOs, the private sector, academic and scientific institutions, donors and UN representatives (ISDR, 2007:13).

A multi-stakeholder national platform for Disaster Risk Reduction (DRR) can help provide and mobilize knowledge, skills and resources required for mainstreaming DRR into development policies, planning and programmes.

A national platform for DRR can be defined as a multi-stakeholder national mechanism that serves as an advocate of DRR at different levels. It provides coordination, analysis and advice on areas of priority requiring concerted action.

But for a national platform for DRR to succeed, it should be based on a number of major principles, the cardinal one being national ownership and leadership of the DRR process (UNISDR, 2007:1).

The General Assembly (resolution 46/182, 1991) requested strengthening of the coordination of emergency and humanitarian assistance of the United Nations in both complex emergencies and natural disasters. It recalled the International Framework of Action for the International Decade for Natural Disaster Reduction (resolution 44/236, 1989), and set out guiding principles for humanitarian relief, preparedness, prevention and on the continuum from relief to rehabilitation and development (ISDR, 2005:1).

#### **3.2.8.11 Doha Climate Gateway**

A UN Climate Change conference in Doha, Qatar, concluded in December 2012 with a new agreement called the Doha Climate Gateway. Its major achievement included the extension until 2020 of the 1997 Kyoto Protocol on reducing greenhouse gases emissions, as well as a work plan for negotiating a new global climate pact by 2015, to be implemented starting in 2020. The Doha conference made only limited progress in advancing international talks on climate change (Munang and Han, 2013:22).

### **3.2.9 Global Disaster Management Forums**

#### **3.2.9.1 United Nations Disaster Management and Coordination Advisory Board**

The United Nations Disaster Management and Coordination (UNDAC) Advisory Board is composed of UNDAC member countries that

financially support the UNDAC system by depositing funds with OCHA to cover the deployment costs of their national UNDAC members on UNDAC missions (National Disaster Management Centre, 2013:15).

### **3.2.9.2 The International Search and Rescue Advisory Group, Urban Search and Rescue Team Leaders**

The International Search and Rescue Advisory Group (INSARAG), Urban Search and Rescue (USAR) Team Leaders are organized into the three regional groups: Africa/Europe/Middle East Region, Americas Region and Asia/Pacific Region. It is a network of disaster –prone and disaster responding countries and organizations. INSARAG was established in 1991 following initiatives of International Search and Rescue Team (SAR) teams that responded to the 1988 Armenia earthquake. These Regional Groups meet annually to take measures to strengthen regional Urban Search and Rescue response and ensure that the strategic direction and policies from the INSARAG Steering Group are implemented and to assimilate relevant information from participating countries for submission to the INSARAG Steering Group. INSARAG activities are guided by United Nations General Assembly resolution 57/150 of 16 December 2002 (National Disaster Management Centre, 2013:15).

### **3.2.9.3 Group of 20 (G20) Country Steering Group**

Disaster Management has been identified as one of the overall G20 themes.

### **3.2.9.4 Global Facility for Disaster Reduction and Recovery**

The Consultative Group (CG) is the Global Facility for Disaster Reduction and Recovery (GFDRR) policy-making body and creates the essence of most GFDRR long-term strategic objectives while overseeing expected results. The CG meets twice a year and is chaired by the World Bank's Vice President for Sustainable Development and

co-chaired by a donor member. The mission of GFDRR is to mainstream disaster reduction and climate change adaptation in country development strategies and to reduce vulnerabilities to natural hazards.

#### **3.2.9.5 Plenary and Working group of International Standards Organization and Technical Committee**

International Standards Organization (ISO) and Technical Committee (TC) 223 works towards international standardization that provides protection from and response to risks of unintentionally, intentionally and natural-cause crises and disasters that disrupt and have consequences on societal functions. The committee uses an all-hazards perspective covering the phases of emergency and crisis management before, during and after a societal security incident.

#### **3.2.9.6 South African Development Community Platform**

The implementation of the disaster management policy and strategic plan 2010-2015 for the South African Development Community (SADC) is carried out through the Technical Committee which comprises all member states.

#### **3.2.9.7 Global Platform for Disaster Risk Reduction**

The Global Platform for Disaster Risk Reduction was established in 2006 (GA resolution 61/198). The Global Platform has become the main global forum for disaster risk reduction and for the provision of strategic and coherent guidance for the implementation of the Hyogo Framework and to share experience among stakeholders.

#### **3.2.9.8 African Platform for Disaster Risk Reduction**

The African Regional Platform for Disaster Risk Reduction (DRR) is the primary regional mechanism to support the implementation of DRR strategies and programmes at regional, sub-regional and national

levels. It is also used to monitor progress and facilitate coordination and information sharing between governments, sub-regional organizations and UN agencies.

#### **3.2.9.9 South African Development Community Council of Ministers**

The SADC Council of Ministers is a platform that approves the Disaster Management Policy and Strategies which finally are tabled at the Head of States Forum.

#### **3.2.9.10 African Union working group**

The African Union (AU) working group on DRR mainly focuses on the implementation of Africa Strategy for DRR. It comprises of all Regional Economic Communities and other agencies.

#### **3.2.9.11 African Union Commission**

It focuses on the DRR issues where Member States Ministers participate; provides oversight and guidance on DRR issues.

#### **3.2.9.12 South Africa- European Union Dialogue Forum**

Since the establishment of the European Union-South Africa Strategic Partnership, bilateral relations between the European Union and South Africa have been strengthened through an increased cooperation in the wide range of areas, including disaster management related issues as mentioned below:

- Forum on environment and sustainable development, established in 1997;
- Space cooperation, established on 04 November 2008;
- Migration Dialogue Forum, established on 4 November 2008;
- Energy Dialogue Forum, established on 16 January 2009; and
- Health Dialogue Forum, established on 4 November 2008.



### **3.3 CONCLUSION**

This chapter has traced the evolution of disaster management towards becoming a distinctive, interdependent, interrelated sphere in its own right. The second part of the chapter contains a critical analysis of the new local government system. In order to comprehend the evolution of disaster management, it is important to understand the reasoning behind the change which has taken place in civil defence.

The following chapter will evaluate by means of research results the adaptation and practical problems experienced by the disaster management centres in local government that affect the principles of cooperative governance, and its influence on effective disaster management.

## CHAPTER 4: RESULTS AND DISCUSSIONS

### 4.1 INTRODUCTION

This chapter presents the empirical scientific research findings of the study. The purpose of the research was to conduct a scientific research study to determine to what extent the cooperative governance in disaster management within the three spheres of government is implemented or how it is conducted. This thesis began as a concern about the inequalities in the processes of disaster management experienced throughout the national, provincial and local spheres of government in the RSA. Emerging from the academic field of study in public management and public policy, this research focuses on intergovernmental relations how they have been used in disaster management and how they have impacted on disaster risk reduction initiatives. Using qualitative and quantitative research paradigms as a tool for understanding intergovernmental relations and power distribution in disaster management, this thesis evolved in unexpected ways and highlighted the effects of colonisation, apartheid and inherent inequalities among provinces and municipalities that exist in the disaster management environment despite significant efforts by government to tackle poverty and inequality through the extension of a battery of social grants and pensions and yet the economy today remains profoundly unequal (Daniels (*ed*), 2013:22).

The intent of this research is to provide a different viewpoint for considering how intergovernmental relations in disaster management occur by examining the less dominant sphere in government, namely local government.

By engaging cooperative governance in disaster management in the three spheres of government, the identification of the problem shifted from a more limited focus on the lack of participation by the other two

spheres of government and other critical stakeholders in the disaster management community, to a larger review of the structural and organizational problems of disaster management in the RSA. A critical observation put forward by Ayeni (2000:40) is that efforts to drive implementation and service delivery are often not optimized because of the duplication of efforts amongst the agencies and departments.

## 4.2 QUESTIONNAIRES

Questionnaires were hand-delivered to the individual responsible for disaster management at national, provincial and municipal disaster management centres. In exceptional cases questionnaires were posted to the municipalities. A total number of 66 respondents (metros 3, district 11, local 52) were successfully interviewed from a sample of 129. Figure 4.1 shows the number of disaster management officials interviewed categorized by the sphere of government. Even though the questionnaire was designed to obtain the data in each sphere of government, it turned out that there were no disaster management officials in some local municipalities. The disaster management function at the local sphere of government is often one of at least two portfolios assigned to one person. This often implies that compliance with the *Act* is very poorly evolved at the local sphere, with implications for district and provincial disaster management centres.

The interview questionnaire was drafted in two slightly different versions. One version was for respondents categorized exclusively as disaster management officials, and the other for officials who are in charge of disaster management as a delegated function but are also responsible for other portfolios in the institution.

This categorization was not dependent on the *de jure* disaster management appointment status of respondents, but it was rather based on the *de facto* situation where the test for the officials' job description in disaster management was their ability to perform most of the functions of disaster management determined by the *Act*.

The main test in this regard was that the occupant of the disaster management post was not contingent on or subject to the sanction of another functionary of another government institution. A number of practical problems arose during the course of the survey. Firstly, it quickly became apparent that the vast majority of disaster management officials or heads of disaster management centres could not be found at their workplace during the daytime. This obviously had to do with the imperatives of having to work in and with the communities living in an environment characterized by extreme poverty.

Thus it became necessary to start the interviews early in the morning and also during disaster management projects in communities. This narrow window meant that progress was slower than expected. Thus only 66 interviews out of a planned 129 interviews could be carried out with the time and resources available.

The problem of doing research in a politically sensitive environment is one that has no easy solutions. In another case, the researcher was even suspected to be an agent of the ruling party on a mission to collect information with which to discredit the opposition parties. However, problems were not of such a magnitude that the research could be compromised. In the final analysis, the study did obtain adequate information from parts of what are clearly typical disaster management structures in all spheres of government. The study was thus able to form valid conclusions about cooperative governance in disaster management in the municipalities.

Data collection in the municipalities was open and conceptually designed to encourage discussions on how a disaster at Level 1 (event can be dealt with by resources deployed on the initial predetermined response); Level 2 (event can be dealt with by resources deployed solely by the affected organization); Level 3 (event can be dealt with by resources deployed by the affected organization, supported by mutual assistance from neighbouring organizations under normal arrangements); Level 4 (event can be dealt with by resources deployed

by the affected organization, supported by mutual assistance from organizations anywhere within the affected geographical jurisdiction. This assistance may be obtained through the use of a local government coordination centre); and Level 5 (this incident level requires the management of any incoming aid to help the organization respond to an event and it will be facilitated by the affected government, using the existing protocols of bilateral treaties). In this way, essential information could be revealed through reading between the lines and informal conversation relating to IGR and the concept of disaster management.

One of the study objectives required that the disaster risk reduction projects under different IDP project arrangements be determined. To meet this objective, it would have required a detailed study of specific IDP projects entailing the recording of all the costs in real time and resources spent in the process of implementing disaster-management-related projects. Subsequently, no case studies could be found on which such an investigation could be based. This is on account of limited disaster management activities across the three spheres of government, a point which is also one of the main findings of the study.

### **4.3 SEMI-STRUCTURED INTERVIEWS**

Semi-structured interviews were held with a representative of the National Disaster Management Centre (NDMC) of the Department of Cooperative Governance and Traditional Affairs (COGTA), provinces, metropolitan, district and local municipalities in order to obtain information regarding the implementation of disaster management.

The researcher also had preliminary discussions with local government officials and community leaders about the purpose of the research and had to reach agreement on the most suitable time to conduct key informative interviews.

#### 4.4 SAMPLING DESIGN

As indicated in Table 4.1 a total of sixty-six respondents were successfully interviewed. The total population consisted of one national department, nine provincial departments, six metropolitan municipalities, forty-six district as well as seventy-seven local municipalities in South Africa, which gives a total of one hundred and twenty-nine.

**Table 4.1: Research sample breakdown**

Sample of Population	National	Provinces	Metropolitan	District	Local	Total
	1	9	6	46	77	129
Number of Respondents	0	0	3	11	52	66

The researcher conducted interviews with key officials on the features of national, provincial, municipal relations/institutional approaches to disaster management as shown in Table 4.2. A key informant according to Neumann (2004:394-395) is an individual with relevant, preferably current field experience consulted by researchers in order to obtain information about the research fields. In this study key informants were selected from the following categories of officials:

- Managers of Disaster Management at the local municipalities.
- Metropolitan and District Heads of Disaster Management Centres.
- Heads of Provincial Disaster Management Centres.
- Managers responsible for Disaster Management in the national, provincial sector departments.

**Table 4.2: Response distribution per province**

Province	Municipal category			Responses	
	Metro	District	Local	Rate (%)	Number
Gauteng	1	0	0	1.52	1
North-West	0	1	5	9.09	6
Northern Cape	0	1	6	10.61	7
Limpopo	0	2	10	18.18	12
Mpumalanga	0	1	5	9,09	6
KwaZulu- Natal	0	3	13	24,3	16
Free State	0	1	4	7,58	5
Eastern Cape	1	2	9	18,18	12
Western Cape	1	0	0	18,52	1
<b>Total</b>	<b>3</b>	<b>11</b>	<b>52</b>	<b>100%</b>	<b>66</b>

**Table 4.3: Did your municipality use the National Disaster Management Framework of 2005 to facilitate the establishment of joint standards of practice in terms of section 7 (2) (c) (iii) of the Disaster Management Act, 2002?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	24%	76%	68%	32%

Southern Africa disaster management authorities made a commitment in 2000 to develop a disaster management standard operating

procedure and a disaster management protocol for the region (SADC, 2000:22).

The emphasis is on the importance of coordination and the need for common standards of practice amongst the various agencies involved in combined response operations (South Africa, 1996:31, 33, 35 and 56).

The majority of disaster management officials were not involved in the setting of joint standards of practice because most of the work was done by the consultants. According to Table 4.3 fifty percent (50%) of the respondents in metropolitan municipalities use the *NDMF* to facilitate the establishment of joint standards of practice, while fifty percent (50%) do not. They also confirmed that they know what the standards of service disaster management expect from them. Twenty-four percent (24%) of the district municipalities also use the *NDMF* to establish their joint standards of practice, while seventy-six percent (76%) never do, and sixty-eight percent (68%) of the respondents in the local municipalities indicated that they use the *NDMF* and thirty-two percent (32%) do not.

**Table 4.4: Did the local communities in your district participate in the disaster management strategies?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
N/A	N/A	24%	76%	N/A	N/A

According to Griffin, 1990:10 local governments must promote public participation in the management of their affairs.

A poor relationship currently exists between government, communities, CBOs and community organizations. Poulsen (2004:2) postulates that the impact of disaster-vulnerable communities is growing each year. A



continuous concern was citizens' ability to make full use of participatory opportunities (Politeia, 2009:11).

The research revealed that community participation in disaster management is insignificant and even section 7 of the *Act*, which deals with the contents of the *NDMF*, specifically refers to the facilitation of community participation in disaster management and participation between organs of state, the private sector, NGOs and communities. Table 4.4 indicates that twenty-four percent (24%) of the respondents in the district municipalities indicated low levels of participation by communities in planning, operation and awareness campaigns. Griffin (1990:5) emphasizes the importance of full individual participation within the local government context which contributes to the creation of community solidarity because citizens feel involved in matters relevant to their welfare. In this case the communication and coordination by the municipalities are mostly done on an *ad hoc* basis and are not effective, since the forums/committees where disaster risk reduction projects have to be discussed do not function as well as they should as seventy-six percent (76%) of the district municipalities indicated that local communities do not participate in the district disaster management strategies.

The RSA is not alone in experiencing challenges regarding the gap between legislation and practice at local or community level. It is a widespread phenomenon and many countries still struggle to move the focus from disaster response to risk reduction. Therefore, as endorsed by O'Keefe, *et al*, (2004:2), reducing the impact of disasters both now and in the future, is an absolute priority.

**Table 4.5: Were the local municipalities in your district consulted when a district disaster management centre was established?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
N/A	N/A	78%	22%	N/A	N/A

Section 43 of the *Act* makes it compulsory to establish a municipal disaster management centre. At the district level, the disaster management centre is proposed by the national disaster management centre across the country to serve as a direct link between the provincial disaster management centres, the district disaster management centre and the disaster management focal/nodal points in local municipalities. Seventy-eight percent (78%) of the local municipalities within the jurisdiction of district municipalities were consulted when the disaster management centres were being established, while twenty-two percent (22%) were not.

The research indicates that historically the responsibility for the provision of disaster management has devolved from centralization to decentralization with the establishment of the satellite centres at local level. Griffin (1990:274-275) mentions that organizational structure can be regarded as the building blocks of an institution.

**Table 4.6: Which responsibilities (to consult one another and coordinate their actions) are the district municipalities exercising in disaster management in terms of section 51 (2) of the Disaster Management Act, 2002 (Act 57 of 2002)?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	78%	22%	68%	32%

Attempting to find responses to the above questions may not be a straightforward task, but it is critical to providing structure, content and direction to the risk assessment process. The *NDMF* and the *Act* call for the creation of certain institutional arrangements, in order to assist disaster management entities in all spheres of government to carry out their legal mandate. The *Act* is, however, silent on the institutional arrangements for disaster management in local municipalities. The highest structural level of disaster management represented by the national disaster management centre is located in COGTA. It is the structure with overall responsibility for coordinating all the efforts of disaster management in the RSA. AFAC (1992:2) emphasizes the integrated and coordinated actions by various response agencies.

The data collected in Table 4.6 revealed information about the organizational structure of the disaster management system in South Africa, regarding its (1) implementation, (2) coordination, (3) operational control (including service management), (4) intelligence and (5) policy, which represent the eight systems in the *NDMF*. The research also revealed that there is clarity in the definition of all key roles in the provision of disaster management.

Fifty percent (50%) of the respondents in the metropolitan municipalities indicated that disaster management structures meet on a formal basis to discuss strategic issues, while fifty percent (50%) of the respondents do not.

Seventy-eight percent (78%) of respondents in district municipalities agree with the statement, while twenty-two percent (22%) do not. Generally, the local municipalities do not have enough staff for tasks related to the planning and management of disaster-related services. Sixty-eight percent (68%) of the respondents from local municipalities indicated that they have some form of structure for the discussion of disaster-management-related issues, while thirty-two percent (32%) of the respondents do not. Penceliah (2010:191) stresses that in an institutional context while individuals possess the propensity and

capability to learn, the structure and institutional climate in which they have to function need to be conducive to reflection and engagement.

**Table 4.7: Does the municipal disaster management centre have enough operational capacity to implement the Disaster Management Act 2002 (Act 57 of 2002)?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	20%	80%	53%	47%

Freeman (1984:42) and Jahansoozi (2006:943) argue that organizations need to be effective to be successful and to do this they depend upon the resources and support from stakeholders groups.

Most importantly, there is an ongoing challenge to ensure local level responsibility for disaster risk reduction with the key issues identified as a lack of human capacity and funding. Fifty percent (50%) of the metropolitan municipalities that participated in the survey indicated that they have fully functional and well-resourced disaster management centres; whilst in the district municipalities only twenty percent (20%) of the respondents have fully resourced disaster management centres.

Eighty percent (80%) of the respondents in the district municipalities indicated that their disaster management centres are in the process of being established, while fifty-three percent (53%) of local municipalities have some sort of a disaster management centre, and forty-seven percent (47%) do not have any disaster management centre at all. As these structures have been created and are operational, they need to embrace the various functions stipulated in the *NDMF* (NDMF, 2005:34-37). According to Rosenbaum and Gajdosova (2003:38), local governments lack the capacity to gather the necessary information to address residents' needs effectively.

**Table 4.8: Did your municipality establish a Disaster Management Advisory Forum?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	98%	2%	32%	68%

The establishment of a Disaster Management Advisory Forum is a legal requirement of the *Act*. The structural levels of advisory forums are composed of personnel from government departments, agencies of all governmental, non-governmental organizations and the private sector. The 1998 *White Paper on Local Government* recognizes that building local democracy is a central role of local government and calls on municipalities to develop strategies and mechanisms to continuously engage with citizens, business and community groups (Politeia, 2009:34).

The data reveals that fifty percent (50%) of the metropolitan municipalities have established a Disaster Management Advisory Forum.

A significant proportion, namely two percent (2%) of respondents from the district municipalities, indicated that no Municipal Disaster Management Advisory Forum (MDMAF) has been established, and sixty-eight percent (68%) of respondents from the local municipalities have not established an MDMAF, while thirty-two percent (32%) have done so.

The *Act*, however, does not make it compulsory for local municipalities to establish specific internal structures for disaster management. In this regard, it is difficult to envisage how a municipality would apply the principles of cooperative governance, integrated and coordinated disaster management at the local level in the absence of appropriate structures. These structures are a key mechanism for setting political development priorities, aligning the plans and programmes of

government and monitoring progress against the strategic plans (Draft Integrated Urban Development Framework [DIUDF], 2014:36). Weakness in the structures and practices of intergovernmental relations led to poor coordination (Presidential Review Commission, 1998:35).

**Table 4.9: Did the Municipal Disaster Management Centre establish information networks amongst multi-sectoral and multidisciplinary role-players?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
33%	67%	20%	80%	32%	68%

Drabeck and Hoetmer (1991:58), in discussing factors impeding coordination, quote the tendency of organizations to seek autonomy; staff commitment to professional ideologies ; work autonomy; the fear that the identity of the group or organization will be lost; and differences in benefits, as obstacles to coordination (Reid, 2005:13).

The *NDMF* is explicit when requiring that each municipality must identify a focal or nodal point for disaster risk reduction in their organizational structure. The Intergovernmental Disaster Management Committee is not a legislative requirement in the *Act*, although significant emphasis is placed on this forum in the *NDMF*. However, the *White Paper on Local Government* also calls for participatory democracy at community and local government levels (Curtis, 1999:261).

An attempt was made by the researcher to measure the number of municipalities that have established information networks for disaster management. The survey found that thirty-three percent (33%) of respondents in metropolitan municipalities have information networks, and sixty-seven percent (67%) of respondents do not. Twenty percent (20%) of the district municipalities also indicated that they have

information networks, whereas eighty percent (80%) do not. It is a very negative picture when it comes to local municipalities, as it was shown that sixty-eight percent (68%) of respondents do not have information networks, while only thirty-two percent (32%) do. Lewis, Hamiel and Richardson (2001:6) argue that if organizations communicate consistently and effectively with the stakeholders, the ability of the organization to maintain credibility and legitimacy will be influenced.

**Table 4.10: Did the municipality establish formal agreements for cooperation with relevant disaster risk reduction role-players such as other municipalities, external aid providers, government departments and public entities?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	2%	98%	32%	68%

During the interviews respondents were asked to list formal agreements and the likely role-players who would be involved in disaster risk reduction activities and to indicate which sphere of government they represented. The analysis of this data provided confirmation that disaster risk reduction can involve one stakeholder or multiple stakeholders from a range of diverse disciplines from all three spheres of government.

Fifty percent (50%) of the metropolitan municipalities had signed a Memorandum of Understanding (MOU), while ninety-eight percent (98%) of the district municipalities had not signed any MOU or Mutual Assistance Agreements (MAA). By comparison, only two percent (2%) of the district municipalities had signed an MOU. Sixty-eight percent (68%) of the local municipalities had not signed any MOU or MAA. Prablin *et al*, (2002:38), argue that it is therefore crucial that civil society organizations and local governments form partnerships to explore the

most effective means of delivering services to residents of a given community.

**Table 4.11: Did the municipality establish mechanisms for stakeholder participation in disaster management planning and operations?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	22%	78%	68%	32%

Hague and Harrop (1982:182) argue that the task of coordination becomes more difficult not just because government is bigger but also because the issues have grown more complex.

The need for pre-planning and the use of predetermined protocols was emphasized by both Smith and Hillebrand (2000) (Reid, 2005:85).

According to the South African *White Paper on Disaster Management* (1998:10) communities must know what disaster management and risk reduction stand for, what their own responsibilities are, how they can help prevent disasters, how they should react during the disaster (and why) and what they can do to support themselves and relief workers, when necessary. So often the idea of participation is misunderstood (UNCDR Report, 2005:28; Servaes, 1995:45; Jacobson and Kolluri, 1999:268).

Fifty percent (50%) of the metropolitan municipalities had established mechanisms for stakeholder participation; while fifty percent (50%) had not. This research also found that only twenty-two percent (22%) of the respondents in the district municipalities had established mechanisms for stakeholder participation in disaster management planning and operations, while seventy-eight percent (78%) had not.

Most local municipalities indicated that they are the only sphere of government which is the closest to the communities as sixty-eight



percent (68%) of respondents indicated that they are involving stakeholders in disaster management and also have established the mechanisms for that purpose, while thirty-two percent (32%) of the respondents are not involving stakeholders in disaster management and also have not established the mechanisms for that purpose. Williams (2007:16-23) found that community participation is hampered by the lack of sufficient community organizations, a concern echoed by (Zuern, 2002:77-102).

**Table 4.12: Does the disaster management centre have an overarching strategy, other than the Disaster Management Act and the National Disaster Management Framework?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	20%	80%	42%	58%

COGTA on national level has a very specific responsibility to monitor and support local government in all aspects of local government. This responsibility is sanctioned by section 154 (1) of the *Constitution*. Apart from cooperating with other organs of state within their area of jurisdiction, the cooperation with national and provincial government is also crucially important in order to ensure that the disaster management function is carried out effectively.

This research found that fifty percent (50%) of metropolitan municipal respondents do not have an overarching strategy and fifty percent (50%) of respondents at metropolitan municipal level do indeed have such a strategy. At district level only twenty percent (20%) have an overarching strategy, while eighty percent (80%) do not.

Forty-two percent (42%) of local municipalities have an overarching strategy which is informed by the district, provincial and national disaster risk management centres, while fifty-eight percent (58%) of

local municipalities do not. The underlying lesson is that model legislation in itself does not guarantee results. In some cases of international literature, the RSA legislation is referred to as good practice, while currently there is an initiative to amend this legislation due to many perceived shortcomings. This highlights the limitations of relying on legislative provisions to identify best practices as the focus on legislation does not always verify the effectiveness in practice.

According to Anderson (2006:134), the mere existence of a policy is no guarantee that it will be translated into action. New and unexpected problems may be encountered during implementation.

**Table 4.13: Have disaster risk reduction programmes and project initiatives been implemented by the municipality and its entities and other key role-players?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
76%	24%	33%	67%	32%	68%

Twenty-four percent (24%) of metropolitan municipalities do not have disaster risk reduction programmes, projects and initiatives, and of the districts, thirty-three percent (33%) have disaster risk reduction programmes and projects, while sixty-seven percent (67%) reported to have a lack of risk reduction programmes.

Sixty-eight percent (68%) of local municipalities do not have any disaster risk reduction programmes, while thirty-two percent (32%) have such programmes.

**Table 4.14: Did the municipal disaster management centre appoint a technical advisory committee comprising nationally recognized specialists in hazards and vulnerabilities to assess and evaluate the accuracy of disaster risk assessments?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	80%	20%	N/A	N/A

In order to comply with the requirements of the *Act* it is crucial for different municipalities to follow an integrated approach with regard to disaster management (Van Niekerk, 2010:130).

According to the empirical research outcomes, in the RSA at the time of this research (2013) there exists no model for ensuring the practice of effective disaster risk assessment, whether at national, regional or local level. Fifty percent (50%) of respondents in metropolitan municipalities agree that they have some form of technical advisory committee comprising government departments based in the jurisdictional area of the metropolitan. However, fifty percent (50%) of respondents in the metropolitan municipalities said that they do not have a technical advisory forum, and twenty percent (20%) of district municipalities indicated that they do not have such committees, while eighty percent (80%) do. Escobar (2000:163-166); Wilkins (2000:197-199) warn that if power is not challenged it might end up reinforcing the unequal distribution of power.

**Table 4.15: Does the district municipality operate the disaster management centre in partnership with the local municipalities in the district?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
N/A	N/A	22%	78%	N/A	N/A

The important features of intergovernmental relations are service delivery, public accountability, coordination and integration, effective implementation, dispute resolution and sustainable development. A district municipal disaster management centre must be established and operated in partnership with the local municipalities in its area of jurisdiction. The district municipalities act as intermediaries between provinces and local municipalities for effective resource distribution and service delivery.

The district municipalities should therefore be the focal point around which disaster management is organized.

Twenty-two percent (22%) of the respondents in the districts indicated that they operate the disaster management centre in partnership with the local municipalities, but seventy-eight percent (78%) do not have such partnership. The *Act* does not preclude any local municipality from establishing its own disaster risk management structures. The only requirement placed on local municipalities is that all their actions should be coordinated and should be done on a partnership basis. However, some of the local municipalities established the structure. The continued tension between the local and district is linked to the following: a disjuncture in capacity between local and district municipalities.

The relationship between these categories tends to be permeated by a big brother relationship, with local municipalities tending to feel that the district municipalities dominate the local municipalities despite the fact that they have sufficient capacity to deal successfully with their legislative powers and possibilities (Department of Local Government, 2007:8-10).

**Table 4.16: Does the district municipality have an integrated and coordinated approach to disaster management?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
N/A	N/A	22%	78%	N/A	N/A

The focus of coordination according to Vicses (1997:25) is essentially on the procurement and optimal utilization of resources in accordance with the demands dictated by the situation. Municipalities set targets for priority projects in their IDPs. The setting of targets for risk reduction projects is meaningless if the IDP plans do not cover the activities of disaster management and *vice versa*.

Twenty-two percent (22%) of the respondents from district municipalities have an integrated and coordinated approach to disaster management, while seventy-eight percent (78%) do not. Coordination is one of the oldest problems facing the public sector (Bouckaert, Peters, and Verhoest, 2010:13).

Barron *et al*, (1991:29) argue that local government needs to find a balance between two important reasons for existing; firstly, to act as a services delivery agent to improve community life by effecting national and local policies, and secondly, to provide a platform for meaningful participation by citizens.

The distrust and conflict between the different spheres have resulted in uncertainly and costs and undermined efforts to collaborate on overcoming obstacles (The Presidency, 2014:34).

**Table 4.17: Does the municipality have the necessary capacity in terms of staff and finance to comply with the requirements of the Disaster Management Act, 2002 (Act 57 of 2002) in an effective and efficient manner?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
16%	84%	24%	76%	32%	68%

The *Act* and *NDMF* do not provide adequate guidance to municipalities on funding arrangements for disaster risk reduction, response and recovery. The use of municipal funds for disaster response, relief and recovery efforts is regulated by section 29 of the *Municipal Finance Management Act, 2003 (Act 56 of 2003) (MFMA)*. In terms of this section, the mayor of a municipality is allowed to authorize unforeseeable and unavoidable expenditure arising from an emergency situation. Such expenditure must be ratified by the Council in an adjustment budget within 60 days after the expenditure has been incurred otherwise it will be regarded as unauthorised expenditure.

This research found that the disaster management component in municipalities has insufficient staff and resources to fulfil its duties and that confirmed the revelation by the National Department of Cooperative and Governance that they still have a long way to go to reach the ideal municipality they envisage (COGTA, 2014:4). At the local level the disaster management situation is inadequate. Sixty-eight percent (68%) of the local municipalities do not have the necessary capacity in terms of staff and finance and only thirty-two percent (32%) are able to comply with the requirements of the *Act*.

This is partly due to insufficient finances for fund disaster management projects, which are combined with limited planning skills and capacities.

Seventy-six percent (76%) of the district municipalities do not have the necessary capacity compared with metropolitan municipalities. In the

case of the latter, sixteen percent (16%) have the required capacity in terms of staff and finances, while eighty-four percent (84%) do not. The challenge is to improve the competency level and skills of staff to ensure effectiveness, efficiency and accountability at the provincial and local spheres in all administrative matters, financial aspects and disaster management.

Bretton (1962:144) notes that no degree of institutional refinement of a social or political system will be adequate if administrative skills are non-existent or inadequate.

**Table 4.18: Does the disaster management plan form an integral part of the municipality’s Integrated Development Plan as required by section 53 (2) (a) of the Disaster Management Act, 2003 (Act 57 of 2002)?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	98%	2%	32%	68%

The IDP process is an example of public participation in practice. The IDP is a strategic tool for local government and a government-wide expression of development commitments aligned to a number of national and regional objectives. According to the Presidency (2014:34) the IGR and intergovernmental planning have been detached from each other, missing the opportunity to integrate and align development initiatives. IGR structures are not being used optimally for their intended purpose, including that of enabling integrated development planning.

Disaster management centres are required to do disaster risk assessment and drafting of the disaster management plan for national, provincial and local government.

In the metropolitan municipalities, the results of the survey indicate that in fifty percent (50%) of the cases the disaster management plan does form part of the metros' IDP plan, but fifty percent (50%) of the respondents also indicated that it has very little influence on promoting disaster risk reduction efforts and therefore the plan does not form part of the IDP.

Ninety-eight percent (98%) of the respondents in the district municipalities indicated that the disaster management plan forms part of the IDP, while in the case of two percent (2%) it does not.

Sixty-eight percent (68%) of the local municipalities stated that the disaster management plan is not part of the IDP, while thirty-two percent (32%) responded in the affirmative.

**Table 4.19: Does the municipality have mechanisms and institutional arrangements in place to give effect to cooperative governance?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	80%	20%	32%	68%

Drabek (1986:377) argues that the institutional weakness that is perhaps the single greatest failure of institutions is their frequent inability to deal with the most important hazards first. Institutional incapacity has undermined the sustainability of the local government project, leading in some instances to a serious breakdown in services (COGTA, 2014:5).

The municipal disaster management centre holds the responsibility to ensure that appropriate institutional capacity for disaster management is established for the implementation of the *Act* and that these institutional arrangements are consistent with that on provincial and national level (NDMF, 2005:43-44).



There was consensus amongst the respondents that because the management of routine operations of the individual municipality was conducted within their disaster management plan, their standard operating procedures and their internal hierarchy structure, the roles were clearly defined. However, the need for cooperative governance arose as soon as more than one agency was involved in the disaster response.

This research found that eighty-four percent (84%) of the metropolitan municipalities have institutional arrangements in place, while sixteen percent (16%) of them do not. Eighty percent (80%) of district municipalities indicated that they have mechanisms and institutional arrangements in place, but twenty percent (20%) do not have such arrangements. It is the opposite when it comes to local municipalities where sixty-eight percent (68%) of respondents do not have institutional arrangements in place to give effect to cooperative governance, while only thirty-two percent (32%) have such institutional arrangements.

While the silo mentality of IGR structures remains, important steps have been taken to remedy the situation. For instance, the IGR Framework recognizes and elevates the function of the MEC/MMC forum as an important vehicle to bridge the gap of filtering decisions through to the Premiers Coordinating Forum (PCF). This is possible with the support of the IGR Practitioners Forum (IGRPF), which does not only coordinate the MEC/MMC Forum, but also manages IGR decisions, tracks and monitors the implementation of the Framework throughout the province.

It is further anticipated that the implementation of the IGR Framework would progressively address the functionality, alignment and efficacy of the IGR.

**Table 4.20: Does the head of the disaster management centre serve in the Integrated Development Plan structures of the municipality?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	80%	20%	N/A	N/A

Fifty percent (50%) of the respondents from the metropolitan municipalities indicated that the person responsible for the disaster management centre serves in the IDP structures of the cities but is not given the appropriate authority to influence the IDP.

Eighty percent (80%) of the respondents in the district municipalities agree that they have a person for disaster management serving in the IDP structures, while twenty percent (20%) disagree. A major crisis experienced in local government is one of ill-adjusted functions in terms of meeting the demands of citizens (Leemans (ed), 1976:4).

**Table 4.21: Are the disaster management responsibilities included in the job description of all disaster management key personnel?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	93%	7%	86%	14%

According to Chemiunais, Van der Waldt and Bayat (1998:1) it is of fundamental importance that effective and efficient public human resources are placed in the right positions to improve municipal service delivery.

There is strong support for the inclusion of disaster management responsibilities in the job description of all disaster management key personnel. However, the only concern is that if this process is driven by the need to comply with national and legislative timeframes then the

commitment and time value of the process and its outcomes may be questionable.

In the metropolitan municipalities there are still areas for improvement. Eighty-four percent (84%) of the respondents in the metropolitan municipalities agree that the disaster management responsibilities have been included in their job description, while sixteen percent (16%) of respondents indicated that this is not the case.

The local municipalities have made good progress with eighty-six percent (86%) of them incorporating the disaster management responsibilities in the job description of the key personnel in nodal points.

Fourteen percent (14%) did not incorporate disaster risk responsibilities compared to the districts, where ninety-three percent (93%) of the respondents indicated that they are in the process of engaging the municipal departments to include the disaster management responsibilities in the job description and in the scorecards. Nongwekhulu (2009:357) stresses that shortages of quality skills have a critical bearing on managerial capacity and impact on government service delivery.

The most prevalent constraints mentioned by the disaster management centre staff members are ignorance on the part of senior officials and other departments regarding disaster management, as well as a lack of financial, infrastructural and human resource capacity in disaster management centres.

**Table 4.22: Do local municipalities participate in the development of disaster risk profiles and strategies during risk assessment activities?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
N/A	N/A	78%	22%	87%	13%

The *Act* stresses disaster risk assessment which is identified as the first and most crucial step towards risk reduction as outlined in sections 20, 33 and 47 of the *Act*. According to *NDMF* (2005:52) the municipal disaster management centre must develop progressive risk profiles that will inform the IDP. The *NDMF* (2005:52) indicates that the outcomes of disaster risk assessments should directly inform the development of disaster management plans. Risk assessment is the foundation of decision-making processes for a wide variety of actors from the public to the private sector (Van Niekerk and Visser, 2010:14).

Seventy-eight percent (78%) of the respondents from the districts agree that local municipalities participated in the development of the disaster risk profiles and develop the strategies for risk reduction activities, while twenty-two percent (22%) did not.

The highest number of the local municipalities, namely eighty-seven percent (87%), participated in the development of the district disaster risk profile, while thirteen percent (13%) did not. Many local authorities are too small in size and revenue and consequently fall short of adequately qualified personnel and technology to execute their activities to an acceptable standard (Reddy, 1996:4).

According to Twigg (2004a: 2-3), the modern disaster risk assessment approach recognizes that a wide range of geological, meteorological, environmental, technological and socio-political hazards threaten society; both individually and in complex interaction.

**Table 4.23: Did the municipal disaster management centre establish disaster risk management structures in all municipal wards?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	1%	99%	32%	68%

Barber (2000:447) emphasizes the importance of participation, stating that self-government is carried on through institutions designed to facilitate ongoing participation in agenda setting, deliberation, legislation and policy implementation. Ward committees provide a structured channel for communication between geographic communities and their political representatives. The object of a ward committee is to enhance participatory democracy in local government.

In order to place a discussion of public participation in a theoretical context, it is necessary to consider the aspects pertaining to the relationship between democracy and public participation. Magstadt (2006:89) places people at the centre of his conception of democracy. The lowest level of the disaster management committee involves ward committee members and communities. The history of South African local government must thus be seen as a background influencing a process of democratization and attempting to instil a culture of participation. It is accepted that the South African government endorses public participation in municipal governance as an important element in the promotion of local democracy. Fifty percent (50%) of the metropolitan municipalities have not identified ward committee structures and tasks with the responsibility of disaster management. Nevertheless, in the case of the district municipalities, one percent (1%) of the respondents indicated that they have identified ward structures, while ninety-nine percent (99%) have not done so.

Sixty-eight percent (68%) of local municipalities do not have ward structures tasked with the responsibility for disaster management, while

thirty-two percent (32%) have ward structures, and fifty percent (50%) of metropolitan municipalities have not established a disaster management structure at ward level. The social distance by our public representatives is a major cause for concern.

This reflects inadequate public participation and poorly functioning ward councillors and committees (COGTA, 2014:5).

**Table 4.24: Did the disaster management centre in your institution use the National Disaster Management Framework (NDMF) to give effect to the application of cooperative governance on issues concerning disasters and disaster management?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	78%	22%	N/A	N/A

Fifty percent (50%) of the respondents of metropolitan municipalities agreed with the assertion that they understand the *NDMF* vision as well as the mission that guides the activities of disaster management, while fifty percent (50%) disagreed. Seventy-eight percent (78%) of the district municipalities also agreed and twenty-two percent (22%) disagreed with the assertion that they understand the *NDMF* vision as well as the mission that guides the activities of disaster management.

**Table 4.25: Did the disaster management centre in your institution conclude bilateral and multilateral agreements with other role-players in disaster management?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
16%	84%	2%	98%	N/A	N/A

Ninety-eight percent (98%) of district municipalities did not conclude any bilateral and multilateral agreements, while two percent (2%) concluded less binding bilateral and multilateral agreements.

Quero and Ventura (2009:20) emphasize the importance of effective stakeholder management and stakeholder involvement to ensure continuity as well as relationship where both parties benefit and thus contribute to a long lasting relationship.

Sixteen percent (16%) of the respondents in the metropolitan municipalities concluded bilateral and multilateral agreements, while eighty-four percent (84%) of the respondents in the metropolitan municipalities had not concluded any agreements.

**Table 4.26: Did the municipality establish a formal consultative mechanism for disaster risk reduction projects?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	96%	4%	68%	32%

The *Act* places no legal obligation on the local sphere of government for the establishment of an MDMAF. An MDMAF is a consultative forum which consists of a number of internal and external role-players in relation to the municipality.

Sixty-eight percent (68%) of local municipalities have established a formal consultative mechanism for disaster risk reduction projects, while thirty-two percent (32%) have not. In the case of district and metropolitan municipalities, ninety-six percent (96%) and eighty-four percent (84%), respectively, have established a consultative mechanism.

It has often been reported that disaster management advisory forums and inter-departmental disaster management committees had either not yet been formed, were in the process of being formed, were poorly

attended or had already collapsed due to a lack of interest. Sixteen percent (16%) of the metropolitan municipalities had not formed the consultative mechanism, while four percent (4%) of the district municipalities had also not formed the consultative mechanisms.

Core municipal infrastructure services in some communities collapse, resulting in service either not being provided at all, or provided at unacceptably low levels (COGTA, 2014:5).

**Table 4.27: Did the municipality establish planning clusters for specific and known priority risks?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	7%	93%	13%	87%

Reference can be made to intergovernmental relations in the RSA that have been structured in such a manner that agendas considered at various forums and meetings reflect a focus on non-strategic issues, to the extent that these meetings degenerate into information sessions (Mathebula, 2004:189).

Disaster management is still confused with the management of incidents.

Thus, the fundamental principles of multidisciplinary and multi-sectoral collaboration are in most instances very poorly understood. A high number of local municipalities (87%) have not established planning clusters, while only thirteen percent (13%) have done so. Eighty-four percent (84%) of the metropolitan municipalities have established the planning clusters compared with only seven percent (7%) of the district municipalities. AFAC (1992:2) emphasize that responding to disasters can be achieved through the optimal and effective utilization of resources.



**Table 4.28: Does the municipality have divisional disaster management focal points?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	96%	4%	68%	32%

There is currently no standardized approach in terms of the placement and level of functioning of disaster management within an organization.

Disaster management units function within various departments in municipalities and provinces. Some are located within the office of the Municipal Manager; others are within Community Safety, Community Services or the Emergency Services Department. The function is often on a low organizational level which limits access to swift decision-making (COGTA, 2012:17). The respondents indicated that the local disaster management satellite offices or focal points in the municipalities have no staff of their own. They draw on staff of various municipal departments who work for both their parent departments as well as the disaster management office. That is why sixty-eight percent (68%) of the local municipalities interviewed indicated they have disaster management focal points, while thirty-two percent (32%) do not.

The district management centre acts on behalf of local municipalities when budgeting, thereby being subjected to the vagaries of the district municipalities' budget.

Ninety-six percent (96%) of the district municipalities have divisional disaster risk management focal points in their municipal departments and four percent (4%) do not, while in the case of metropolitan municipalities, fifty percent (50%) have municipal departments with focal points.

**Table 4.29: Does the municipality have specific arrangements for disaster risk planning and contingency planning, including response and recovery planning?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	93%	7%	74%	42%

The national disaster management centre has no fiscal instruments to influence the operations of the provincial and municipal disaster management centres.

The Ten Year Review Report (PCAS) (2003:14) concluded that the performance of both provincial and local government reflects great unevenness, with some leading provinces and local spheres doing well, whilst others are still struggling to achieve a basic acceptable level of operational efficiency and effectiveness.

Fifty percent (50%) of the metropolitan municipalities do not have specific arrangements for disaster risk and contingency planning, including response and recovery planning and fifty percent (50%) do.

Metropolitan municipalities have specific arrangements for disaster management; ninety-three percent (93%) of the district municipalities have disaster risk planning and contingency planning, including response and recovery planning, but seven percent (7%) do not have disaster risk planning and contingency planning. A well developed and consistently updated contingency plan is an essential element of an overall national preparedness capability (AU/NEPAD, 2004:13).

Forty-two percent (42%) of local municipalities do not have specific arrangements for disaster risk and contingency planning, including response and recovery planning, and seventy-four percent (74%) have specific arrangements for disaster management.

The implementation of an incident command system was required as a matter of urgency and regulations which would establish standard operational procedures for disaster and incident management in RSA (South Africa, 2000:80).

**Table 4.30: Does the disaster management centre have an integrated supportive disaster risk information system?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	96%	4%	N/A	N/A

A geographical information system (GIS) serves as a useful tool in the field of disaster management because it indicates, in a visual manner, those areas where problems are present and those persons who are affected by them. Municipalities must develop affordable and efficient communication systems to communicate regularly with communities and disseminate urgent information (COGTA, 2014:11).

Effective communications, information management, and information and intelligence sharing are critical aspects of domestic incident management. Establishing and maintaining a common operating picture and ensuring accessibility and interoperability are principal goals of communications and information management. Fifty percent (50%) of the metropolitan municipalities indicated that they have an integrated supportive disaster risk information system in place, and ninety-six percent (96 %) of the districts also indicated that they have an integrated system.

**Table 4.31: Did the municipality define supportive funding mechanisms to ensure the application of the principles of cooperative governance in disaster management activities?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
50%	50%	11%	89%	32%	68%

The *Act* entrenches the principle of self-funding by the municipalities by allowing the Minister of COGTA to prescribe that a percentage of the budget of a municipality will act as a threshold for accessing future funds from the national contingency fund. Intergovernmental relations go beyond the *Municipal Finance Management Act* which requires consultation in the budgeting and planning process.

Fifty percent (50%) of the metropolitan municipalities defined supportive funding mechanisms to ensure the application of the principles of cooperative governance in disaster management, whereas the other fifty percent (50%) did not. Sixty-eight percent (68%) of the local municipalities also did not define the supportive funding mechanisms. The district municipalities confirmed that most of the local municipalities were relying on funds from them and were not budgeting for disaster management activities.

The responsibility for budgeting for disaster management is split between provincial and district municipalities. The two processes between the provincial and district municipalities are not linked. Only eleven percent (11%) of the district municipalities indicated that they had defined the supportive funding mechanisms, while eighty-nine percent (89%) had not.

The apparently poor progress for the implementation of disaster management was first and foremost blamed on the lack of funding or an inadequate budget.

According to Venter, Van der Walddt, Phutiagae, Khalo, Van Niekerk and Nealer (2007:245), without these bodies the principles of cooperative governance to which the *Constitution* and the *Act* refer will become very difficult to realize. The metros, district and local municipalities do not receive nor share information on budgets with the national and provincial disaster management centres. There is no mechanism for coordination. Drabeck and Hoetmer (1991:58), in discussing factors impeding coordination, quote the tendency of organizations to seek autonomy.

**Table 4.32: Did the municipality incorporate disaster management into the political value system in order to ensure political support and commitment?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	2%	98%	32%	68%

Reddy (2011:204) promotes political will and commitment within the realm of disaster management. Christopolos, Mitchell and Liljelund (2001:195) echo the importance of this principle by propagating that disaster management depends on political will. The problem of attitude, behaviour and interagency rivalry is not confined to the RSA.

For example, in the introduction to the Australian Inter Service Incident Management System (Australia, 1992:1) it was acknowledged that in part parochial attitudes, internal politics and lack of communication resulted in some poorly managed emergency operations (Reid, 2005:13). In any case, human behaviour differs from time to time and from culture to culture (Denhardt and Denhard, 2003:40).

Eighty-four percent (84%) of the metropolitan municipalities incorporated disaster management into the political value system in order to ensure political support, while sixteen percent (16%) did not.

Sixty-eight percent (68%) of local municipalities did not incorporate it and thirty-two percent (32%) incorporated disaster management into the political value system in order to ensure political support.

Ninety-eight percent (98%) of the districts also did not incorporate a political value system into disaster management and only two percent (2%) of the district municipalities did so. According to UNISDR (2004:6) disaster risk can be influenced, or shaped by, social systems and economic conditions. Disaster management is dependent on the functional and effective operation of an institution, whether formal or informal, and at the local level where in matters most.

The disaster management centres report to the highest possible managerial/administrative authority as opposed to political authority. This is due to the fact that disaster management is a management and developmental function requiring consistent managerial coordination and oversight. In addition, the higher turnover of political appointments might hamper continuity with regard to the application of disaster management. Politicians have their own circle of supporters who will be appointed in public institutions and thus political instability is expanded to institutional instability. The inadequate or slow responses to service delivery challenges are in turn linked to the breakdown of trust in the institution and councillors by communities (COGTA, 2014:5).

**Table 4.33: Does the municipality have mechanisms in place for compliance, enforcement and accountability in terms of applicable legislation and policies of disaster risk reduction activities?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	89%	11%	32%	68%

Disaster management at local level is often one of at least two portfolios assigned to one person. This often implies that compliance with the *Act*

is very poorly evolved at local level, with implications for noncompliance for district and provincial centres. Municipal line function departments still seem to be ignorant of their crucial role in disaster management. There is still a dire need for politicians and staff at local level to be informed by means of workshops about the role and nature of disaster management. Sixty-eight percent (68%) of the local municipalities do not have compliance mechanisms in place, while only thirty-two percent (32%) have a compliance mechanism in place. Eleven percent (11%) of the district municipalities also do not have such a system in place.

Sixteen percent (16%) of the metropolitan municipalities do not have compliance mechanisms in place, while eighty-four percent (84%) do.

**Table 4.34: Does the municipality have disaster management guidelines and mechanisms in place for resource mobilization during disasters?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	2%	98%	8%	92%

Currently there are no dedicated funding mechanisms for disaster response and recovery operations, and resources are not released quickly enough to maximize the effectiveness of response activities. According to Leemans (1970:17-27), the crisis manifesto itself, for instance in the case of services, which should be functionally consolidated or placed in the hands of the authority, are fragmented among several bodies, thereby increasing the difficulty of meeting the heads of communities.

The research found that eighty-four percent (84%) of the metropolitan municipalities have guidelines and mechanisms in place for resource mobilization, whereas sixteen percent (16%) do not. Only eight percent (8%) of local municipalities have guidelines and mechanisms in place.

The biggest challenge lies with the district and local municipalities where ninety-eight percent (98%) of the district municipalities do not have guidelines and mechanisms in place, while two-percent (2%) do. Ninety-two percent (92%) of the local municipalities also do not have guidelines and mechanisms in place. The disaster management situation at higher levels (nationals, provincials) can be defined as comprehensive and well established. However, it requires compliance capacities, particularly with respect to ensuring that disaster management guidelines are adopted at local levels.

According to DAC (2006:5); UNDP (2000:5) capacity development takes place on three levels, namely the individual, organizational and enabling environment.

**Table 4.35: Does the municipality incorporate verified disaster risk information into its spatial development plans and maps?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	0	100%	32%	68%

Section 26 of the *Municipal Systems Act* determines that the IDP of a municipality must include the municipal council’s vision for the long-term development of the municipality, the council’s development priorities and objectives, spatial development frameworks and an applicable disaster plan.

Similarly, the draft *Land Use Management Act*, 2001 encourages municipalities to draw up spatial development frameworks. There is a difference in the way in which disaster management plans and spatial development frameworks are viewed. Sixty-eight percent (68%) of local municipalities did not incorporate the disaster management information into their spatial development plans and maps, while thirty-two percent



(32%) did so. One hundred percent (100%) of district municipalities did not incorporate disaster risk information into their plans.

Eighty-four percent (84%) of the metropolitan municipalities did incorporate the disaster management information into their spatial development plans and maps, while sixteen percent (16%) did not. The integration of disaster management into the municipalities' planning process is dependent on the initiatives of the IDP. Land use plans acknowledge disaster-related aspects, but do not translate these into comprehensive prevention strategies.

**Table 4.36: Are all rehabilitation and reconstruction strategies implemented in an integrated and developmental manner after a disaster?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	4%	96%	32%	68%

The disaster management documents (plans) at all administrative levels were analysed with regard to the inclusion of disaster risk reduction measures.

The extent of disaster management integration into the development strategies decreases at the higher level and more decentralized administrative issues.

Sixty-eight percent (68%) of the local municipalities indicated that they have not implemented the rehabilitation and reconstruction strategies in the integrated manner, while thirty-two percent (32%) answered in the affirmative. Four percent (4%) of the districts indicated that they have implemented the rehabilitation and reconstruction strategies in the integrated manner, while ninety-six percent (96%) have not done so. Eighty-four percent (84%) of the metropolitan municipalities have implemented the rehabilitation and reconstruction strategies.

**Table 4.37: Does the Disaster Management Centre have uniform methods and guidelines in place for conducting initial on-site assessments of both damage and needs when significant disaster events occur?**

Metropolitan		District		Local	
Yes	No	Yes	No	Yes	No
84%	16%	4%	96%	N/A	N/A

In practice, disaster management damage assessments are conducted without disaster management guidelines in many instances. The national disaster management centre guidelines exist, but are not used. Eighty-four percent (84%) of the metropolitan municipalities use disaster management guidelines, while sixteen percent (16%) do not. Ninety-six percent (96%) of the district municipalities also do not use the guidelines, while four percent (4%) do. Many disaster management centres indicated that they are serving as a conduit or repository for information. Where disaster risk assessments have already been conducted, disaster management centres gather information about historic events. The exchange of information with other departments is, however, not reported often. This seems to be indicative of a general ignorance in other departments of disaster-management-related matters. It is recommended to develop a regulation to provide for the mapping of risks areas and communities vulnerable to disasters in a standardized format and for the submission of the geospatial information to the municipal disaster management centre (COGTA, 2012:25).

#### **4.5 CONCLUSION**

It became clear during the data collection phase that the *Act* and *NDMF* had not yet been fully implemented in the RSA municipalities and that the current disaster management activities were a wild construct of old and new concepts and ideas, including fragments of the new *NDMF*.

Standard Operation Procedures (SOPs) were in place for all the provinces, metros, district municipalities and sector departments, but as of 2010 the coordination between the national, provinces, metros, districts and local municipalities was relatively unstructured in the planning process or only partially implemented. Full compliance with the *Act* was only in the planning stages at the time of this research project, 2011.

# **CHAPTER 5: DISASTER MANAGEMENT AND INTERGOVERNMENTAL RELATIONS**

## **5.1 INTRODUCTION**

Intergovernmental relations are intended to promote and facilitate cooperative governance and decision-making by ensuring that policies and activities across all spheres encourage service delivery to meet the needs of citizens in an effective way. Intergovernmental relations and coordination which are ineffective are often problems of capacity and management rather than of structure and procedures. The development of public policy regarding any given hazard is a product of the activities of the different levels of government as a high degree of coordination can result in effective public policy. Sometimes there is agreement between levels on the agenda, the priority and the resources to be invested. To the extent that such agreement does not exist, intergovernmental relations may be strained and cooperation on hazards policies may suffer (Perry and Mushkatel, 1984:14).

## **5.2 COOPERATIVE GOVERNANCE AND INTERGOVERNMENTAL RELATIONS**

### **5.2.1 Defining relevant concepts pertaining to intergovernmental relations**

For the purpose of this study it is necessary to clarify the following concepts: intergovernmental relations and cooperative government. Intergovernmental relations encompass all the complex and interdependent relations among various spheres of government as well as the coordination of public policies among national, provincial and local governments through programme reporting requirements, grants in aid, planning and budgetary process and informal communication among officials (Fox and Meyer, 1995:66).

The *White Paper on Local Government* (1998:38) defines intergovernmental relations as a set of formal and informal processes as well as institutional arrangements and structures for bilateral and multilateral cooperation within and between the three spheres of government, while cooperative government according to the Discussion Document of the Department of Constitutional Development on Strategic Issues and Options for Policy on cooperative government and intergovernmental relations (1994:4) is a partnership between the three spheres of government where each sphere is distinctive and has a specific role to fulfil and should promote constructive relations between them.

#### **5.2.1.1 Intergovernmental relations (IGR)**

According to Ismail, Bayat and Meyer, (1997:138) intergovernmental relations assume importance where there is a division of powers among difficult tiers of government at both administrative and legislative levels. These relations are creative mechanisms to maintain cooperative relationships and coordination among and between vertical and horizontal sites of power within a policy.

According to Wright (1988:467), IGR are described as a huge complex building under continual construction and reconstruction.

The concept intergovernmental relations is closely associated with cooperative government. Thus it is necessary to clarify what cooperative government is and apply it to the local government context (Ismail *et al*, 1997:139).

Intergovernmental relations can be traced back to Roosevelt's New Deal era in the United States (US). Intergovernmental relations were confused with federalism and cooperative federalism in the US.

After the Intergovernmental Relations Commission was established in the US, the notion of intergovernmental relations was repositioned. Intergovernmental relations are not synonymous with federalism,

although it is an important platform on which federal political systems have to operate (Edwards, 2008:108). Across Western Europe intergovernmental relationships are also strongly affected by changes in the economy (Pierre and Peters, 2005:108).

#### **5.2.1.2 Relations**

Section 146 of the *Constitution*, regarding the relations in this context, refers to the relations between national and provincial legislation. It is stated that national legislation will prevail over provincial legislation if the province cannot effectively regulate a matter through legislation.

#### **5.2.2 Cooperative governance**

Cooperative governance can be traced back to the German “Bundestreue” concept, which entails a set of unwritten principles on which relationships between regional governments are based. It means the German Constitutional Court ensures that different parts of the German federation act in good faith and mutual trust.

Thus, cooperative governance implies that sub-national and national jurisdictions have certain political and legal obligations to support and consult one another on matters of common concern, to cooperate and maintain friendly relations (Doyle and Naude 2002:5; Mathebula 2004:21, 110; Levy and Tapscott, 2001:78).

Cooperative government is an innovative concept to resolve problems related to intergovernmental relations. It attempts to address the difficulties experienced by most large bureaucracies in coordinating their government functions and streamlining their administrative activities (Ismail *et al*, 1997:139).

### **5.3 COOPERATIVE GOVERNANCE AND INTERGOVERNMENTAL RELATIONS IN SOUTH AFRICA**

Intergovernmental relations in the RSA originated from the various federal government systems pioneered during the era of British colonial

administration, from 1806 until 1910 and from 1910 through to 1961. The South African state was brought into being in 1910 in terms of section 4 of the *South Africa Act 1909*; an *Act* passed by the British Parliament and assented to by the British Monarch (Wiechers, 1985:199-200).

The *South African Act of 1909* (also referred to as the *1909 Constitution*) provided for the unification of four British Colonies, viz. the Cape of Good Hope, Natal, the Transvaal and the Orange River Colony, into the Union of South Africa. On the establishment of the Union the aforementioned colonies became the provinces of the Union, with retention of their boundaries and names, except in the case of the Orange Free State. The combined territory of the former colonies constituted the territory of the new state (section 4 and 6 of the *Constitution*, 1909).

The 1910 *Constitution* departed from the two-sphere Westminster system by interposing a three-sphere government system (comprising a provincial government that consisted of four provinces, a national and a local government to accommodate the political identities of the Boer Republics and the British Colonies in 1909 (Levy and Tapscott, 2001:1).

During this period, intergovernmental relations were given recognition through the trust the Union government displayed in the provinces. The 1983 *Constitution* recognized the importance of coordination, and during this period most powers were decentralized and devolved to sub-national units of government.

On 27 April 1994 the Interim *Constitution* of the Republic of South Africa (Act 200 of 1993) came into operation. It provided for three levels of government (national, provincial and local) and for the allocation of certain powers to provinces, some which were in the exclusive domain of provincial legislatures. Pre-1994 legislation (national, provincial and Homeland legislation) within these provincial functional areas was assigned to the provincial governments to be administered by them

(<http://www.forumfed.org/libdocs/IGRBook1/IGR-ZA-Olivier.htm>,  
[Accessed, 18 October 2014].

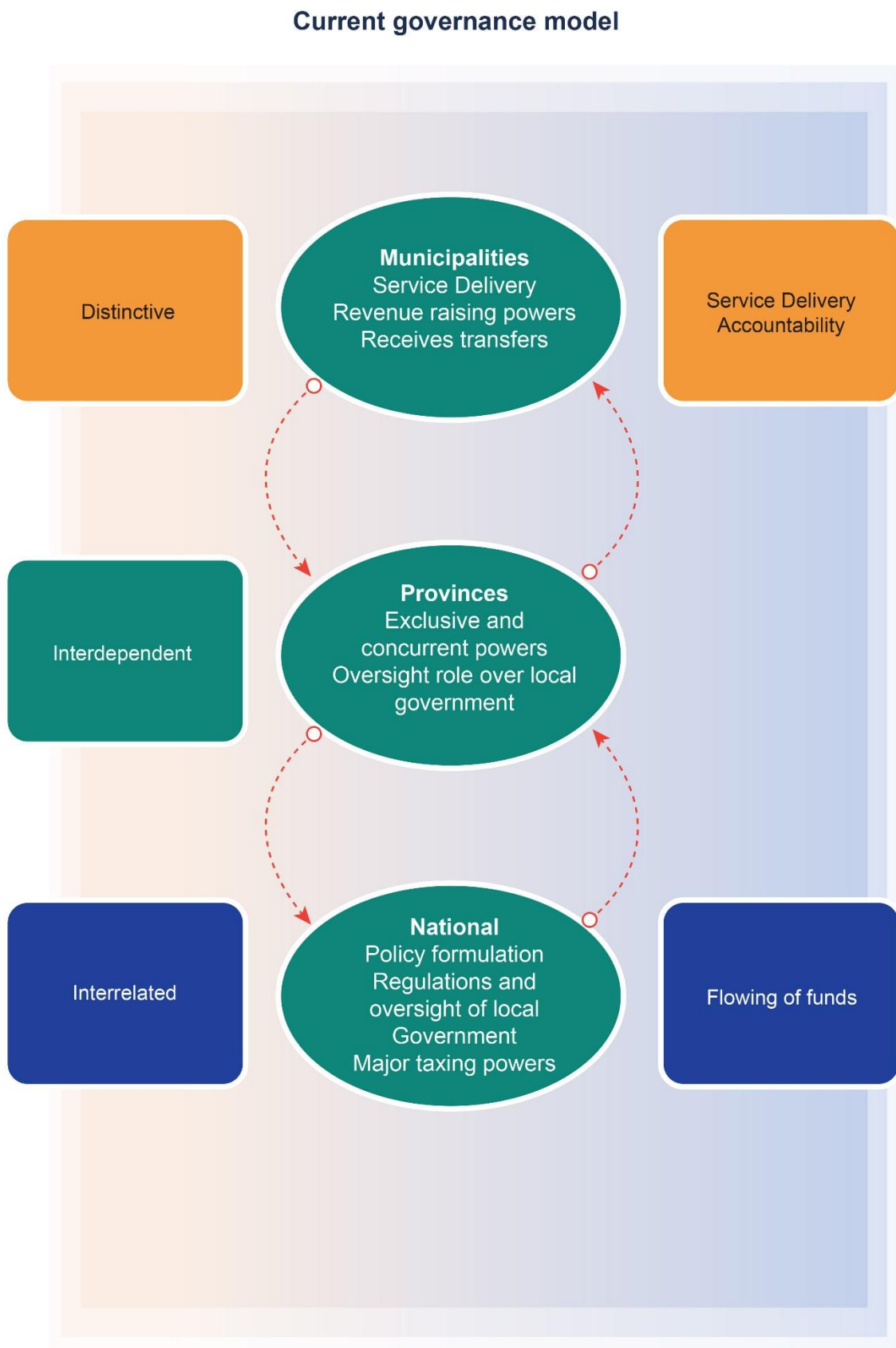
The final *Constitution*, 1996 took effect on 4 February 1996. It provided for the continuation of all old order (pre-1994) legislation as well as of all interim order legislation (made during the life of the Interim *Constitution*, 1993), subject to Item 2 schedule 6 of the *Constitution* of 1990 to any amendment or repealed consistency.

The RSA is an undivided state with nine provinces according to section 103 of the *Constitution*. As Bernstein (1999:34) states, the nine provinces are a crucial sphere of government and in terms of the cooperative governance model, their role and influence on policy-making processes are vital. Whether the state is classified as a federal or decentralised unitary state, by academics or political parties is of no consequence. The classification of the *Constitution* as federal, unitary or quasi-federal is not material or conclusive, albeit interesting from an academic perspective (De Villiers and Sindane, 2011:8). The Parliament of the RSA consists of the National Assembly and the National Council of Provinces as per section 42 (1) of the *Constitution*.

The current *Constitution* makes provision for a three-sphere system of government comprising national, provincial and local spheres which are distinctive, interdependent and interrelated as illustrated below.



**Figure 5.1: Current government model**



(Adapted from DPLG, 2007:8)

After 1994, the RSA adopted a model of cooperative government and intergovernmental relations which is determined in section 41 of the *Constitution* and which provides a platform for intergovernmental relations (Levy and Tapscott, 2001: 2–5).

### **5.3.1 Constitutional Foundations**

Chapter 3 section 40(1) of the *Constitution* constitutes government as national, provincial and local spheres which are distinctive, inter-dependant and interrelated. Section 40(2) enjoins all spheres of government to observe and adhere to the principles of cooperative government and intergovernmental relations set out in section 41 of the *Constitution*.

Chapter 7 in section 151 (1) of the *Constitution* states that local spheres of government consist of municipalities, which must be established for the whole of territory of the RSA. In terms of section 154 (1) of the *Constitution*, national and provincial governments are obliged to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and perform their functions.

The *Constitution* envisages a state that supports interaction and cooperation among the three spheres of government on a continuous basis and therefore provides a set of principles to direct the manner and quality of those interactions.

## **5.4 INTERGOVERNMENTAL RELATIONS IN DISASTER MANAGEMENT**

According to Van der Waldt and Du Toit (1997:162) intergovernmental relations refer to the mutual relations and interactions between government institutions at horizontal and vertical levels hence Ademolekun (1986:89) defines intergovernmental relations as the interactions that take place among the levels of government within a state (DPLG, 2000a:2).

The *NDMF*, 2005 gives effect to the application of cooperative governance on issues concerning disasters and disaster management among the spheres of government. It determines the relationship between the spheres of government exercising primary responsibility for the coordination and management of a disaster in terms of sections 26(1), 40 (1), 54 (1) and (2) and the spheres of government performing supportive roles.

The post-1994 government recognized the challenge of creating a system of government that will promote cooperation and IGR as outlined in chapter 3 of the *Constitution*.

The major challenge and recurring theme in the practice of intergovernmental relations is that the *Constitution* introduces a natural tension between the relative autonomy of a particular sphere of government on the one hand, and the pursuit of a coherent government for the RSA through intergovernmental relations and collaboration on the other (Malan, 2005:227).

According to Tapscott (2002:6) these principles in chapter 3 of the *Constitution* cannot be separated from the *Bill of Rights* contained in chapter 2 of the *Constitution*.

The latter refers to the basic rights of individuals and the social sections on housing, healthcare, food, water, social security, education and many others which find application to all laws, administrative decisions taken and acts performed during the period in which the *Constitution* is in force. These issues inform the subjects of debate in formal and informal intergovernmental institutions.

The principles of cooperative government and IGR recognize the interdependence of the three spheres of government in the RSA (namely the national, provincial and local spheres) which are distinctive and interrelated and place a duty on the spheres of government to respect each other's powers, functions and institutions and to inform each other of new policies.

The distinctiveness of the various governments in the RSA refers to the legislative and executive autonomy of each sphere. The interdependence of the spheres of government, as stipulated in the *Constitution*, emphasizes the co-relationship between national, provincial and local government and may include aspects such as the duty of the spheres to empower one another as well as monitoring or intervention in the activities of a dependent sphere. The interrelatedness of spheres of government refers to the responsibility of each sphere to cooperate with each other and to avoid litigation against one another.

The commitment of the RSA government to cooperative government and the promotion of intergovernmental relations is also emphasized by section 41(2) of the *Constitution*, which stipulates that an *Act of Parliament* must establish a *Disaster Management Act* or provide for processes, structures and institutions to promote and facilitate IGR and provide for appropriate mechanisms and procedures to facilitate the settlement of intergovernmental disputes (Malan, 2005:227).

The system of IGR and cooperative government in the RSA is rapidly evolving, not only because of its constitutional/legal framework but also because of the statutory commitment of the various spheres of government to the implementation of the principles of cooperative government and intergovernmental relations. Through the establishment of various institutional arrangements for IGR and the successful operation of these structures, it is expected that all three spheres of government should continually strive to cooperate with one another in mutual trust and good faith (Malan, 2005:228).

IGR are rendered complex by various functions of government which permeate all levels of human activity and necessitate the emergence of many governmental bodies which also become increasingly interdependent as a matter of necessity (Wright, 1978:2).

Hattingh (1986:7) argues that IGR refer to formal government structures and the relations they share as a result of constitutional, legislative and regulatory provisions.

According to Anderson (1960:3), IGR are important interactions occurring between governmental institutions of all types and in all spheres.

The *White Paper on Local Government* (1998:38) defines intergovernmental relations as a set of formal and informal processes as well as institutional arrangements and structures for bilateral and multilateral cooperation within and between the spheres of government.

According to Levy and Tapscott (1999:2), the provincial councils were subordinate to the national legislature, but also had the power to promulgate laws and ordinances and therefore legislative compensation existed between a provincial and national government as the result of the *1909 Constitution* which placed a limiting qualification on the exercise of legislative authority by the provinces (section 86 of the *South African Constitution* of 1909). Before 1994 close relations existed between the national and provincial governments because the provincial governments represented “regional branches” of the national government.

## **5.5 CONSTITUTIONAL CONTEXT OF INTERGOVERNMENTAL RELATIONS**

The concept of intergovernmental relations was introduced by the *Interim Constitution of the Republic of South Africa, 1993* (Act 200 of 1993) which established three spheres of government, namely national, provincial and local spheres but no principles were introduced to formalize intergovernmental relations.

A large number of intergovernmental structures were established in 1994 to coordinate the various functions of concurrent national and

provincial competence even though no legislation was in place to regulate and monitor these structures.

Rapo (1999:2) states that the reforms that took place between 1994 and 1996 resulted in a centralized system of intergovernmental relations, which is coordinated at the centre and used as a tool, with the involvement of the province, to achieve a nationally defined and driven policy agenda.

### 5.5.1 Legal position

The legal position is that the Constitutional Court has, since the enactment of the *Constitution* in 1996, expanded the jurisprudence surrounding IGR in the RSA – a process that is still continuing. Constitutional and High Court judgments give clarity on the following:

- That as far as possible all disputes between spheres of government should be resolved at a political level through negotiation, rather than through adversarial litigation (*Ex parte Chairperson of the Constitutional Assembly: In re Certification of the Constitution of the Republic of South Africa*, 1996, (4) SA 744 (CC), 1996 (10) BCLR 1253);
- That Parliament must legislate for structures and institutions to promote and facilitate IGR (*Van Wyk vs Uys* 2002 (5) SA 92, Cape Provincial Division, 11/09/2001);
- That Government in the RSA is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. Municipalities established throughout the territory of the Republic constitute the local sphere of government (*Van Wyk vs Uys* 2002 (5) SA 92, Cape Provincial Division, 11/09/2001);
- That the *Constitution* requires the three spheres to cooperate with each other in mutual trust and good faith to assist each other and support each other, to consult on matters of national interest and to coordinate the actions of the three spheres of government (*Van*

*Wyk vs Uys* 2002 (5) SA 92, Cape Provincial Division, 11/09/2001);

- The concurrent and exclusive powers of each of the three spheres have been tested before the Constitutional Court, which has defended exclusive powers (for instance, of the provinces, in terms of section 6 (*Ex Parte President of the RSA: In re Constitutionality of the Liquor Bill*, 2000 (1) BCLR 1; 2000 (1) SA 732); and
- In addition to the above, the principles outlined in Chapter 3 of the *Constitution* make it clear that all spheres of government and all organs of state are guided by the concept of cooperative government.

The effect of the legal position is that the system of IGR applies to Parliament, departments, entities listed in Schedule 2 and in Part A and B of Schedule 3 of the *Public Finance Management Act*, 1999 (Act 1 of 1999); provincial legislatures, departments and entities listed in Part C and D of Schedule 3 of the *Public Finance Management Act*; municipal councils, departments and municipal entities referred to in section 84 of the *Municipal Finance Management Act*, 2003 (Act 56 of 2003) and defined in section 1 of the *Municipal Systems Act*, 2000 (Act 32 of 2000).

#### **Excluded are:**

- The courts and judicial officers; and
- The institutions, established in terms of Chapter 9 of the *Constitution*, such as the Independent Electoral Commission (Department of Provincial and Local Government, 2006/2007:10).

#### **5.5.2 Challenges of cooperative government and IGR**

Over the past decade, the three spheres of government have met the challenge of cooperative government by:

- Developing IGR institutions at national and provincial level dealing with issues of alignment, integration and coherence, e.g. in the Western Cape the Provincial Minister for Local Government and Development Planning wanted to facilitate the process of putting the new local government dispensation into operation;

Measures were thus put in place to provide for the monitoring and support of local government in the province and to promote the development of local government capacity so that municipalities could perform their functions and manage their own affairs;

- The measures included the establishment of a Provincial Advisory Forum (PAF) and five District Advisory Forums (DAFs) by proclamation in the Provincial Gazette in March 2001 (Department of Provincial and Local Government, 2006:15);
- Developing IGR systems, processes and procedures, particularly planning processes, in terms of which national, provincial and local governments pursue common objectives; and
- Engaging in joint work and projects to realize integrated service delivery (Layman, 2003:13).

Although the *Constitution* set the tone for cooperative government to be the pervasive spirit for the conduct of effective IGR, it also acknowledged that conflict may arise between spheres as a result of different priorities, aims and objectives.

As such it required conflict resolution and oversight and support mechanisms to be put in place, with the parliamentary and legal frameworks in place, the dynamic has shifted to the instruments and the conduct of IGR itself (Department of Provincial and Local Government, 2007:10).

What follows is an outline of some of the legal instruments that the *Intergovernmental Relations Framework Act*, *Municipal Systems Act*, *Municipal Structures Act* and *Municipal Finance Management Act* place



at the disposal of provincial governments to enter into these kinds of relationships with local government (Department of Provincial and Local Government, 2006:6).

### **5.5.3 Challenges facing intergovernmental relations in disaster management: The case of USA after Hurricane Katrina**

On August 29, 2005, Louisiana Governor Kathleen Blanco and Michael Brown, head of the Federal Emergency Management Agency (FEMA), stood side by side at a press conference shortly after Hurricane Katrina had made landfall on the Gulf Coast of Louisiana and Mississippi. They praised and complimented each other for intergovernmental cooperation in responding to the massive storm.

The critical period of response lasted just over a week, from the point where it became clear that Katrina might not be just another hurricane. The poor response arose from a failure to manage a number of risk factors.

New Orleans Mayor Ray Nagin and Governor Blanco were criticizing, even cursing, not only FEMA but the department of Homeland Security and former President Bush. They blasted the delays and disorganization of FEMA, Homeland Security and others for the failure to aid beleaguered citizens and state/local personnel in New Orleans and the Gulf Coast.

What explains this sudden reversal in intergovernmental relations? The exploding scope of the disaster pushed citizens and officials' frayed nerves beyond limits. But a host of other factors, such as political, social, racial, economic, administrative and especially intergovernmental relations on the Gulf Coast brought about a downward spiral of recriminations and helped turn a disaster into a catastrophe. The response from different levels of government was mixed. Their responses (and non-responses) turned a manageable disaster into a catastrophe. The tragedy of the Katrina catastrophe is

that political will and managerial skill failed to overcome the bias that intergovernmental relations have towards chaos (Wright, 2005: 11).

## **5.6 THE THREE PHASES IN THE DEVELOPMENT OF AN INTERGOVERNMENTAL RELATIONS SYSTEM IN SOUTH AFRICA**

Section 40 of the *Constitution* established a highly centralized, integrationist form of federalism comprising three democratic orders: the national, provincial and local spheres of government (Powell, 2010:3).

Intergovernmental relations are the sets of relationships established by the three elements of decentralization. The decentralized system of government established by the *Constitution* has three basic elements. These elements make the three spheres distinctive, interdependent and interrelated (Department of Provincial and Local Government, 2006:5).

The *Constitution* established a system of IGR that is no longer premised on hierarchy but on a cooperative venture by spheres of government that deserves equal respect for their constitutional status (Smith, 2002:13).

Before 1994 there were 4 administrations, 10 Bantustans (Homelands) and more than 800 racially segregated local authorities.

The National and Provincial Government System came into effect in 1994 after adoption of the *Constitution*. The new local government system was inaugurated later, on 5 December 2000. The term of these municipalities ended after 5 years in December 2005 and the second elections were held on 1 March 2006. For the year 2000 more than 800 municipalities were amalgamated and reconstituted to 284 in order to uphold the principles and values of a democratic South Africa. After the enactment of the *Constitution Twelfth Amendment Act* and the *Cross-boundary Municipalities Laws Repeal and Related Matters Act* in 2005,

there are now 283 municipalities (Department of Provincial and Local Government, 2007/2008:12).

### **5.6.1 Transformation of the macro-organization of the state and the creation of an IGR system (1994-2000)**

The period from 1994 to 2000 focused on the creation of a public service incorporating the ex-homeland administrations, the establishment of the nine provincial governments, Cabinet reforms such as the introduction of the cluster system and an end to the transitional phase of local government transformation, culminating in the demarcation of 284 (later 283) municipalities. The primary focus was initially on the creation of specialist IGR forums and processes, especially in regard to concurrent functions. Where legislation dealt with the settlement of IGR disputes, these were confined to particular contexts (Department of Provincial and Local Government, 2008:7).

The *Constitution* obliges spheres of government and organs of state within spheres to avoid litigating against one another. This duty is demanding as section 41(3) requires that every organ of state must make every reasonable effort to settle the dispute by means of mechanisms and procedures provided for that purpose, and must exhaust all other remedies before it approaches a court to resolve the dispute. The courts may enforce this duty by referring a dispute back to the parties if the requirements of section 41(3) have not been met (Layman, 2003:25).

### **5.6.2 Operationalizing the IGR system (2001-2004)**

During this phase the IGR system unfolded rapidly with only minimal regulation. To give operational substance to the concept of cooperative government, many non-statutory national and provincial Intergovernmental (IG) forums emerged (such as the President's Coordinating Council [PCC], the Forum of South African Directors-General [FOSAD] and provincial IG forums) (Layman, 2003:13).

This period also saw increased organized local government engagement in IGR as well as increased collaborative joint work, programmes and projects across the three spheres (Department of Provincial and Local Government, 2006/2007:11).

### 5.6.3 Consolidating the IGR system (2005 to date)

The introduction of the *Intergovernmental Relations Framework Act, 2005*(Act no. 13 of 2005) sketched out a broad statutory framework for the practice of IGR, provided for the establishment of IG forums and provided a basic framework for the settlement of IG disputes. With the increased formalization in the regulatory environment came a shift of emphasis to IG instruments facilitating the effective practice of IGR (Department of Provincial and Local Government, 2006/2007:11).

Table 5.1 outlines the key milestones in the development of the RSA systems on intergovernmental relations.

**Table 5.1: Key milestones in the revolution of the RSA’s IGR system**

YEAR	IGR MILESTONE
1993	Interim Constitution adopted. <i>Local Government Transition Act</i> set out a three-phase transition process for local government;
1994	Intergovernmental Forum established in August 1994;
1995	First local government election;
1996	MinMEC began operating as informal intergovernmental forums;
1997	The <i>Intergovernmental Fiscal Relations Act 97 of 1997</i> formally established the Budget Council and Budget Forum and outlined the process for sharing nationally collected revenues across the three spheres;

<b>1998</b>	<i>Municipal Structures Act 117 of 1998</i> established 3 categories of municipalities and the structures within them;
<b>1999</b>	Introduction of the Cabinet Cluster System; President's Coordinating Council emerged as the successor to the Intergovernmental Forum; Publication of the first annual National Treasury Intergovernmental Fiscal Review;
<b>2000</b>	The <i>Municipal Systems Act 32 of 2000</i> outlined the powers and functions, planning processes, delegations, performance management and raising of revenue within the municipalities;
<b>2001</b>	<i>Municipal Planning and Performance Regulations, 2001</i>
<b>2003</b>	The <i>Municipal Finance Management Act 56 of 2003</i> aimed to modernize local government budgeting and financial management, thereby promoting consultative and cooperative government;
<b>2004</b>	A new budget and reporting format for provincial governments, aligned with both GFS and IPSAS was introduced, based on a new standard chart of accounts;
<b>2005</b>	<i>The Intergovernmental Framework Relations Act 13 of 2005</i> set out in greater detail the basic legal framework for IGR across the three spheres of government and procedures for the settlement of disputes;
<b>2006</b>	IGR Practitioners Manual and Toolkit published by DPLG; and
<b>2007</b>	DPLG commenced its policy process on the system of provincial and local government, expected to culminate in a new <i>White Paper on Provinces and a Review Report on Local Government in 2008</i> .

Adapted from DLPG, 2008:9

## 5.7 COOPERATIVE GOVERNMENT

Cooperation is defined as circumstances in which people decide or are instructed to work together, also where citizens are given the feeling of involvement and being consulted while exercising little real power (Fox and Meyer, 1995:28).

The policy framework for structural intergovernmental cooperation in the RSA has its foundations in Chapter 3 of the *Constitution*. The practice of intergovernmental cooperation has received further direction with the promulgation of the *Intergovernmental Relations Framework Act*.

Intergovernmental cooperation is increasingly occurring because organs of state<sup>5</sup> are aware of the constitutional mandate to cooperate and other legislation such as the *Systems Act*, *Structures Act* and *Municipal Finance Management Act*, making intergovernmental agreements obligatory (South Africa. Department of Provincial and Local Government, 2007:5).

Intergovernmental cooperation is a means to an end. Some of the factors that necessitate a mandatory intergovernmental system include the size of the population, geographical space and the system of government.

The RSA's system of cooperative governance is related to the fact that it has, inter alia, a unitary government with some federal characteristics and three spheres of government and numerous organs of state under their control. The *Constitution* establishes the RSA as one sovereign democratic state with a government constituted as national, provincial

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<sup>5</sup>Organ of state is defined in section 239 of the *Constitution* as:

- Departments and administrations in all three spheres of government; or
- Any functionary or institution performing a public function or exercising public power in terms of legislation.
- The term 'organ of state' does not, however, refer to a court or judicial officer.

and local spheres (South Africa. Department of Provincial and Local Government, 2007:6; sections 1 and 40(1) of the *Constitution*).

Gray (1981:361) argues that the effectiveness of inter-organizational communication, that is obtaining and distributing accurate information, contributes to the effectiveness of the organizational response.

If a local emergency management organization has the authority and ability to procure and distribute human and material resources, as well as delegate and coordinate necessary tasks, then an effective response is more likely.

Cooperation also increases the likelihood that response activities will be based upon real, not mythical needs. The greater the cooperation between the emergency management organization and the mass media organizations, the greater the chance of an effective disaster response (Fischer, 1994:77).

## 5.8 CONSTITUTIONAL AND INSTITUTIONAL FRAMEWORK FOR COOPERATIVE GOVERNMENT AND INTERGOVERNMENTAL RELATIONS

An extensive policy environment has been created to promote intergovernmental relations among the various spheres of government.

**Table: 5.2: Intergovernmental policies and planning**

Policy and IGR system component	Intergovernmental relations implications: National, Provincial and Local
<i>White Paper on Reconstruction and Development, 1994</i>	Policy document that stipulates the importance of a participatory local government system to encourage provincial and local intergovernmental relations;

<p><i>Development Facilitation Act, 1995 (Act 67 of 1995)</i></p>	<p>This <i>Act</i> provides a basis for a coherent framework for land development according to a set of binding principles, the promotion of intergovernmental relations among all spheres of government and stakeholders in the process of land development;</p>
<p><i>Auditor-General Act, 1995 (Act 12 of 1995)<sup>6</sup></i></p> <p><i>South African Qualifications Framework Act, 1995 (Act 58 of 1995)</i></p> <p><i>Housing Act, 1997 (Act 107 of 1997) as amended</i></p> <p><i>National Water Act, 1998 (Act 36 of 1998)</i></p> <p><i>Water Services Act, 1997 (Act 108 of 1997)</i></p> <p>Rural Development Strategy</p> <p><i>White Paper on Transforming Public Service Delivery, 1997</i></p>	<p>Reflects some principles of cooperation, integration and the promotion of governmental relations pertaining to development, planning and service delivery issues;</p> <p>Provides for the responsibilities of the various spheres of government;</p>

(Adapted from Thornhill, Odendaal, Malan, Smith, Van Dijk, Holtzhausen, Crous and Mello, 2003, 13-20 and DPLG, 2008:14-15).

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<sup>6</sup>(Repealed by the *Public Audit Act, 2004 (Act 25 of 2004)*).



<p><i>National Environmental Management Act, 1998 (Act 107 of 1998)</i></p> <p><i>Skills Development Act, 1998 (Act 97 of 1998)</i></p> <p>White Paper on Municipal Service Partnerships, 2000</p>	
<p><i>Constitution of the Republic of South Africa, 1996</i></p>	<p>Chapter 3: Principles of cooperation and intergovernmental relations;</p>
<p><i>Organised Local Government Act, 1997 (Act 52 of 1997)</i></p>	<p>Relationship between provinces and municipalities was formalized regarding monitoring, supervision and intervention;</p>
<p><i>Financial Fiscal Commission Act, 1997 (Act 99 of 1997)</i></p> <p><i>Intergovernmental Fiscal Relations Act, 1997 (Act 97 of 1997)</i></p>	<p>Makes provision for the establishment and determination of fiscal intergovernmental relations among the three spheres of government;</p>
<p><i>Division of Revenue Act for each financial year</i></p>	<p>Provides for the equitable division of revenue to all three spheres of government and promotes transparency during the budget allocation process;</p>
<p><i>White Paper on Local Government, 1998</i></p>	<p>Encourages provincial governments to support the promotion and maintenance of intergovernmental relations;</p>
<p><i>Municipal Demarcation Act, 1998 (Act 27 of 1998)</i></p>	<p>Formalization of the various roles of provincial governments in</p>

<p><i>Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)</i></p> <p><i>Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)</i></p> <p><i>Local Government: Municipal Systems Amendment Act no 7 of 2011</i></p>	<p>terms of provincial-local intergovernmental relations;</p> <p>Provides for the minister to regulate uniform standards for a range of human resource-related matters that affect the appointment and employment practices of all municipal employees;</p>
<p><i>Municipal Finance Management Act, 2003 (Act 56 of 2003)</i></p> <p><i>Public Finance Management Act, 1999 (Act 1 of 1999)</i></p>	<p>Modernizes the financial management system and ensures accountability. Defines the relationship between spheres of government in terms of local government financial management as well as the supervisory and monitoring roles of provincial governments;</p>
<p><i>Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)</i></p>	<p>Seeks to provide focus, clarity and certainty regarding core aspects of intergovernmental relations at the executive level of government. Provides for the establishment of intergovernmental structures;</p> <p>(President's Coordinating Council, national intergovernmental forums, provincial intergovernmental forums, municipal intergovernmental forums) as well as the conduct of</p>

	intergovernmental relations and the resolution of intergovernmental relations disputes;
Local Government: Regulations on conditions of Service for Senior Managers and related Matters	The draft Regulations prescribe minimum competency requirements for a service of positions ranging from municipal managers to town planners;
<i>Draft Integrated Urban Development Framework (IUDF), 2014</i>	IUDF is designed to unlock the development synergy that comes for coordinated investments in people and places;
<i>Housing Development Agency Act 23 of 2008</i>	Ensures that there is collaboration and intergovernmental and integrated alignment for housing development services;
<i>Spatial Planning and Land Use Management Act (Spluma) 6 of 2013</i>	Provides for inclusive developmental, equitable and efficient spatial planning at the different spheres of government;
<i>National Veld and Forests Fire Act 101 of 1998</i>	Supports the implementation of Integrated Fire Management as the methodology to bring about a reduction of damaging wildfires;
<i>Safety at Sports and Recreation Act 2 of 2010</i>	Requires establishment of committees and structures and also provides for the establishment of the Venue Operating Centre (VOC) at an event where the entire safety and security operation is coordinated;

<i>Fire Brigade Services Act 99 of 1987</i>	Provides for the establishment of the coordination mechanisms;
<i>National Health Act 61 of 2003</i>	Provides for a system of cooperative governance and management of Health Services within national guidelines, norms and standards; and
<i>Western Cape Planning and Development Act 1999</i>	Section 2 (5) development planning is a strategic and participatory process that integrates the different aspects of planning.

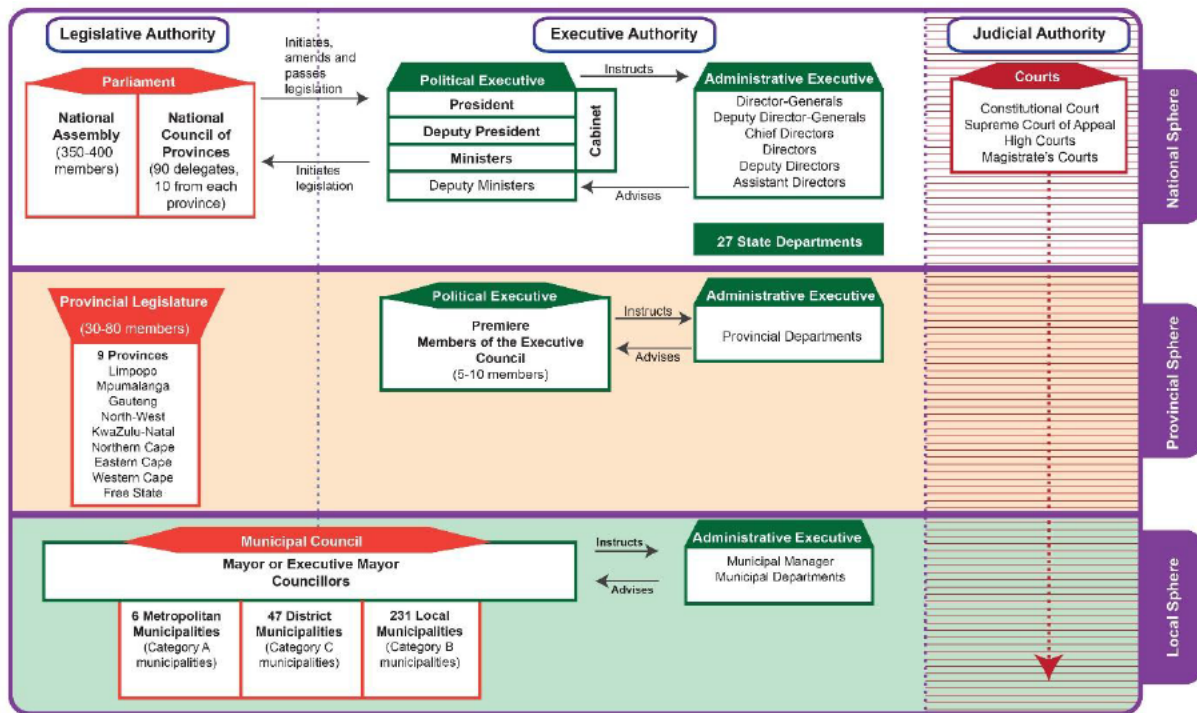
## 5.9 THE SOUTH AFRICAN LEVELS AND SPHERES OF GOVERNMENT

The conceptual framework incorporates two ordering categories in dealing with a “hierarchy” within a state, namely “levels” and “spheres”. The term level of government implies a hierarchical order consisting typically, from top to bottom, of a national government, and a number of provincial and local governments.

The core system of government is taken to consist of three spheres of government- national, provincial and local, as instituted by the 1909 *Constitution*.

Although a number of structural and functional changes were introduced over the years, this core system of government has remained in place since the establishment of the South African state in 1910 and up to the present day. The 1996 *Constitution* dispensed with the term “levels of government” and replaced it with the term “spheres of government”. The country thus has a national, a provincial and a local sphere of government (Bhabha 1997:13). The Figure 5.2 illustrates the current spheres.

**Figure 5.2: South African State structure**



(Adapted from Venter, 2001:162-163 and Van Niekerk, Van der Waldt and Jonker, 2001:70, Van Niekerk, 2005:104).

Fox and Meyer (1995:55) define government as a body of persons and institutions who may apply all enforceable decisions for a society. Cloete (1995: 35) offers the following definition “the highest institution staffed by political office bearers in a state, province or municipality”. South Africa has three distinct spheres of government, i.e. the national, provincial and local sphere. In the RSA, each sphere of government is autonomous but also interlocked with the other spheres (Venter, 2001:171).

This interlocking of spheres implies equality between these spheres that contrasts with the more explicit hierarchical conception implied by levels of government as might be the case in a unitary state.

Each of these spheres is given certain functions, powers and competencies in terms of the *Constitution (Schedule 4 and 5 and section 156 of the Constitution)*.

It is necessary to analyse the three spheres of government in order to understand the complex nature of intergovernmental relations. It is therefore important to place the three spheres of government in context to comprehend the nature and content of intergovernmental relations.

### **5.9.1 National government**

Historically, the South African *Constitution* of 1909 established a national parliament for the Union consisting of the King (or a Governor General as his representative), a Senate and a House of Assembly (*South African Constitution of 1909: section 19*).

Currently, the members of the National Assembly represent the people of South Africa and are therefore elected by registered voters (Craythorne, 1997:26).

The national legislative authority is vested in Parliament which consists of the President, National Assembly and the National Council of Provinces (NCOP) (section 42 of the *Constitution*).

Cabinet's accountability towards Parliament for the execution of their powers and functions is provided for in section 92 of the *Constitution*. In terms of section 99 of the *Constitution* the Ministers may also assign any power or function to a member of a Provincial Executive Council or Municipal Council subject to certain requirements and taking effect only after proclamation in the Government Gazette by the President.

### **5.9.2 Provincial government**

Historically the 1909 *Constitution*, in establishing the Union of South Africa, made provision for a system of sub-national government which was to operate in the four provinces of the Union (South African Constitution of 1909: Chapter V).

Currently, the legislative authority of the nine provinces is vested in the provincial legislature of each province. Section 114 of the *Constitution*

states that the provincial legislature supervises the provincial executive authority and provincial organs of state.

The provincial legislature consists of between 30 and 80 members but the number of members may vary and will be determined in terms of a formula prescribed by national legislation (Craythorne, 1997:37).

A member of a Provincial Executive Council (PEC) may assign any power or function to a Municipal Council according to section 126 of the *Constitution*; subject to certain requirements and taking effect only after proclamation in the Provincial Gazette by the Premier.

The executive authority of a province is vested in the Premier of that province as well as an executive council according to section 125 of the *Constitution*. The actions of provincial executive organs are regulated by mechanisms provided by the provincial legislature to ensure accountability to it (Craythorne, 1997:44).

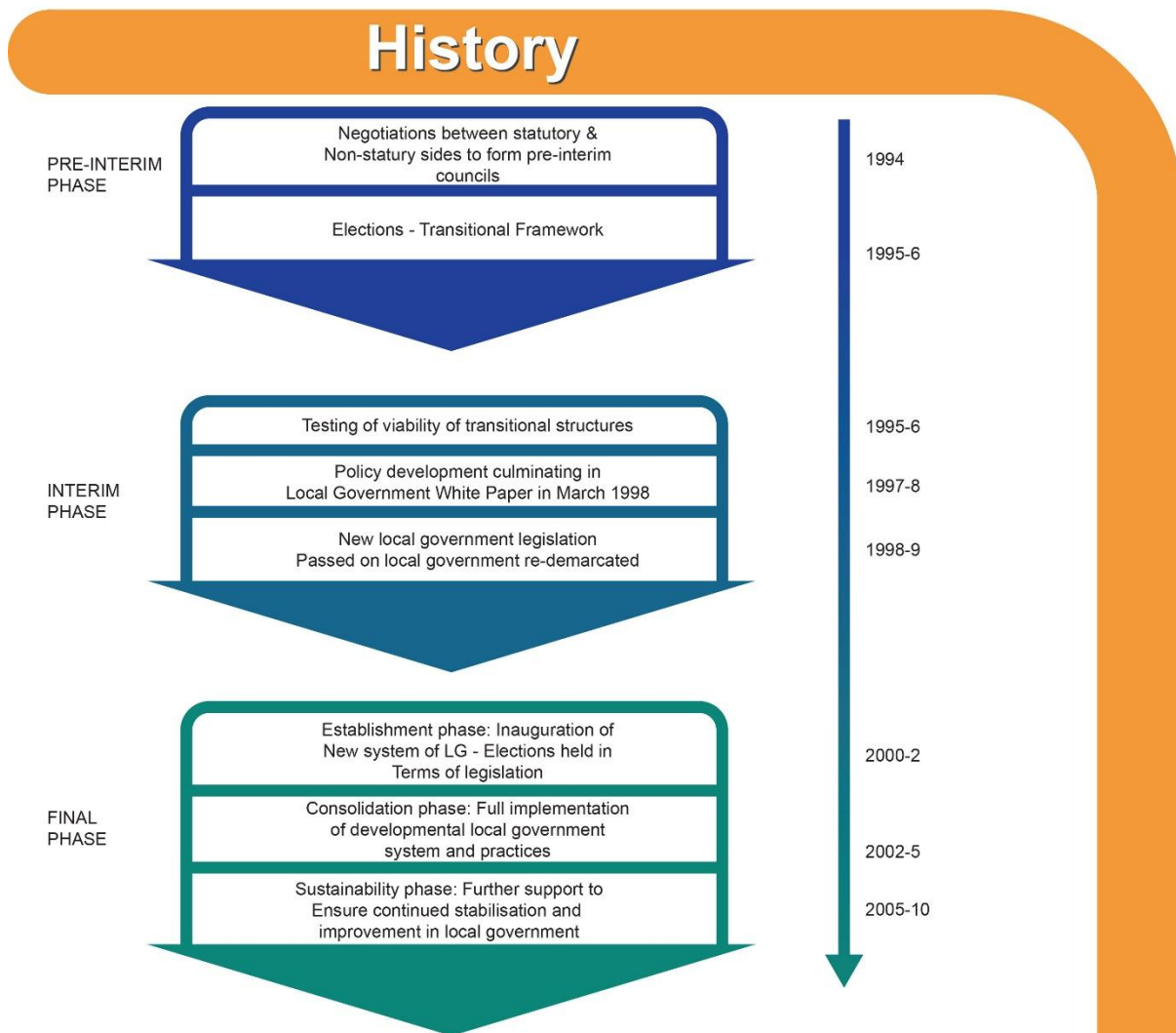
### **5.9.3 Local government**

Local governments are defined as political units or instrumentalities constituted by law which have substantial control over local affairs and likewise have the power to tax.

The *White Paper on Local Government* announced a vision for local democratic government, known as developmental local government.

In order to achieve the developmental local government as envisaged above, the local government system was implemented in phases as indicated in the figure below:

**Figure 5.3: History of Local Government development**



(Adapted from COGTA, 2014:15).

- 1994-1999: Founding legislation and transformation;
- 1999-2004: Establishment of necessary institutions;
- 2004-2009: Support to address constraints and capacity;
- 2009-2014: Promote cooperative governance.

(COGTA, 2014:14).

As a founding statute recognizing three levels of government, the 1909 *Constitution* had notably little to say about the powers of the third or local level of government. The 1909 *Constitution* provided for the continuation of all powers, authorities, and functions of local authorities



existing at the establishment of the Union (section 93 of the *South African Act*, 1909).

At the time of the establishment of the Union, local government was firmly established in all four colonies (Cloete, 1976:9-11).

The two-tier system of local government originated when district councils were established during the interim phase of the local government transformation process (1995-2000), arising from the former apartheid Regional Service Councils (RSCs) and Joint Services Boards (JSBs) established in the 1980s. The allocation of functions to them was not clearly defined by the Interim *Constitution* or the *Local Government Transition Act*, 1993 (Act 209 of 1993) as amended by the *Local Government Transition Amendment Act*, 1996 (Act 97 of 1996), leaving their regulation to provincial governments. The boundaries of district municipalities were determined by the Municipal Demarcation Board, culminating in the establishment of 47 district municipalities in December 2000, including new districts with little or no capacity at the time. After the municipal election of 18 May 2011 there were 8 metropolitan municipalities, 44 district municipalities and 226 local municipalities.

*The Municipal Structures Act*, 1998 (Act no. 117 of 1998) (as amended by the *Municipal Structures Amendment Act*, 2000 (Act 33 of 2000); *Municipal Structures Amendment Act*, 2002 (Act 20 of 2002); *Municipal Structures Amendment Act*, 2003 (Act 1 of 2003)) set out a standard division of powers which allocates to district municipalities key function areas such as water, sanitation, bulk electricity, municipal health services and other functions servicing the entire district (such as fire-fighting, passenger transport, markets, promotion of tourism, disaster management, etc.). The remaining functions were assigned to local municipalities.

According to Atkinson (2002:119), the *Constitution* makes provision for developmental local government operating within a system of intergovernmental relations, a system of cooperative governance.

In terms of section 3 of the *Municipal Systems Act*, municipalities must exercise their executive and legislative authority within the constitutional system of cooperative government encouraged in section 41 of the *Constitution*.

The most important government sphere for the implementation of disaster risk management is local government. Local government is where most of the operational activities relating to disaster management will occur (South Africa: White Paper on Disaster Management, 1998:80).

Local governments are the crucial element in the development of a natural hazards policy. Hazard management is a public decision that involves a variety of community actors (Perry and Mushkatel, 1984:8).

In the local government arena, policy implementation tends to be carried out by administrative or public safety departments (Perry and Mushkatel, 1984:9).

## **5.10 NATIONAL, PROVINCIAL AND LOCAL RELATIONS**

### **5.10.1 National**

Disaster management in the RSA is established as a public sector function within each sphere of government. Disaster management as an activity of all spheres of Government relates to an integrated, multi-sectoral, multidisciplinary approach aimed at reducing the risk associated with hazards and vulnerability (*Disaster Management Act*, 2002:6).

Section 100 of the *Constitution* provides for national monitoring of, and intervention in, provincial affairs when a province cannot or does not fulfil an executive obligation in terms of legislation or the *Constitution*, by taking appropriate steps to ensure the fulfilment of that obligation.

Wettner (2000:8) argues that some provinces are finding it difficult to carry out the functions assigned to them by the *Constitution*.

Section 100 (1) of the *Constitution* has so far only been applied to budget and financial management matters, even though the section applies broadly to all executive obligations of provincial governments. This section was used in the following provinces, namely Limpopo and the Free State.

To assist with the coordination of concurrent functions, the National Treasury, in 2004, together with the relevant national departments, introduced uniform statutory formats for their provincial counterparts' strategic plans.

These were issued in terms of the *Public Finance Management Act* and covered sectors such as education, health and roads (South Africa. Department of Provincial and Local government, 2007:5).

The *Constitution* places a legal obligation on the Government of South Africa to ensure the health (personal and environment) and safety of its citizens. According to Part A, Schedule 4 of the *Constitution*, disaster management is a functional area of concurrent national and provincial legislative competence.

This means that national and provincial governments have a legal imperative to ensure that disaster management is implemented according to legislative requirements (i.e. the *Constitution* and the *Disaster Management Act*). However, this does not exempt the local sphere of government from disaster management responsibilities.

To formulate and adopt a hazards management policy, local government must be aware that the threat exists and consider it important relative to other issues, believe that the threat is susceptible to management and/or be developed or presented with a politically feasible policy for management (Perry and Mushkatel, 1984:10).

Thus for a hazard policy to be politically feasible, it must be presented to the Council (local government) in a form that minimizes political

vulnerability and especially political costs (Perry and Mushkatel, 1984:11).

### 5.10.2 Provincial

In terms of section 155 of the *Constitution*, provincial governments must provide for the monitoring and support of local governments in the province and promote the development of local government capacity so that municipalities can adequately perform their functions and manage their affairs.

Section 139 of the *Constitution* gives a mandate to the provincial government of placing municipalities under provincial supervision when a municipality cannot or does not fulfil an executive obligation in terms of legislation.

With regard to planning, however, some provincial governments have promulgated their own planning legislation in respect of their municipalities. KwaZulu-Natal, for instance, enacted the *Planning and Development Act, 1998* (Act 6 of 1998), and proposed a new *Bill* in this regard in 2007, which would devolve the power to make certain planning and development decisions to municipalities. The KwaZulu-Natal *Planning and Development Act 6 of 2008* came into force on 1 May 2010.

This *Act* is commonly referred to simply as the “PDA”. Digressing slightly to give a context in which to place this *KwaZulu-Natal Planning and Development Act 6 of 2008*, municipal planning is a function of local municipalities according to the *Constitution*. Thus, the PDA was passed in 2008 to bring this planning function in line with the roles and responsibilities as envisioned in the *Constitution*.

The *Western Cape Planning and Development Act, 1999* (Act 7 of 1999), and the *Gauteng Planning and Development Act, 2003* (Act 3 of 2003), have also been passed. This is because provincial planning is

an exclusive provincial competence, and until 2012 no national legislation had been enacted.

### **5.10.3 Local**

The legislative and executive authority of local government is outlined in section 151 of the *Constitution*. Wetnner (2000:12) states that a monitoring system has been devised at the local level which may form the basis for a generally applied system of selective intervention to support municipalities that are struggling to cope.

Intergovernmental planning legislation initially focused mainly on local government. Sections 24 and 26 of the *Municipal Systems Act* require the alignment of Integrated Development Plans (IDPs) to national and provincial development programmes, and outlined the statutory components of IDPs.

The planning cycle was formulated to build alignment between the 2003 *National Spatial Development Perspective* (NSDP), the *Provincial Growth and Development Strategies* (PGDS), and the IDP (including the LED and infrastructure plans) (South Africa. Department of Provincial and Local Government, 2007:15).

In local government, the formulation and implementation of public policy related to natural hazards is an exercise in intergovernmental relations. Those are government spheres at different jurisdictional levels and have different responsibilities and different tools with which to carry out their responsibilities (Perry and Mushkatel, 1984:14).

## **5.11 INTERGOVERNMENTAL SYSTEM**

The RSA government is well established in the concept government systems although its meaning is not always clear from the context in which it is used.

Local government legislation such as the *Municipal Systems Act* (as amended<sup>7</sup> by the *Municipal Systems Amendment Act, 2003* (Act no. 44 of 2003)) and *Municipal Structures Act* (as amended), refers to systems and structures as concepts which are an integral part of the systems theory (South Africa. Department of Provincial and Local Government, 2007:18).

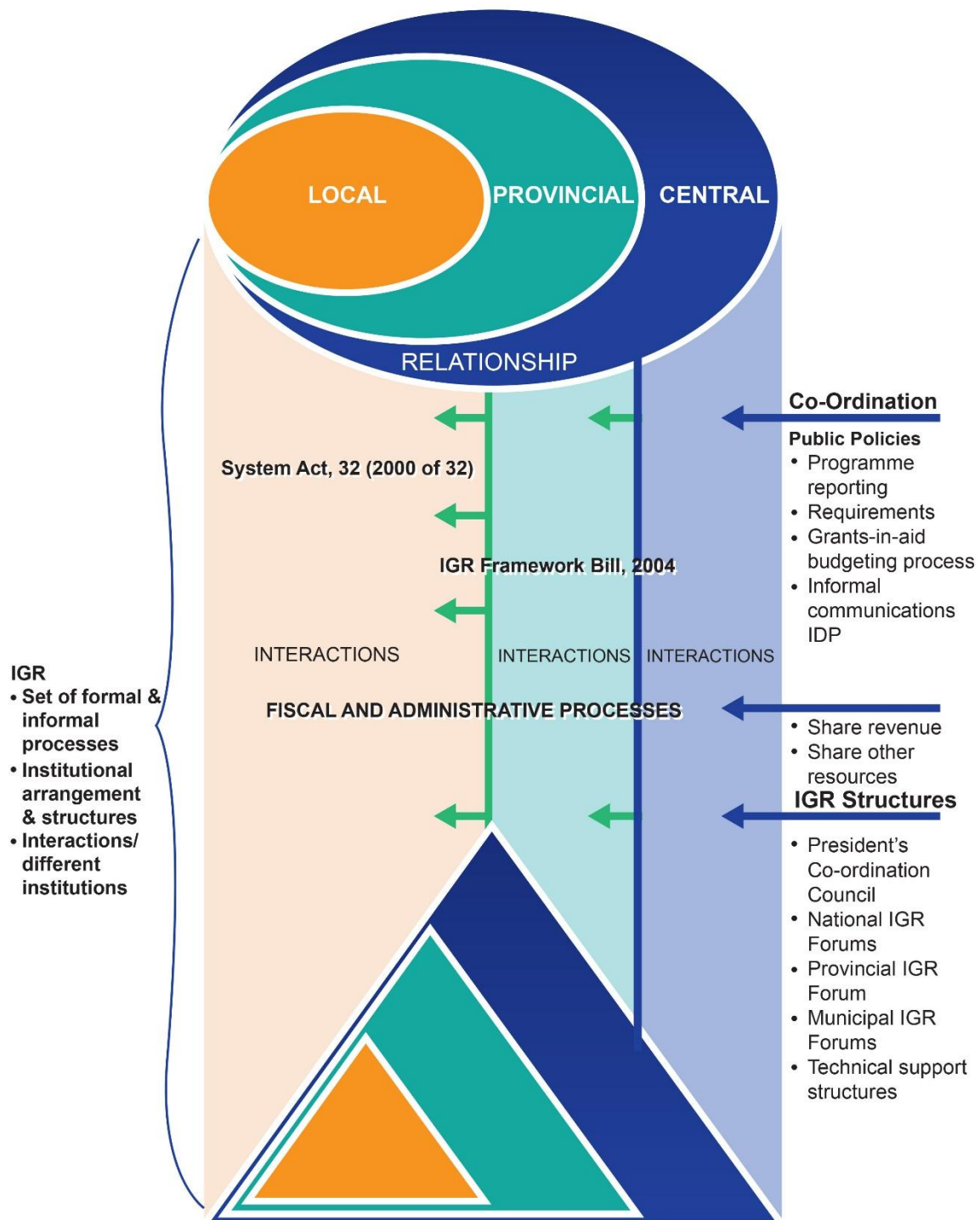
According to Luhmann (1982:350), the social systems are primarily comprised of communications networks.

Organs of state must be knowledgeable about the components of the intergovernmental sub-system, which is integrated with the government system in order to effect intergovernmental cooperation as illustrated in Figure 5.4 below (South Africa. Department of Provincial and Local Government, 2007: 19).

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<sup>7</sup> The *Municipal Systems Amendment Act, 2010* (Act 7 of 2010).

**Figure 5.4: Intergovernmental relations in practice**



- All governmental institutions are interdependent
- All required resources → Formulate policy
- Render services
- Promote general welfare through: officials and office-bearers
- Actions • Attitudes • Behaviour

(Adapted from De Villiers and Sindane, 2011:31).

### **5.11.1 Intergovernmental policy system**

The early studies on the intergovernmental policy system focusing on policy implementation adopted a classical model where it was assumed that those responsible for implementing policy had little impact on the policy itself (Nakamura and Smallwood, 1980:8).

The public policy began to reveal that state and local governments, as well as private businesses and non-profit organizations, had a large role to play in determining how policy was turned out, as the classical model of implementation lost its importance in the system (Nakamura and Smallwood, 1980:2-14).

Section 41 (2) of the *Constitution* is a two-fold approach to intergovernmental relations within the broader context of cooperation governance. In establishing structures and institutions to promote and facilitate intergovernmental relations, formal channels of communication are established, which not only facilitate the building of intergovernmental relations (Community Law Centre, 2006:6).

### **5.11.2 Intergovernmental relations structures**

The role of intergovernmental relations structures and forms in promoting policy alignment cannot be ignored (De Villiers and Sindane (2011:31).

In the RSA, for instance, the coordinating structures could be divided into two broad categories (ILE, 2007:90) These are structures established in terms of the *Constitution* or other legislation and structures established by a decision of an executive or institution (Thornhill *et al*, 2002:106).

According to Hence, Hague and Harrop (1982:131), although the structures of government can be divided, it is best to regard them as an integral whole.



Boguslaw (2002:410) extends this argument, noting that what makes organizations work are the relations and the culture that underlie partnerships.

Opeskin (1998:15-22) also notes that within governance structures, the inevitability of overlaps and interdependence in the exercise of constitutional powers has generally required extensive intergovernmental consultation, cooperation and coordination.

The following categories of coordinating IGR structures can be distinguished. Pottie (2000:40) notes that the NCOP serves as a bridge between national and provincial power.

## **5.12 Coordination in the national sphere**

### **5.12.1 The National Council of Provinces**

The National Council of Provinces (NCOP) is part of the National Legislative Authority representing provincial interests. NCOP is made up of ninety members, with ten delegates from each province for a term of five years.

### **5.12.2 President's Coordinating Council**

The President's Coordinating Council (PCC) was created to assist in improving relations and coordination among national and provincial governments and help with the development of linkages between intergovernmental structures. The PCC consists of the President, Deputy President, Minister in the Presidency, the Minister of Cooperative Governance and Traditional Affairs, the Minister of Finance, Minister of Public Service and Administration, the premiers of the nine provinces and the Chairperson of the South African Local Government Association.

The agenda of the PCC is to address substantive issues pertaining to provincial government with the support of the national Department of Provincial and Local Government, while acting as a consultative forum

for the President. The President convenes the meetings and determines the agenda of the Council.

The PCC is the senior consultative body that deals with cross-sectoral issues and presents an opportunity for provinces to impact on national policy and to ensure the coordinated and integrated implementation of national policies and programmes at provincial level. The PCC is enabled to explore the impact of national policies on other spheres and for monitoring service delivery performance with a view to taking corrective action where necessary (South Africa. Department of Provincial and Local Government, 2007:22).

According to Levy and Tapscott (2001:89) some of the key responsibilities of this forum include an avoidance of interventions under section 100 and 139 of the *Constitution*.

### **5.12.3 Budget Council and Budget Forum**

The Budget Council and Budget Forum were established in terms of section 2 (1) of the *Intergovernmental Fiscal Relations Act 97 of 1997*.

### **5.12.4 Financial and Fiscal Commission**

The Financial and Fiscal Commission was established in terms of the *Financial and Fiscal Commission Act 99 of 1997*.

### **5.12.5 Mediation Committee**

This Committee is an institution created for legislative intergovernmental relations between Parliament, especially the National Council of Provinces (NCOP), and the provincial legislatures (Mentzel and Fick, 1996:121).

The Committee has representatives from the National Assembly and the NCOP (section 78 of the *Constitution*).

The Mediation Committee settles conflict between the two Houses of Parliament pertaining to legislation.

### **5.12.6 Forum of South African Directors-General**

The Forum of South African Directors-General (FOSAD), a non-statutory body consisting of the Director-General in the Office of the President, the Director-General of the Provincial and Local governments as well as the nine Provincial Directors-General. It functions as a technical and administrative support body for the PCC ([http://www.forumfed.org/libdocs/IGR\\_Book\\_1/IGR-za\\_Olivier.htm](http://www.forumfed.org/libdocs/IGR_Book_1/IGR-za_Olivier.htm), (accessed, 10 October 2014).

### **5.12.7 Committee of Ministers and Members of Executive Councils**

Mentzel and Fick (1996:120) regard the Committee of Ministers and Members of Executive Councils (MINMEC) as an informal, advisory and implementation executive structure. The MINMEC consists of the national line function Ministers and provincial Members of the Executive Council of Provinces.

Some examples of such committees are the MINMEC for Social Development, MINMEC for Local Government and the Department of Environmental Affairs and Tourism MINMEC (Setai, 1994:228).

The current MINMEC structures are faced with numerous challenges. Some of the challenges are that these committees are informal, advisory and implementation executive structures and therefore do not have real decision-making powers. The role and functions of the various committees of MINMEC were formalized in terms of the *Intergovernmental Relations Framework Act* to enable these structures to have more binding decision-making powers.

### **5.12.8 The Intergovernmental Forum**

According to Mentzel and Fick (1996:123) the Intergovernmental Forum (IGF) is regarded as the most important intergovernmental institution because of its role as intergovernmental policy planning body.

In 1999 the PCC emerged as the successor to the IGF. The IGF is also concerned with the formulation of intergovernmental policies and strategies; is involved with multi-sectoral policy matters as well as financial, fiscal and other governmental resource matters; is involved in concurrent line function competencies because of its conflict potential as well as in the effective and efficient functioning of government systems and constitutional issues. The IGF has no legal basis for decisions reached and no legal mechanisms are in place to ensure that the spheres of government adhere to decisions taken by the IGF (Department of Provincial and Local Government, 2006/2007:13).

### **5.12.9 Provincial Intergovernmental Forums**

Various provincial coordinating structures also exist and their establishment is provided for in the *Intergovernmental Relations Framework Act*.

Each PCF adopts its own internal rules. While attendance can be extended beyond what is prescribed in the *Intergovernmental Relations Framework Act*, the forum should remain high level and focused.

Ideally, municipalities should participate in agenda setting for these forums otherwise the PCF becomes an array of provincial presentations to the municipalities (South Africa. Department of Provincial and Local Government, 2007:23).

A more recent study has indicated that the new PCFs comply with the *Intergovernmental Relations Framework Act* in terms of composition, but have generally not gone beyond this to ensure extensive representation from both provincial government and municipalities.

Also, the size of provincial IG forums has increased remarkably, with research indicating that in some of the largest provincial structures more than 170 officials and politicians attend meetings. These specific IG structures are as 'an all-in forum' much closer to a conference style

gathering rather than to a focused IGR forum contemplated by the *Intergovernmental Relations Framework Act*.

However, in 2006 only a few provincial IG structures had adopted protocols for internal procedures as also required by the *Act*, but the operation of PCFs has, reportedly, improved in terms of IG engagement.

#### **5.12.10 Local Government Budget Forum**

The Local Government Budget Forum (LGBF), established in terms of section 5 (1) of the *Intergovernmental Fiscal Relations Act 97 of 1997*, consists of the Minister of Finance and the nine provincial MECs responsible for provincial finances. Its function includes being consulted on all fiscal, financial and budgetary matters affecting the local spheres of government.

The South African Local Government Association (SALGA), recognised in terms of section 163 of the *Constitution* (with reference to the *Organised Local Government Act 52 of 1977* [section 2(a)] as a national body representing municipalities), consists of provincial local government associations (<http://www.forumfed.org>) [Accessed on 10 October 2014].

#### **5.12.11 Challenges facing intergovernmental relations**

Managers of disaster management centres and disaster management officers should be aware of the challenges facing intergovernmental relations in the RSA. Disaster management programmes also differ in the institutional relationships among levels of government that are established by such factors as funding flows and assignment of implementation responsibilities (Peter and Williams, 1986:31).

Malan (2005:241) has identified two important deficiencies of intergovernmental relations despite the implementation of the *Intergovernmental Relations Framework Act 13 of 2005*. The first one

is that there are always a variety of processes and structures whose roles and relationships are mostly uncertain.

The second deficiency is that while intergovernmental relations policies attempt to provide clear and manageable structures and programmes, policy priorities often act across ministerial mandates and traditional policy fields. In the view of the former Minister of Finance, Trevor Manuel, during his 2007 address to the National Council of Provinces, there are numerous administrative challenges which largely relate to resource allocation in the context of intergovernmental relations (Phago, 2013:4).

The Public Service Commission (2009:7) argues that IGR challenges stem largely from a need to manage tensions created by the distinct status that the three spheres of government share and the unbalanced authority which differentiates them.

These challenges are perhaps most evident in cases of special purpose projects or programmes of a national scale which require inputs from all three levels of government.

Another intergovernmental relations challenge is the clarification on the role of provincial government in RSA (Malan, 2012:119).

There is according to Malherbe (2008:46) a marked discrepancy between the *de jure* and *de facto* position of provincial government in South Africa.

The other challenge is the human factor in intergovernmental relations (Malan, 2012:120). According to De Villiers and Sindane (2011:29) the people dimension in intergovernmental relations and cooperative government should not be underestimated as intergovernmental relations activities do not only take place in a formal or statutory manner, but also informally.

### **5.12.12 The Intergovernmental Relations challenges of managing joint programmes**

The preparations for the successful hosting of the 2010 FIFA World Cup presented an opportunity for Public Service leadership to provide the necessary strategic leadership in terms of the overall effective coordination of intergovernmental relations and multi-sectoral projects that can be managed within a specified period. In this regard, a specific institution arrangement was established which gave the necessary technical support to those already provided in the *IGR Act*. The creation of these special structures enhanced the effective coordination and management of the overall preparations for the successful hosting of the 2010 Fédération Internationale de Football Association (FIFA) World Cup (Public Service Commission, 2009: vii).

To ensure effective coordination of policy implementation between the spheres of government, the *Intergovernmental Relations Framework Act* requires that Implementation Protocols (IPs) must be entered into by national, provincial and local levels. Given the importance of the IPs in the implementation of national priorities, such as the development of the public transport infrastructure, the extent to which these instruments are employed was assessed.

The Public Service Commission established that IPs were not always developed as required or are not adequately coordinated. The municipalities in particular appeared to know very little about the IPs (Public Service Commission, 2009: ix).

The Inaugural Report (2008:32) mentioned the following pertaining to the numerous challenges associated with the successful undertaking of joint work, which includes the definition of clear mandates to intergovernmental and interdepartmental task teams; the need to map intergovernmental programmes and projects to individual public institutions' budgets; effective decision-making when the number of relevant stakeholders is large and authority and accountability are

diffused; and the need to create a culture of joint work rather than a fixation on individual institutional achievement.

### **5.13 CONCLUSION**

The system of intergovernmental relations in the RSA requires the three spheres of government to forge strong, flexible goal-directed partnerships that can promote collaboration without weakening performance and accountability. This can only happen if political office bearers and officials in the public sector change their mindset to embrace cooperation. The system of intergovernmental relations should assist government to set, execute and monitor key development priorities regarding the creation of work, fighting poverty and reinforcing national pride, given the relative autonomy of provincial and local governments in key areas of social delivery.

The importance of cooperative government and intergovernmental relations in promoting sustainable development cannot be ignored. In most instances, the national and provincial spheres of government in the RSA create the institutional structures to facilitate sustainable development, whereas local government is seen as the delivery agency for development programmes and projects.

It is important that the devolution of functions to provincial and local governments should be in line with their capacity to implement these functions in order to prevent unfunded mandates being devolved to provincial and local governments.

It is necessary for national government to have not only a policy on the intervention of national government, but also on the resumption of functions delegated to the other spheres. Although the intergovernmental relations system and institutions in the RSA have shortcomings, they still provide a cooperative model of developmental governance.



## CHAPTER 6: INTERGOVERNMENTAL RELATIONS AS A PLANNING INSTRUMENT FOR AN INTEGRATED DISASTER MANAGEMENT STRATEGY

### 6.1 INTRODUCTION

Section 40(1) of the *Constitution* determines that ‘government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated’. The distinctive element refers to the autonomy enjoyed by the spheres; that is, the degree to which each sphere is the final decision-maker on a particular matter that falls within its area of competence. The creation by the *Constitution* of this decentralized governance system, which comprises the three distinct but interrelated spheres of government, also gave rise to the need for a systematic system of IGR to give effect to the principles of cooperative government which have a direct influence on the effectiveness of disaster management in the RSA.

According to Part A of Schedule 4 of the *Constitution*, national and provincial government bears primary and concurrent responsibility for disaster management. This means that national and provincial governments have a legal imperative to ensure that disaster management is implemented according to legislative requirements. This does not, however, exempt the local sphere of government from disaster management responsibilities. Section 156 (4) of the *Constitution* provides for the assignment, by agreement and subject to any conditions, of the administration of any matter listed in Part A, Schedule 4 (disaster management) that necessarily relates to local government, if that matter would most effectively be administered locally and if the municipality has the capacity to administer it. Coherent and integrated governance requires the alignment of policies and priorities across all spheres of government.

Disaster management strategic planning is therefore a vital aspect of the cooperation between spheres of government. There are a number of disaster management planning tools that are designed to achieve alignment across the spheres of government in relation to disaster management.

Such disaster management needs necessitate the establishment of a policy, statutory frameworks and an institutional framework to coordinate and oversee the execution of the policy and statutory frameworks, as well as the implementation agencies (to execute and implement all of the above).

These frameworks, focusing specifically on disaster management, are outlined below.

## **6.2 POLICY FRAMEWORK**

From the above it is therefore clear that disaster management forms an integral part of the RSA public sector. The RSA government's disaster management policy not only pursues these constitutional obligations but also aims to give effect to the right to life, equality, dignity, environment, property, healthcare, food, water and social security in terms of the *Bill of Rights* of the *Constitution* (African Centre for Disaster Studies, 2010:22).

These extensive consultative processes resulted in a broad conceptual framework, namely the *Green Paper on Disaster Management*, which was published in 1996. The contents of the *Green Paper* were then narrowed down and consolidated into key policy proposals, which were published as the *White Paper on Disaster Management* in 1999. This was followed by the gazetting of the *Disaster Management Bill* first in 2000 and then again in 2001. The process then became even more concise and prescriptive with the promulgation of the *Disaster Management Act* in 2002.

Consequently the *National Disaster Management Framework* (NDMF) was gazetted in 2005. Finally, the process broadened again with the provision of regulations, guidelines and minimum criteria to give effect to the legislation and the *NDMF*.

These guidelines and criteria are contained in the *National Disaster Management Guidelines*, published in the South African Disaster Management Handbook Series. The first set of handbooks was published in 2008 (South Africa. National Disaster Management Centre, 2008:1-2).

**Table 6.1: Evolution of the National Disaster Management Policy**

Green Paper on Disaster Management, Feb. 1998;
White Paper on Disaster Management, Jan. 1999;
Disaster Management Act, 2002 (Act no. 57 of 2002), promulgated in Jan. 2003;
Disaster Management Bill, Jan. 2000; Disaster Management Bill, 58-2001, Sept. 2001; Disaster Management Bill, B21-2202, May 2002;
National Disaster Management Framework, April 2005;
29 sets of National Guidelines and two sets of Regulations, May 2008- Version 1.1; and Provinces, Metropolitan and District Municipalities.

(Adapted from COGTA and Reid, 2008:4).

### 6.3 STATUTORY FRAMEWORK

The courts (in *Government of the Republic of South Africa v Grootboom* 2001 1 SA 46 (CC), *Minister of Public Works v Kyalami Ridge Environmental Association* 2001 7 BC LR 652 (CC) and *Modderklip Boerderye (Edms) Bpk v President van die RSA* 2003 6 BC LR 638 (T) had started to address the issue of disasters even before the new *Act* was promulgated and had held that plans must be put in place to

accommodate the effects of disasters (Van Wyk and Boshoff, 2003:457).

### **6.3.1 The Constitution of the Republic of South Africa, 1996**

According to section 41 (1) (b) of the *Constitution* of the RSA, all three spheres of government are required to secure the well-being of the people of the RSA. However, the responsibility for disaster management is specified as a functional area of concurrent national and provincial legislative competence only (Part A, Schedule 4A competence in terms of the *Constitution*, 1996).

Although, constitutionally, the disaster management function in RSA is a concurrent national and provincial competence, there is global consensus that the administration of the disaster management function must be focused in the local government sphere. This is to ensure that disaster reduction (which includes emergency preparedness and disaster response and recovery activities) is effectively implemented in an integrated and coordinated manner. This is particularly relevant in the RSA context, since the apartheid government has left a legacy of desperately impoverished and disadvantaged communities, most of which are subject to high levels of disaster as a result. It is also within these local communities that smaller but much more frequent disasters occur and where the costs in terms of loss of lives and property and financial burden of these are painfully borne (White Paper on Disaster Management, 1999:25).

Taking the aforementioned into account, the Minister has elected to exercise section 156 (4) of the *Constitution* and assign the responsibility for disaster management to metropolitan and district municipalities in the country by way of national legislation (the *Act*).

### **6.3.2 Disaster Management Act, 2002 (Act no. 57 of 2002)**

The *Act* preceded the World Conference on Disaster Reduction and the Hyogo Framework for Action (HFA). The *Act* highlights the role of

legislation in mainstreaming disaster risk reduction across multiple sectors and disciplines (South Africa. National Disaster Management Centre, 2008:16).

Section 8(1) (2) of the *Act* requires the establishment of a national disaster management centre responsible for promoting an integrated and coordinated national disaster management policy.

Section 7(2)(e) of the *Act* gives explicit priority to the application of the principle of cooperative governance for the purpose of disaster management and emphasizes the involvement of all stakeholders in strengthening the capabilities of national, provincial and municipal organs of state to reduce the likelihood and severity of disasters.

According to section 7(2) (e) (i) and (ii), the *Act* also calls for the establishment of arrangements for cooperation with international role-players and countries in the region.

### **6.3.3 National Disaster Management Framework**

The *NDMF* is a policy document required by section 7(1) of the *Act* to address such needs for consistency across multiple interest groups and institutions, by providing a coherent, transparent and inclusive policy on disaster management appropriate for the Republic as a whole.

The *NDMF* recognizes a diversity of risks and disasters that occur in the RSA, and gives priority to developmental measures that reduce the vulnerability of disaster-prone areas, communities and households. It also keeps with international best practice (NDMF, 2005:2).

The *NDMF* places explicit emphasis on the disaster risk reduction concepts of disaster prevention and mitigation as the core principles to guide disaster management in the RSA. The *NDMF* also informs the subsequent development of provincial and municipal disaster management frameworks and plans, which are required to guide action in all spheres of government (NDMF, 2005:3).

#### 6.3.4 Intergovernmental Relations Framework Act

The *Intergovernmental Relations Framework Act* was promulgated on 15 August 2005. The *Act* provides for an institutional framework for the three spheres of government to facilitate coherent government, effective provision of service, monitoring implementation of policy and legislation, and realization of developmental goals of government as a whole. In spelling out the principles of cooperative government and IGR, the *Constitution* binds all spheres of government and organs of state in each sphere of government to three basic principles.

The first principle is a common loyalty to the Republic as a whole. This means that all spheres are committed to secure the well-being of the people of the Republic and, to that end, must provide effective, transparent, accountable and coherent government for the Republic in general. This is the object of cooperative government. The second principle is that the distinctiveness of the spheres should be respected. A sphere must remain within its constitutional mandate, and when exercising those powers, must not do so in a manner that encroaches on the geographical, functional or institutional integrity of another sphere, except where specifically directed otherwise (South Africa. Department of Provincial and Local Government, 2007:9).

Section 4 of the *Intergovernmental Relations Framework Act* states that it provides within the principle of cooperative government, as set out in Chapter 3 of the *Constitution*, a framework for the national government, provincial governments and local governments, and all organs of state within those governments, to facilitate coordination in the implementation of policy and legislation.

The *Intergovernmental Relations Framework Act* also establishes a framework for the national, provincial and local government to promote and facilitate intergovernmental relations to provide for mechanisms and procedures to facilitate the settlement of intergovernmental disputes and to provide for matters connected therewith. Apart from cooperating with other municipal departments within their area of

jurisdiction, the cooperation with national and provincial government is also crucially important in order to ensure that the disaster management function is carried out effectively (African Centre for Disaster Studies, 2011:59).

The *Intergovernmental Relations Framework Act* expressly states that parties should attempt to resolve conflicts in the manner envisioned in any existing agreements between the parties. It is facilitative and not compulsive in nature. The focus is on creating the opportunities for substantive dialogue rather than establishing a set of formal requirements that parties must comply with. The *IGR Framework Act* creates an important role for intermediaries, recognizing that parties may require assistance in reaching an agreement (Community Law Centre, 2006:8).

#### **6.4 INSTITUTIONAL FRAMEWORK**

From 1990 to 1993, there was no single ministry or other governance entity that wanted to take the responsibility for the formulation and oversight of a disaster management policy.

It was generally accepted that only a single ministry would be in the position to take responsibility for the effective management of all disaster-related activities. This was reflected in the presence of a Directorate of Civil Protection and Fire Brigade Services located within the National Department of Local Government and Housing. This directorate was responsible for overseeing the implementation of the *Civil Protection Act, 1977* (Act 67 of 1977). The new national disaster management centre officially started operations in 2006 (National Disaster Management Centre, 2007:35).

#### **6.5 IMPLEMENTATION AGENCIES**

Since the discussions on disaster management started in 1994, it was evident that the new democratic government realized the importance of

establishing government structures which will largely be responsible for the implementation of the *Act*.

Initially the emphasis was on the creation of a national disaster management centre that will have ultimate responsibility for disaster management in South Africa as a whole (African Centre for Disaster Studies, 2011:23-24).

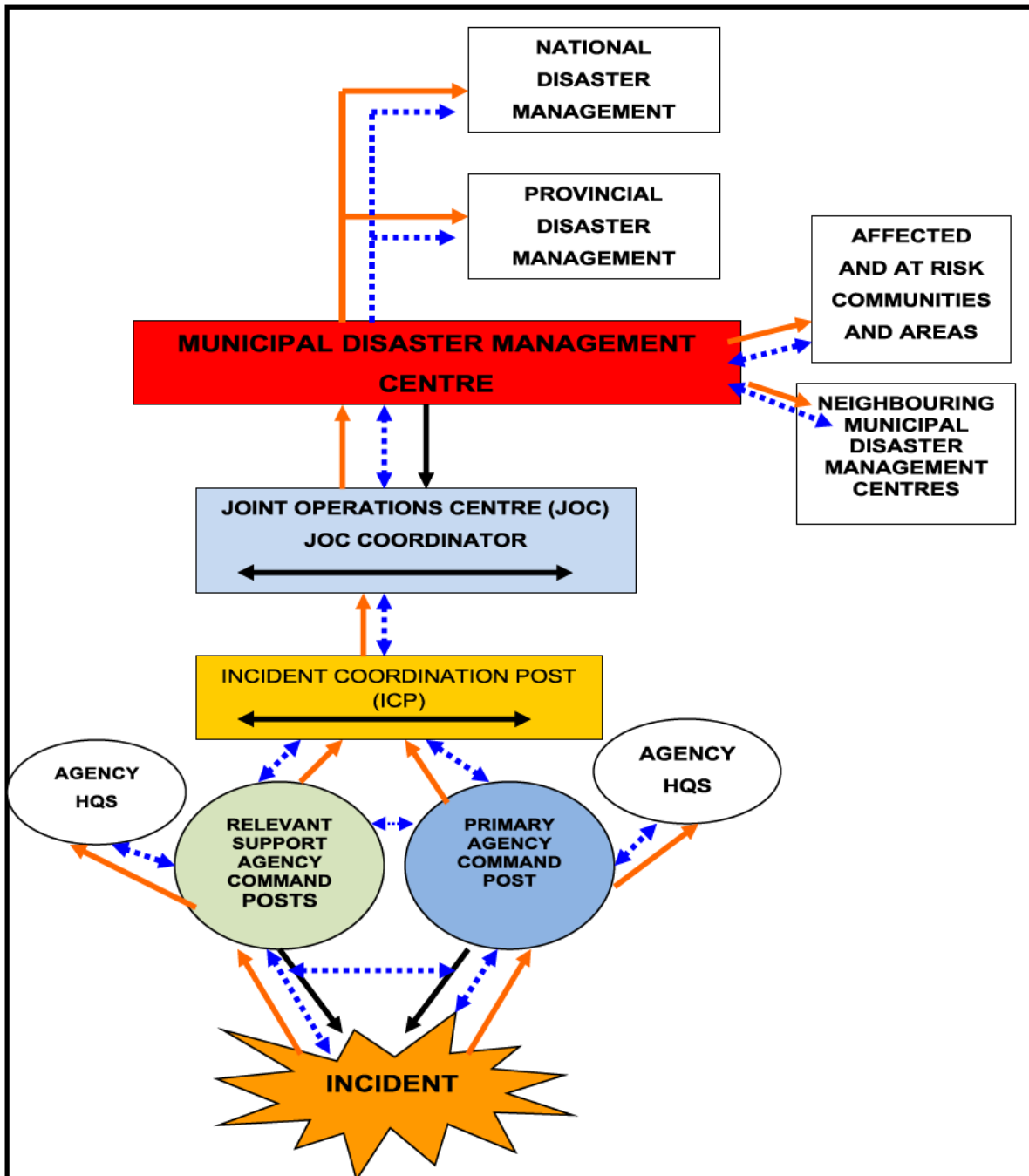
In terms of sections 8 and 9 of the *Act* the establishment of a national disaster management centre has the objective of promoting an integrated and coordinated communication system of disaster management as illustrated in Figure 6.2 below.

The *Act* also requires the establishment of a disaster management centre in each province, metropolitan and district municipality. The establishment of disaster management centres at local government level is a legislated competence of district and metropolitan municipalities.

The RSA's main disaster management implementation agencies are its three spheres of government, NDMC, Provincial Disaster Management Centre (PDMC) and Municipality Disaster Management Centre (MDMC).



**Figure 6.2: Communication and reporting line in the disaster management centres**



(Adapted from Tshwane Metropolitan Municipality, 2007:136).

### 6.5.1 National Disaster Management Centre

The *Act* requires the establishment of a national disaster management centre responsible for promoting an integrated and coordinated national disaster management policy. The *Act* gives explicit priority to

the application of the principle of cooperative governance for the purpose of disaster management and emphasizes the involvement of all stakeholders in strengthening the capabilities of national, provincial and municipal organs of state to reduce the likelihood and severity of disasters. A fully operational national disaster management centre was established on 1 May 2006 in terms of section 8 of the *Act* (South Africa. National Disaster Management Centre, 2007:23).

According to sections 9 and 15 of the *Act* the national disaster management centre is the principal functional unit for disaster management in the national sphere. In essence, the national disaster management centre is responsible for guiding and developing frameworks for government's disaster management policy and legislation, facilitating and monitoring their implementation, and facilitating and guiding cross-functional and multidisciplinary disaster management activities among the various organs of state.

### **6.5.2 Provincial Disaster Management Centre**

The *Act* requires that the member of the executive council of each province who is responsible for disaster management must establish institutional capacity for disaster management in the province. Such arrangements must be consistent with national arrangements and must provide the appropriate mechanisms to allow for the application of cooperative governance to facilitate both intergovernmental and provincial interdepartmental relations for the purpose of disaster management. The provincial disaster management centre is the primary functional unit for disaster management in each province.

Section 32 (1) stipulates that a key responsibility of the PDMC is to provide support to the NDMC and the metropolitan and district disaster management centres in the province. It must provide the link between national objectives and provincial and municipal disaster management activities and priorities.

The *Act* requires provincial disaster management centres to promote a coordinated, integrated and uniform approach to disaster management, including the development and implementation of appropriate disaster risk reduction methodologies, emergency preparedness and rapid and effective disaster response and recovery, in their province.

### **6.5.3 Municipal Disaster Management Centre**

The establishment of disaster management centres at local government level is a legislated competence of district and metropolitan municipalities. In terms of sections 44 and 48 of the *Disaster Management Act*, the council of each metropolitan and district municipality must establish institutional capacity for disaster management in its area. Such arrangements must be consistent with national and provincial arrangements and must provide the appropriate mechanisms to allow for the application of cooperative governance to facilitate both intergovernmental and municipal interdepartmental relations as well as community participation for the purpose of disaster management. The MDMC is the primary functional unit for disaster management in metropolitan and district municipalities. It must provide direction for the implementation of disaster management policy and legislation and the integration and coordination of municipal disaster management activities and priorities in order to ensure that national and provincial objectives are achieved. In addition, a key function of the MDMC is to provide support to the NDMC and the relevant PDMC.

### **6.5.4 Satellite Disaster Management Centre in local municipalities**

According to the *Act*, local municipalities are not obliged to have a disaster management centre. The metropolitan or district municipalities may establish a satellite centre or fully functional office for handling issues of disaster management in their area of jurisdiction with multi-disciplinary agencies.

### **6.5.5 National Joint Operational and Intelligence Structure**

The National Joint Operational and Intelligence Structure (NATJOINTS) is the operational arm of the Justice, Crime Prevention and Security Cluster (JCPS), Director-General (DG) Cluster. It comprises of all the operational heads of member departments that include all intelligence agencies. It is a strategic decision-making body for execution of all JCPS tasking and reports directly to JCPS and DG Cluster (SAPS, 2014:2). It was established in order to plan, implement, execute and monitor all interdepartmental and cross-provincial operations affecting safety, security and stability in the country. The NATJOINTS has seen South Africa gain an international reputation as a leader in major event security.

(<http://www.southafrica.info/global/brics/security.htmxx.vdmbcE1xniu#ixzz3F-shycQmJ> [Accessed, 10 October 2014].

### **6.5.6 National Joint Operation Centre**

The National Joint Operation Centre (NATJOC) is made up of the SAPS, SANDF, Metropolitan Police, State Security Agencies and representatives of various government departments. The NATJOC was formed ahead of the 2010 FIFA World Cup and its model is being retained as one of the lessons learned from the 2010 event.

The operations room collates all relevant departmental information to create situational awareness. It provides real-time situational awareness of the entire country for safety and security issues.

NATJOC manages unexpected events within the safety and security sphere and provides additional interdepartmental support and resources, where required and requested by PROVJOCs. It also provides assistance and support for responses to natural disasters such as earthquakes and floods, upon request by NDMC (South African Police Service, 2014:6-7).

### **6.5.7 The Provincial Joint Operational Centre**

The Provincial Joint Operational Centre (PROVJOC) has been established in all nine provinces to function in a similar manner to that of the NATJOC (<http://www.weegy.com> [Accessed on 27 August 2014]).

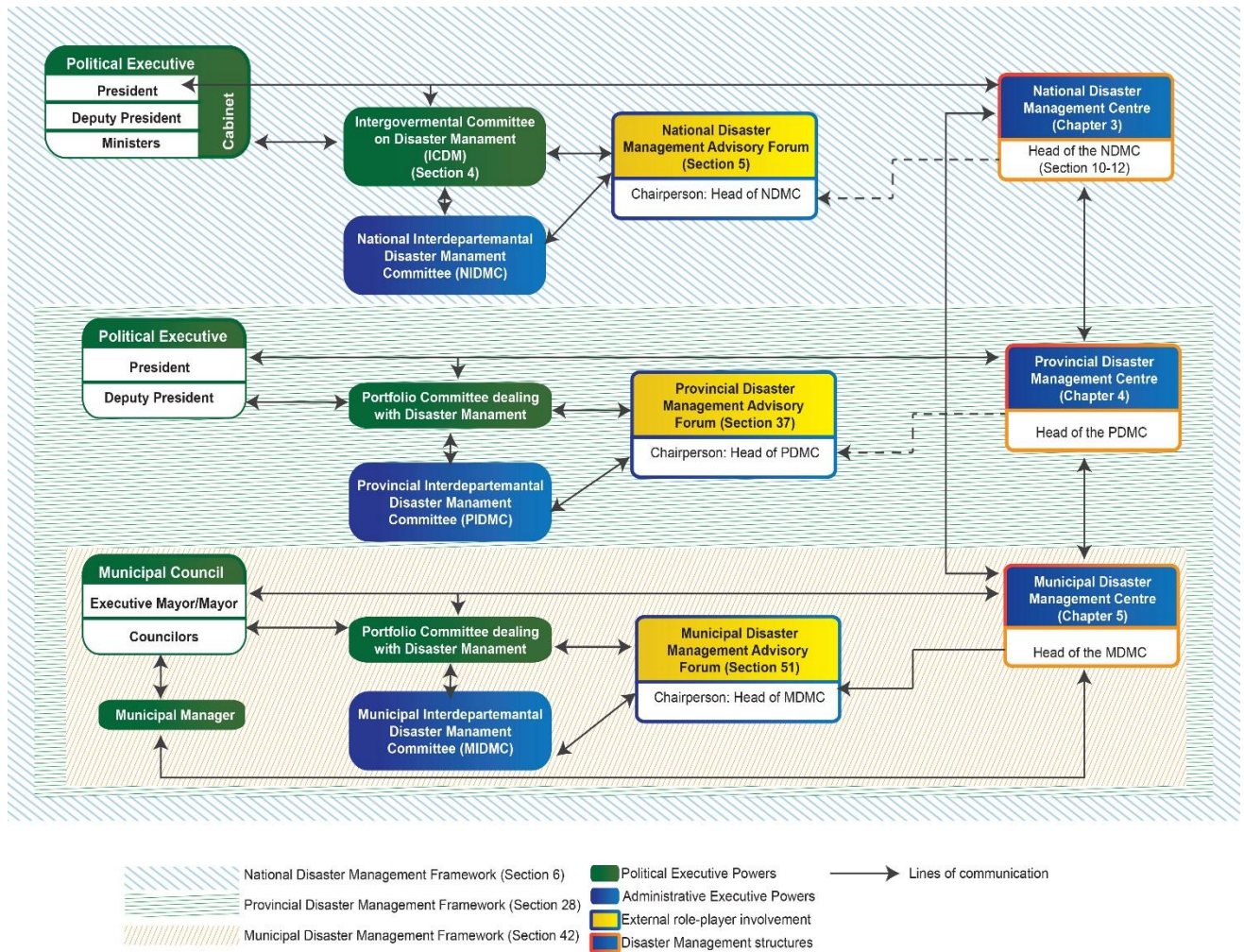
## **6.6 DISASTER MANAGEMENT STRUCTURES**

Since the discussions on disaster management started in 1994, it was evident that the new democratic government realized the importance of establishing government structures which will largely be responsible for the implementation of the *Act*. The *Act* makes provision for the establishment of disaster management structures in all government spheres. However, the development of disaster management structures within the provincial and local sphere of government has occurred only gradually since 1994.

The need to implement such mechanisms was spontaneously recognized by a number of provinces and municipalities even before the promulgation of the new legislation (African Centre for Disaster Studies, 2010:23).

The South African National *Disaster Management Policy Framework* and the *Act* call for the creation of certain institutional arrangements as shown in Figure 6.3 below in order to assist disaster management entities on all tiers of government to carry out their legal mandate.

**Figure 6.3: Disaster Management Structures**



Adapted from Van Niekerk, 2005:152

## 6.7 DISASTER MANAGEMENT ADVISORY FORUMS

Sections 5, 7(2)(c)(i–ii), 7(2)(d) and 7(2)(f) of the *Act* call for the active participation of all stakeholders, including the private sector, NGOs, technical experts, communities, traditional leaders and volunteers in disaster management planning and operations.

Specific arrangements must be implemented to ensure the integration of stakeholder participation, to harness technical advice and to adopt a holistic and organized approach to the implementation of policy and legislation.

### **6.7.1 National Disaster Management Advisory Forum**

The National Disaster Management Advisory Forum (NDMAF) was established on 26 January 2007 in terms of section 5 of the *Act*. The NDMAF provides a mechanism for relevant role-players to consult one another and to coordinate their activities with regard to disaster management issues. The NDMAF serves as a National Focal Point for disaster risk reduction in the RSA for purposes of the HFA to serve as a platform for discussing cross-cutting issues of DRR and management (NDMF, 2005:33).

### **6.7.2 Provincial Disaster Management Advisory Forums**

Section 44 (1) (b) of the *Act* calls for an integrated and coordinated approach to disaster management in provinces. To make provision for the integration and coordination of disaster management activities and to give effect to the principle of cooperative governance in the province, the MEC responsible for disaster management in the province may establish a disaster management advisory forum in terms of section 37 of the *Act*.

The advisory forum must comprise all the relevant stakeholders and role-players in disaster management in the province, including non-governmental and community-based organizations, individuals or groups with special technical expertise, representatives of the metropolitan and district municipalities in the province and representatives of neighbouring provinces.

The establishment of provincial intergovernmental committees and advisory forums for the purpose of disaster management is not a legal obligation, but it is difficult to envisage how provinces would be able to effect the implementation of the *Act*, and remain consistent with the requirements of the *NDMF* in the absence of such structures (NDMF, 2005:34).

### **6.7.3 Municipal Disaster Management Advisory Forums**

The *Act* leaves it to the discretion of a metropolitan or district municipality to constitute formal structures, such as a municipal disaster management advisory forum for the purpose of external stakeholder participation. A municipality is also not obliged to establish specific internal structures for disaster management (NDMAF, 2005:35).

It is difficult to perceive how the principles of cooperative governance, integrated and coordinated disaster management, and stakeholder management could be applied at the local level in the absence of an appropriate structure. The primary responsibility for the coordination and management of local disasters rests with the local sphere (Fire Africa, 2014:57).

## **6.8 DISASTER MANAGEMENT COMMITTEES**

The key performance area (KPA) 1 of the *NDMF* focuses on establishing the necessary institutional arrangements for implementing disaster management within the national, provincial and municipal spheres of government. It specifically addresses the application of the principle of cooperative governance for the purpose of disaster management. It also emphasizes the involvement of all stakeholders in strengthening the capabilities of national, provincial and municipal organs of state to reduce the likelihood and severity of disasters. KPA 1 describes processes and mechanisms for establishing cooperative arrangements with international role-players and countries within southern Africa.

### **6.8.1 National Intergovernmental Committee on Disaster Management**

The *NDMF* (2005:4) calls for the establishment of an Intergovernmental Committee on Disaster Management (ICDM). The ICDM had to have been established by the President no later than 13 June 2005 in terms



of section 4 of the *Act* and should include representatives from all three spheres of government. It must be chaired by the Cabinet member designated by the President to administer the *Act*. The ICDM must consist of Cabinet members involved in the management of disaster management or the administration of other national legislation aimed at dealing with an occurrence defined as a disaster in terms of section 1 of the *Act*.

### **6.8.2 Provincial Interdepartmental Disaster Management Committee**

To achieve these objectives and to promote interdepartmental liaison, arrangements must be put in place for a forum in which all the key internal role-players in the administration of a province are able to participate and where they can coordinate their disaster management responsibilities.

The Provincial Interdepartmental Disaster Management Committee (PIDMC) must consist of the heads of department and key staff from all departments in the provincial government involved in the management of disaster risk or in the administration of any other national legislation aimed at dealing with an occurrence defined as a disaster in terms of section 1 of the *Act*.

The PIDMC must facilitate integrated and coordinated planning by providing a forum for the development and implementation of programmes and projects aimed at disaster risk reduction and other relevant disaster management activities in the province. In this respect, the responsibilities and powers of provinces and provincial disaster management centres are prescribed in sections 33, 34, 38 and 39 of the *Act*.

The PIDMC must support the disaster management centre and assist with supervising the preparation, coordination, monitoring and review of disaster management plans and their integration into other developmental processes.

### **6.8.3 Municipal Interdepartmental Disaster Management Committee**

The *NDMF* (2005:35-36) is explicit in requiring that each municipal organ of state must identify a focal or nodal point for disaster risk reduction in their hierarchy. This focal point will become the representative of the department on the Municipal Interdepartmental Disaster Management Committee (MIDMC).

It has become common practice in the RSA to also establish an MIDMC at municipal level. Whereas the disaster management advisory forum contains a number of outside role-players, the aim of the MIDMC is to provide a forum for technocrats to discuss and solve disaster-risk-related problems. Senior individuals from all municipal departments normally sit on this committee. In order to ensure involvement in disaster-management-related activities, disaster management becomes part of the job description of the individuals in question.

### **6.8.4 The Disaster Management Advisory and Coordinating Committee**

It is the responsibility of the Disaster Management Advisory and Coordinating Committee (DMACC) to ensure the compilation and maintenance of a corporate disaster management plan by the disaster management centre, as well as the relevant supportive risk-specific plans. The DMACC shall be responsible for the review of the corporate plan on an annual basis.

It is also responsible for making recommendations for changes that are considered appropriate and the verification of the required support documents, resources, training, and facilities to ensure that the plan is maintained.

The DMACC will also have the responsibility of assigning project teams to address specific risks and develop risk-specific plans (South Africa. City of Johannesburg Metropolitan Municipality, 2003:12).

### **6.8.5 Disaster Management Technical Advisory Committee (TAC)**

Since risk assessment forms the basis of all future risk reduction projects, the NDMF prescribes the establishment of a Disaster Management Technical Advisory Committee (TAC) to assist in the external validation of risk assessment. The TAC should include nationally recognized specialists in the hazards, vulnerabilities and disaster risks being assessed (Fire Africa, 2014:58).

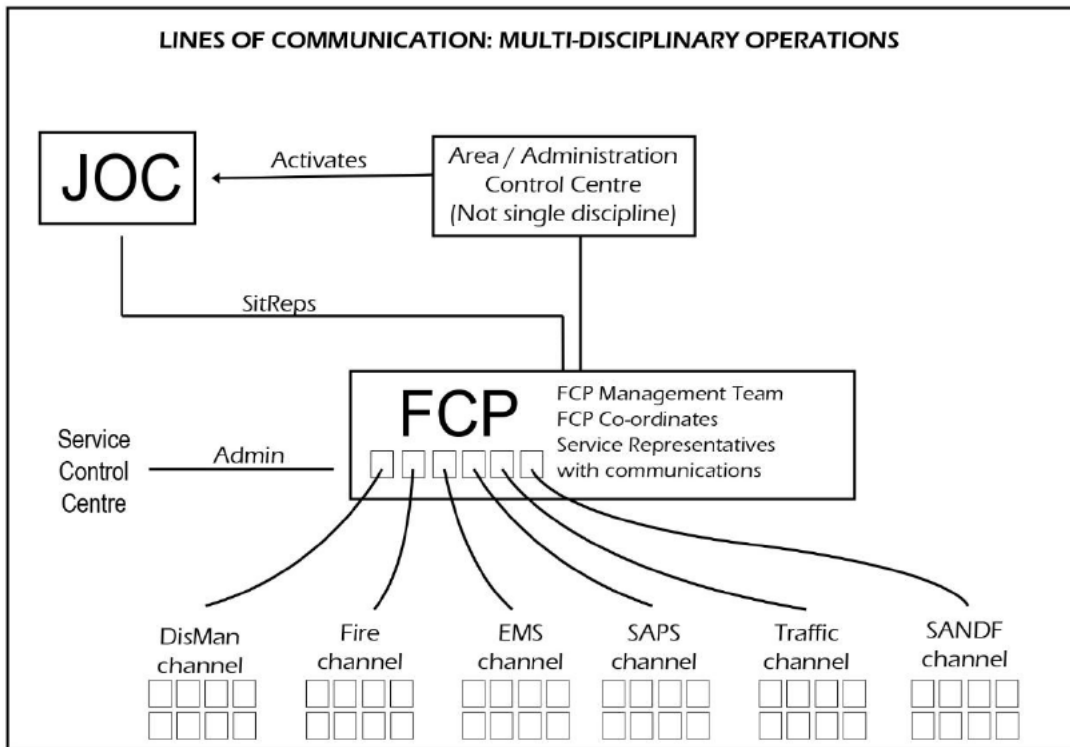
### **6.8.6 Disaster Management Technical Task Teams**

Disaster Management Technical Task Teams (DMTTT) are utilized to ensure that all the relevant role-players are involved in the execution of the disaster management programme. The task team should, at the very least, include the portfolio managers of the disaster management centres and the chairperson of the Technical Advisory Committee commissioned to serve as the quality controlling body for disaster risk assessment conducted in the municipality (Fire Africa, 2014:58).

## **6.9 JOINT OPERATION CENTRE**

The term Joint Operation Centre (JOC) denotes the off-site location from which the JOC coordinator operates. The establishment of the JOC is an operational imperative vested in the Head of the Disaster Management Centre. JOCs are established at fixed predetermined decentralized geographically and logistically appropriate locations with a clear line of communication for multi-disciplinary operations. (Australia, 2004:30). Figure 6.4 below explains a South African model of a JOC which is used by the City of Cape Town (2008:3).

**Figure 6.4: JOC lines of communication**



(Adapted from City of Cape Town, 2008:30)

The Joint Operation Centre (JOC) must, when activated, and during any response and relief operations under the direction of the relevant person, perform the assigned functions and report to the DMC (City of Cape Town, 2008:15).

### 6.9.1 Joint Operation Committee

The mission of the Joint Operation Committee (JOC) is to make sure that all events are safe and that the event organizers comply with all the By-laws and Regulations, as well as the *Safety at Sports and Recreational Events Act no.2 of 2010* as per the new *Safety at Sports and Recreational Events Act*.

It is now a legal requirement for all events with participants/spectators/audience of 2000 persons and more to have event plans submitted to the National Commissioner of the SAPS by

the event organizers a month prior to the event, for risk grading purposes (<http://www.saps.gov.za> [Accessed on 9 October 2014]).

## **6.9.2 The Street Committee System**

Out of the mix of grass-roots militancy and leadership efforts to adapt to conditions created by service delivery protest, new organizational arrangements emerged. This involved organizing each township on the basis of small geographic constituencies that could serve as a unit of political participation, representation and control. The township was organized street by street with each street represented by an elected committee. The area committed each elected two representatives to what is called the Area Committee Council (ACC). The advantage of this forum was that it brought together representatives from the existing organizations in the area. The street committee can regulate economic transactions between the informal sector and formal sector (Prince, 1999:205).

## **6.10 FIRE BRIGADE BOARD**

The Fire Brigade Board (FBB) was established in terms of section 2 of the *Fire Brigade Services Act, 1987* (Act 99 of 1987). The FBB is essentially a high-level political forum. The FBB is chaired by the COGTA Minister and its composition lends itself to promoting and facilitating intergovernmental relations in the functional area for which the Minister is responsible as contemplated in section 9 of the *Intergovernmental Relations Framework Act, 2005* (Act 13 of 2005).

### **6.10.1 National Fire Services Advisory Committee**

The National Fire Services Advisory Committee (NAFSAC) is a statutory committee as established by section 2 (4) and section 2 (5) (a) of the *Fire Brigade Services Act, 1987* (Act 99 of 1987) as amended.

The NAFSAC must perform those actions imposed on it by the Fire Brigade Board. As a subcommittee of the FBB, the NAFSAC is mandated to report on its activities at each of the FBB meetings.

### **6.10.2 National Search, Rescue and Support Committee**

The National Search, Rescue and Support Committee must organize itself to develop, arrange and coordinate the implementation of a critical search, rescue and fire support capacity for RSA in times of disaster where such a large response capacity is required. The Committee is a statutory subcommittee of the NAFSAC as established by the Fire Brigade Board under section 2 (4) and section 2 (5) (a) respectively of the Fire Brigade Services Act 99 of 1987 (as amended). The Committee also seeks to function as a Rescue Technical Task Team established by the National Disaster Management Advisory Forum.

### **6.10.3 National Emergency Response Coordinating Task Team**

The major incidents occurring within the borders of the country have solicited responses from a wide variety of official and private/non-governmental agencies. Although the majority of those agencies and organizations are well meaning many are not sufficiently capacitated to work in a safe and effective fashion. The most crucial aspect of any multi-agency response is effective command and control. The Task Team will ensure the coordinated and integrated response by government structures to any disasters occurring or threatening to occur within the borders of the RSA (Diener, 2014:1-4).

## **6.11 VOLUNTEERS**

Chapter 7 of the *Act* provides for disaster management volunteers. In terms of section 58 of the *Act* a metropolitan or district municipality may establish a unit of volunteers to participate in disaster management in the municipality.

Section 15(1) (g) and section 58 of the *Act* state that to maintain an inclusive approach to the participation of volunteers in disaster management, volunteers are classified into three categories.

These categories are:

- Units of volunteers;
- General volunteers; and
- Spontaneous volunteers.

### **6.11.1 Units of volunteers**

Section 58 of the *Act* provides for the participation and registration of individuals (or groups) who wish to become more actively involved in an organized structure for disaster management volunteers in the municipality.

It includes individuals, groups or organizations that already have specialized skills, as well as those who undertake to be trained in specific skills in order to participate in this category.

### **6.11.2 General volunteers**

In addition to the provisions relating to the option in Chapter 7 of the *Act*, the *Act* provides for municipalities to establish a unit of volunteers, while sections 15(1) (g), 30(1) (g) and 44(1) (g) of the *Act* require disaster management centres to promote the recruitment, training and participation of volunteers in disaster management.

This general volunteers category allows municipalities, especially those that choose not to establish a unit of volunteers, to recruit individuals (or groups of individuals) who are prepared to assist in the event of a disaster but do not want to participate in an organized structure or serve as active volunteers on an ongoing basis.

This category provides a general pool of volunteers who can be drawn on by the municipality to perform a variety of functions that may or may not require specialized skills. Volunteers in this category must be registered and must meet minimum criteria set down in accordance with the national standard guideline.

### **6.11.3 Spontaneous volunteers**

Section 58(6) of the *Act* recognizes that people will always respond spontaneously to emergencies. Such humanitarian response should not be discouraged.

However, municipalities must take cognisance of the problems and complications, including the possibility of injury and damage to property that may result from the spontaneous, uncontrolled and uncoordinated actions of volunteers.

Municipalities must take this matter into consideration and must make provision for it in their planning.

### **6.11.4 Fire Brigade Reserve Force**

According to section 6 A (1) of the *Fire Brigade Services Act 99 of 1987*, it is stipulated that a controlling authority may establish a fire brigade force for its area of jurisdiction.

## **6.12 A MODEL FOR INTERGOVERNMENTAL RELATIONS PERTAINING TO THE MUNICIPAL INTEGRATED DISASTER MANAGEMENT STRATEGY**

The composition and functions of various structures and institutions for intergovernmental relations were explained in the previous and in this chapter. A large number of the structures for intergovernmental relations focus on the promotion of intergovernmental relations. Section 11 (c) of the *Intergovernmental Relations Framework Act* stipulates that structures in general are designed to discuss performance in the provision of services in order to detect failures and to initiate preventative or corrective action when necessary.

It is, however, necessary to analyse relevant structures and institutions for intergovernmental relations to be able to explain whether the structures contribute directly or indirectly to the promotion of intergovernmental relations pertaining to disaster management.



Because of the very small and indirect role that some of the structures for intergovernmental relations play in promoting intergovernmental relations pertaining to disaster management in particular, no further attention will be given to the following structures, namely the President's Coordinating Council, the Mediation Committee, the Public Service Commission and the Financial and Fiscal Commission.

In this chapter a model for intergovernmental relations pertaining to municipal integrated disaster management strategy is developed to assist disaster management officials and practitioners in coordinating the management of disaster management activities.

The demarcation of the study, as described in the introductory chapter, guides the focus of the recommendations in the development of a model for intergovernmental relations pertaining to a municipal integrated disaster management strategy.

However, before the proposed model is described, it is necessary to analyse the relevance of current structures for intergovernmental relations with regard to disaster management.

#### **6.12.1 The relevance of structures for intergovernmental relations pertaining to disaster management**

The study of national, provincial and local government intergovernmental relations pertaining to disaster management is necessary because of the stipulations in Schedule 4, Part A, of the *Constitution*, where government is charged with the primary responsibility for disaster management.

The coherent and integrated disaster management governance requires the alignment of policies and priorities across spheres of government. Disaster management and strategic planning are therefore vital aspects of the cooperation between spheres of government. The current structures for intergovernmental relations and

their relevance to disaster management are analysed in the following paragraphs.

### **6.12.2 National Disaster Management Advisory Forum**

As mentioned in a previous chapter, an NDMAF must be established by the Minister responsible for administering the *Act* and must be chaired by the head of the NDMC.

The NDMAF comprises a central nucleus of senior representatives of the relevant national departments whose Ministers serve on the ICDM; the heads of the nine provincial disaster management centres; and municipal officials selected by SALGA.

Membership of the forum is supplemented by technical experts and other role-players in disaster management designated by the Minister.

The NDMAF makes recommendations to the ICDM and acts in an advisory capacity with regard to matters pertaining to disaster management. The NDMAF is also required to support the programmes of the NDMC by providing technical expertise. The NDMAF is therefore the relevant structure to implement intergovernmental relations pertaining to disaster management.

### **6.13 A MODEL FOR INTERGOVERNMENTAL RELATIONS PERTAINING TO THE MUNICIPAL INTEGRATED DISASTER MANAGEMENT STRATEGY: NATIONAL, PROVINCIAL AND LOCAL SPHERES**

The research reported thus far reveals an urgent need to enhance the existing structure to promote intergovernmental relations between organs of state responsible for the management and implementation of the government mandate of disaster management in the RSA.

According to Mouton (2001:176-177), the typical applications of model building are to either develop or build a new model or theory, or to

improve on existing models and theories, using inductive and deductive strategies.

It is envisaged that the model will contribute to the improved management of disasters in the RSA, which in turn will contribute to a reduction of loss and damage to lives, property, infrastructure and the environment.

Intergovernmental relations between the statutory organs of state concerned with the management of disaster management centres and the establishment of the disaster management forums are important because of the interdependence of these organs of state with regard to disaster management activities in order to share information and consult with one another on matters of mutual interest.

An area of concern pertaining to disaster management is the great difference in institutional arrangements for proactive and reactive responses among the nine provinces and the local municipalities. The different institutional arrangements among provinces hamper effective intergovernmental relations. Uniform institutional arrangements need to exist to ensure that healthy horizontal and vertical intergovernmental relations can take place.

Currently all nine provinces have established a Provincial Disaster Management Advisory Forum (PDMAF). Each PDMAF adopted guidelines as laid down in the *Act* and the *NDMF, 2005*. All provinces should, however, consider establishing an internal Provincial Interdepartmental Disaster Management Committee and Provincial Technical Advisory Committee. While attendance can be extended beyond what is prescribed in the *NDMF, 2005*, the forum should remain high level and focused. Ideally, municipalities should participate in the agenda setting for these forums.

### **6.13.1 Problem-solving model**

Hooper (1999:694) argues that even the most carefully designed emergency plan is unlikely to anticipate all the requirements for action in any given disaster. The problem-solving model provides a set of consequences for planning such as the use of the existing structures and agencies, coordination, emphasis on response-generated demands, emphasis on improvisation and preparedness, use of a wide variety of organization forms including volunteers, and the emphasis on maintaining a flexible and open system.

The problem-solving model then suggests that planning should be directed toward developing an effective response by concentrating on structures which facilitate coordination of a multi-organizational response (Sylves and Waugh, 1996:92).

Comfort (1988:174) states that agencies which perform well in a disaster environment have organic and not mechanistic structures. The characteristics that tend to be found in organically structured organizations are as follows:

- Job assignments that are not rigidly defined in advance and that allow for readjustment to the emerging situation;
- Network or matrix communication structures and an emphasis on maximizing the flow of communications; and
- An emphasis on consultation and coordination and limited preoccupation with adhering to the chain of command.

### **6.13.2 Intergovernmental models**

The scholars in the field of intergovernmental relations have formulated four different models which might be utilized to explicate the power relationships which exist within the American federal system. These include the conflict, control, cooperative and bargaining models.

### 6.13.3 Conflict model

The conflict model posits the existence of separate national and state entities, highly independent of one another and often hostile in operation. This model views local government as subservient to the state and thus enjoying no independent authority whatsoever. The conflict model is a traditional concept associated with the image of dual federalism which seems to have little application to the American federal system today.

In the RSA, the *Intergovernmental Relations Framework Act* required that, within one year of its coming into operation, districts had to establish district intergovernmental relations forums. Most districts have established district intergovernmental forums (DIFs).

Many local municipalities have questioned the ability or capacity of their districts to provide leadership and action. The assumption behind the exclusion of local municipalities in the premiers' intergovernmental forum was that communication to the local municipalities could be facilitated via district municipalities and their DIF (Mlokoti, 2009:18).

Clearly this assumption does not always hold true. One is tempted to also assume that district municipalities were entrusted by the *Act* with the convening, agenda setting and alignment of the strategic plan roles of local municipalities by virtue of having both the fiscal and political authority over local municipalities within their jurisdictions; and also because the local government *White Paper* had envisaged that district municipalities, as significant centres of municipal capacity, would play a strong redistributive and development role. The relationship between district and local municipalities varies from cordial and cooperative to conflictual and unproductive relationships. Having two political structures that must cooperate on numerous complex matters sets the stage for political conflict.

In December 2004, the Independent Municipal Demarcation Board (MDB) commissioned a study to discover and understand how the three

spheres of government are implementing certain powers and functions as stipulated in the *Constitution*. In particular, it sought to find out how provinces and local governments are interpreting and exercising the powers and functions in relation to municipal roads and municipal public transport. The enquiry was prompted by the apparent lack of clarity emerging between the two spheres of government on the definition of these two powers and functions and secondly on the separation of respective responsibilities for the delivery of services to communities.

The MDB study found that there were glaring disparities between provinces in terms of their regulatory and policy development roles in relation to these functions. Even where provinces had developed supportive infrastructure, it did not seem to translate into tangible programmes at municipality level. It became clear that the objective of a well-managed intergovernmental system in achieving coherent service delivery can be crippled by undefined constitutional responsibilities. The lack of clarity on the division of powers and functions between district and local municipalities is a major cause of conflict (Mlokoti, 2009:19-20).

#### **6.13.4 Control model**

The control model depicts state and local governments as overwhelmed by the power and resources of the national government. The essential relationship among the three levels of government is one of interdependence, which is state and local dependence on national direction and support (Stratton, 1989:169).

The RSA national government has, with effect from 1 July 2006, repealed the legal right of district municipalities to collect levies, removing it as a local tax instrument. This process has severely weakened the political authority of the district municipality. It created an anomaly in the district municipalities' functioning.

The district municipalities now have to plan, budget and operate on the basis of allocations from national government. It is unheard of in the

field of local government to have the funding of a municipality's integrated plan and all its operations entirely reliant on an outside source, and not its own revenue, for its execution (Mlokoti, 2009:18).

#### **6.13.5 The cooperative and the bargaining models**

These models are sophisticated enough to accommodate the diverse resources and modes of action available to national, state and local governments during the process of implementation. These models are related in that both point to a sharing or intermingling of authority among governments involved.

The key to the difference between the two models is that the cooperative model views the three levels of government as united by common goals whereas the bargaining model allows for the coexistence of a variety of goals (intergovernmental and/or intra-governmental) in the delivery of particular goods and services (Stratton, 1989:169).

#### **6.13.6 The bargaining model**

This model should be viewed as a refinement of the cooperative model. This model suggests that each of the various participants enjoys some autonomy, support or resources in order to be included in the policy negotiations. It is non-judgemental in that it does not presuppose any power relationships or policy outcomes.

The research of this thesis supports the cooperative model of an intergovernmental system. The analysis above indicates that the three levels of government views are united by common goals (Stratton, 1989:169).

#### **6.13.7 Citizens Advisory Committee as a Model for Public Participation**

With regard to governmental policy making, Citizens Advisory Committees (CACs) were usually established to provide general

guidance on implementing environmental law, promulgating regulations and issuing permits for and planning of potentially polluting facilities (Renn, 1995:104).

Legitimacy of the CAC Model is based on the argument that citizens and interest positions affected by a certain problem are represented by CAC members (Renn, 1995:106).

### **6.13.8 A multi-dimensional model for cooperative environment management**

A multi-dimensional model for cooperative environmental intergovernmental relations in the RSA was originally developed by Plummer and FitzGibbon (2004:15) as adapted to the South African disaster management scenario.

According to Plummer and FitzGibbon (2004:15), the first dimension describes the nature of power-sharing in partnership, collaborative and co-management relationships. The second dimension of the model details the scope of potential actors involved in cooperative environment. The third dimension of the model encompasses the institutional and operational process features (Plummer and FitzGibbon, 2004:16).

Institutional arrangements are understood as:

- Legislation and regulations;
- Policies and guidelines;
- Administrative structures;
- Financial arrangements;
- Political structures and processes;
- Historical customs and values; and
- Key participants or stakeholders.

The institutional arrangement, in which cooperative environmental management is set, may range from highly formalised to loosely



defined or informal and determines the manner in which the process is made operational (Malan, 2009:1146-1147).

The researcher is of the opinion that this is a model that could be considered in disaster management in the RSA, because the model allows everyone with a legitimate stake in disaster management to have the opportunity to participate in decision-making (Malan, 2009:1145)

In the RSA context, participants in cooperative governance in disaster management may involve representatives from government departments, organs of state, private sector institutions, municipalities and traditional authorities (Malan, 2009:1146).

In the case of the RSA, the existence and successful functioning of formal and informal intergovernmental relations structures and mechanisms and their ability to participate in, support and monitor institutional and operational processes for disaster management will play a crucial role in the promotion of cooperative disaster management (Malan, 2009:1147).

#### **6.14 A MULTI-DIMENSIONAL MODEL FOR COOPERATIVE GOVERNANCE IN DISASTER MANAGEMENT FOR THE DEVELOPMENT OF AN INTEGRATED DISASTER MANAGEMENT STRATEGY**

As previously mentioned in the preceding chapters the term cooperative government and intergovernmental relations is increasingly used in the context of disaster management. In the RSA, the fragmentation of departments dealing with different elements of disaster management resulted in the fragmented application of disaster management policies and legislation. Even after twenty years of democracy, the national departments, provincial sector departments and municipalities are struggling to rid themselves of past practices of non-cooperation and silo operation mentality.

The *Act*, *NDMF* and *Intergovernmental Relations Framework Act* provide for integrated cooperative disaster management and prescribe particular Key Performance Areas and Enablers that government should take into account in decision-making (Malan, 2009:1143).

There are several disaster management structures that were established to enhance disaster management intergovernmental relations in the RSA as highlighted in the previous chapters (Malan, 2009:1144).

Intergovernmental relations and cooperative governance principles are also found in other legislation guiding decision-making as listed in chapter 1 of this thesis, but are not discussed in detail. The mere existence of structures and mechanisms of intergovernmental relations and cooperative governance pertaining to disaster management may not guarantee that the principles of cooperative governance in disaster management will be adhered to.

It is the effective and efficient functioning of these structures and their commitment to developing a mindset of cooperation that may promote sound intergovernmental relations (Malan, 2009:1145).

In this chapter 6, the disaster management model for cooperative governance will be presented systematically using a graduated format to illustrate ten (10) escalating levels of cooperative governance spheres of government.

As with any other management environment, certain management levels can be identified in the RSA public sector. These management levels are directly related to the hierarchical structure inherent in any public sector.

Du Toit, Van der Waldt, Bayat and Cheminais (1998:174-177); Robbins and De Cenzo (1995:3); Kroon (1990:13- 15); Kroon, 1997:468; Kast and Rosenzweig (1979:111-114); Hannagan (1995:6, 19, 20) as well as Pearce and Robinson (1989:7-9), all identify three different levels of

management, i.e. that of strategic (top management), tactical (middle management) and operational (junior management).

According to Mouton (2001:176-177), the typical application of model building are to either develop or build a new model or theory, or to improve on existing models and theories, using inductive and deductive strategies.

A disaster management cooperative governance model reflects the formal structure of an organization as per legislation of the *Act*. It also shows the relationship and division of activities into different functions and sections and it depicts the authority and responsibility lines which, at the same time, represent the official communication lines (Dubrin, 1990:183).

The illustration in Figure 6.5 below shows that the disaster management cooperative governance model for disasters involves a very complicated, widespread structure. The viability of this model is based on several crucial assumptions about the responsibilities of governmental institutions. According to Schneider (1995:36), there is a belief that disaster planning, preparation and response are best handled at the local level.

The second assumption is that no single level of government is to dominate or control the entire process. Even when the national and provincial government becomes involved in a disaster situation, they are not to supersede or overpower the actions of local government levels. All three spheres of government are supposed to continue working together to provide relief to disaster-stricken communities (Schneider, 1995:36).

As indicated in the previous paragraph, the model for disaster management cooperative governance will be presented systematically, using a graduated format.

In the model:

- Solid black arrows denote the span of management and authority;
- Dotted blue arrows denote communication lines;
- Solid orange arrows denote situation reporting lines;
- Solid red lines denote jurisdictional resource/capability/authority limits approaching/reached.

A dotted red arrow denotes triggers signaling the escalation to the next level of response (Reid, 2005:111).

#### **6.14.1 Span of management and scope authority**

The scope of management applied at strategic (national) level is the vertical command decision-making, exercised by the President, Minister and National Disaster Management Centre.

According to Alexander (1995:36), hierarchy as a coordination mechanism is the most familiar mechanism used to produce coordination between programmes and organizations within the public sector.

#### **6.14.2 Communication**

It involves two-way vertical communications between the National Disaster Management Centre, Provincial Disaster Management Centre and Municipal Disaster Management Centre; horizontal communication between spheres and agencies of government personnel (NATJOINTS, SANDF, SSA, PROVJOINTS) and critical stakeholders in the execution of their duties.

#### **6.14.3 Reporting**

A reporting line is a predetermined protocol for situation reporting and information sharing within and between the various levels of response management (Australia, 2004:38). The model encourages reporting to be done or executed in terms of internal agency operating protocols. Establishing and changing reporting lines of control is another

structural, hierarchical way for achieving better coordination (Alexander, 1995:39).

According to Bouckaert, *et al* (2010:34), the underlying argument is that to understand social and political dynamics, it is necessary to identify the basic process and resources such as bargaining, cooptation and coercion that are required to make coordination or other organizational processes function effectively.

The model incorporates the local councillor as a first point of entry, followed by the community-based structures, like disaster management volunteers, community emergency response team and fire brigade reserve force. All these structures will be managed under the command and control incident management systems. The SAPS- JOINTS will coordinate a response if vulnerability or a hazard is of a security nature.

Whetten and Rogers (1982:17-31) rank coordination strategies in accordance with their level of voluntarism coerciveness. They distinguish between control strategies based on authority, structural changes (hierarchy) and cooperative strategies based on mutual exchange of resources, cooptation and information networks.

#### **6.14.4 Trigger**

A trigger is the term used to signal the need to activate a higher level of response. According to Reid (2005:109), the four triggers identified are:

- Equipment resources depleted;
- Human resources depleted’;
- Organizational capabilities exceeded;
- Situation demands exceed jurisdictional or legislative authority;  
and
- Contingency reserve threshold exhausted.

**Figure 6.5: Cooperative model for municipal integrated disaster management strategy**



Adapted from Plummer and FitzGibbon, 2004; Malan, 2009:1146

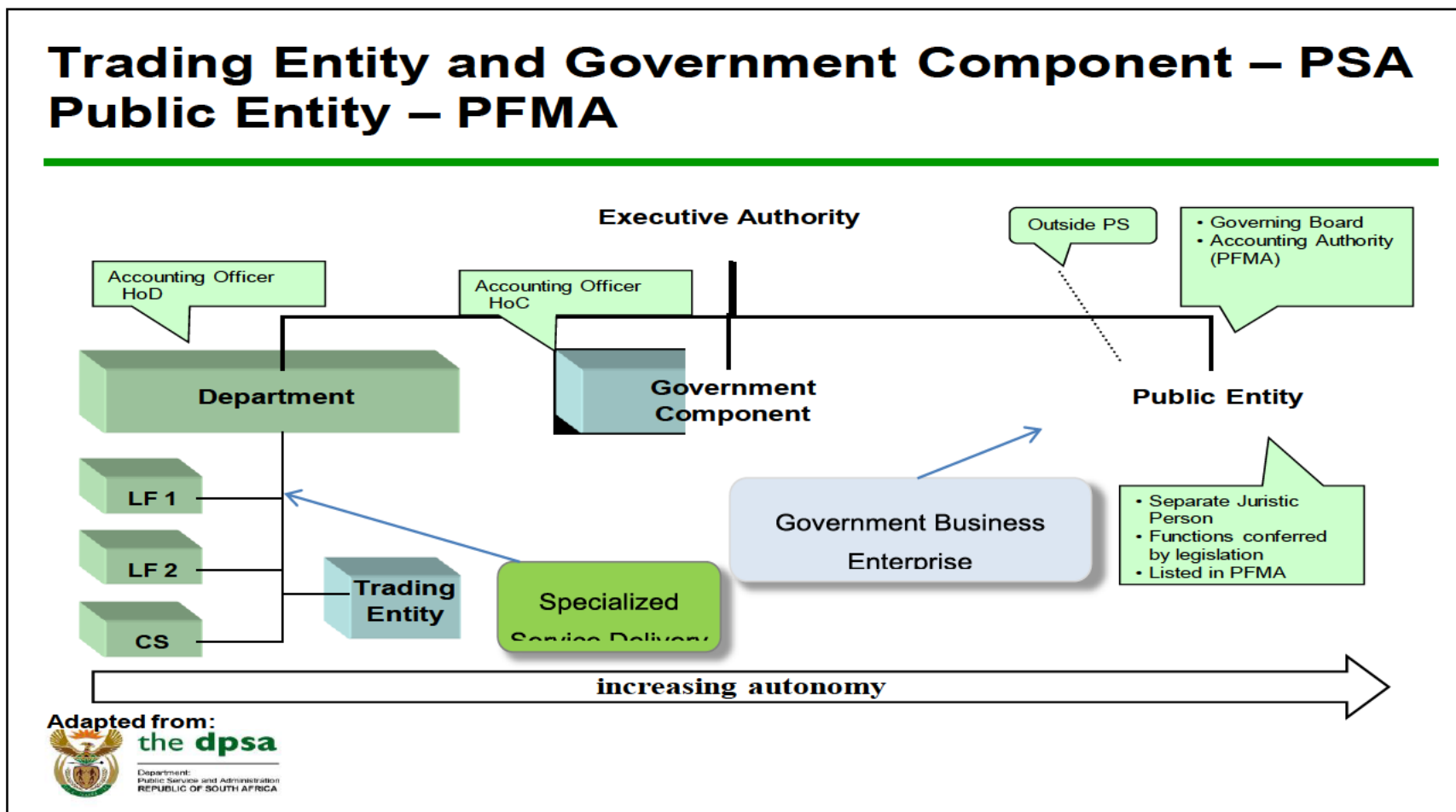
**Note:** See page 283 A for an A3 insertion of the above model.

The *South African Disaster Management Amendment Bill (10-2015)* section 8(1) proposes that the National Disaster Management Centre be established as an institution within the public service. It also mentions that the function should be centralised at the Office of the President, the Office of the Premier and the Office of the Mayor. The two forms of proposed government structures where the model can be implemented successfully are discussed below.

### **Advantages and disadvantages of alternative institutional forms available in the South African Government**

The model proposed in Figure 6.5 recommends that the structures of government, as depicted in Figure 6.6, must be implemented in order for the model to operate effectively. This section summarises information on the institutional forms available in the South African government sector. It has been extracted and adapted from two presentations developed by the Department of Public Service and Administration (DPSA), dated April 2010 and March 2011, respectively. As Figure 6.6 depicts, three options are available for disaster management in the public service. With an increasing order of managerial autonomy, it ranges from being a 'simple' branch in a department; to having a trading entity status in a branch of a department; to being a government component reporting directly to the executive authority, i.e. the Minister. A fourth option is also available, namely a public entity, although it falls outside the direct management of the public service. Two new organisational forms in the public service are provided for to supplement the departmental organisational form, namely a government component and a specialised service delivery unit. It is envisaged that the proposed model will be better suited in the implementation of the government component and specialised service delivery unit as a structure for disaster management (DPSA, 2013:7).

Figure 6.6: Government Component and Trading Entity



Adapted from DPSA, 2013:



## **Service Delivery Unit**

- This organisational form applies predominantly to service delivery functions which are structured as a unit within a department and within a framework that requires customised:
  - Decision-making powers; and
  - Accountability and reporting arrangements to accommodate a particular service delivery environment/challenge;
- This unit provides a mechanism for conferring, assigning or delegating government functions to a specialised service delivery unit with a unique identity or service delivery value chain within a department. However, such a unit would have less autonomy than a government component;
- Opposed to other units in a department, it would, however, have more direct financial and human resource powers and duties; and
- The head of department will be the accounting officer of the unit.

## **Delegation of Powers and Duties**

- Subject to the relevant Treasury approval, the accounting officer of a department must delegate all functions of the financial management of a Unit to the Head of that unit;
- These delegations may only be revoked under circumstances as determined by Treasury Regulations or instructions;
- Accountability for these compulsory financial delegations must also be as determined by Treasury Regulations or instructions;
- In terms of the Public Service Act, 1994 (Act 103 of 1994) (PSA), the human resource functions of the executive authority or the head of department must, if delegated, only be delegated to the head of that unit; and
- Functions in terms of other legislation (other than PFMA and PSA) may also be delegated to the head of the unit.

## Government components

- Government component organisational structures apply predominantly to service delivery institutions;
- An institutional mechanism for conferring, assigning or delegating government functions within the public service without having to confer functions to a separate juristic person (e.g. public entity) outside the public service;
- Flexible administrative and operational arrangements for specific measurable functions that can be logically grouped in terms of a particular service delivery model to suit a particular service delivery environment, value chain or identity;
- Improved governance through direct accountability and decision-making as close as possible to the point of service delivery;
- Direct influence by the executive authority over service delivery outcomes (not the day-to-day administration);
- A government component is partnered with a principal department (in Schedule 1 of the PSA), to assist the executive authority with exercising oversight over a government component on policy implementation, performance, integrated planning, budgeting and service delivery (insofar as applicable);
- An advisory board may be established (if required) to advise the executive authority on service delivery matters and to accommodate stakeholder interests;
- The head of the component will be the accounting officer of the government component in terms of the PFMA. Provision is therefore made for original financial powers for the head of the component;
- The head of the component has the powers and duties of a head of department in terms of the PSA and Public Service Regulations; and
- The Government Pensions Administration Agency and the Government Printer are examples of a government component.

<b>Comparison of Alternative Organisational Forms</b>		
<b>Line Function (Branch or Trading Entity)</b>	<b>Government Component</b>	<b>Public Entity</b>
<b>Governance and Administration</b>		
Adhere to governance arrangements applicable to the public service with conditions determined by PSA.	Adhere to governance arrangements applicable to the public service with conditions determined by the executive authority	Adhere to governance arrangements specified in enabling legislation and various codes and protocols, e.g. King III Report and Protocol on Corporate Governance
Accounts to the management of the relevant department	Accounts to the executive authority	Accounts to Parliament via the executive authority in terms of its enabling legislation
<b>Legal status/framework</b>		
Remains part of the national department	Remains part of the state similar to that of a department	Separate juristic person in terms of enabling legislation
Original, assigned and/or delegated statutory powers and duties	Original, assigned and/or delegated statutory powers and duties	Original, assigned and/or delegated statutory powers and duties
Easier to set up – 9 to 12 months	Easier to set up – 9 to 12 months	More complicated to set up – 2 to 3 years
<b>Funding model</b>		

<b>Comparison of Alternative Organisational Forms</b>		
<b>Line Function (Branch or Trading Entity)</b>	<b>Government Component</b>	<b>Public Entity</b>
Budget part of departmental budget	Transfer payment from principal department supplemented by levies charged in terms of legislation	Transfer payment from principal department supplemented by levies charged in terms of legislation.
Cash accounting framework similar to department; or	Cash accounting framework similar to department;	Accrual Accounting Framework. Chapter 6 of the PFMA applicable and relevant sections of Companies Act.
Retention of income on conditions set by National Treasury.	Retention of income on conditions set by National Treasury.	Retention of income.

Adapted from DPSA, 2013:5-8

### **How the proposed model will work better than what is currently in place**

The proposed model integrates all institutions of government which are participating in the Disaster Management Advisory Forum. The proposed model includes the development planning at local government level so that the disaster risk reduction initiatives can be implemented successfully. The perception that intelligence is at the heart of national and international security reflects a set of assumptions about security. The threat of global environmental degradation and the existential threat of global poverty far transcend in scale and human suffering the possible threat from jihadist terrorism (Scott, Hughes & Alexander, 2001:10).

## **How the proposed model will solve the problems identified in the research as indicated in Chapter 4**

Intelligence has never played such a prominent role in the public affairs of societies as it does today. The intelligence communities as illustrated in the proposed model are addressing the gaps, mistakes and failures of intelligence with reference to the 9/11 incidents in the USA and in Iraq (Scott, et al. 2001:6).

The proposed model also promotes the role which can be played by intelligence in disaster management by facilitating the forms of communication with Disaster Management Advisory Forum members. The proposed model also suggests proper capacity building in intelligence collection sources such as collection sections dealing with collecting information in open source, Human Intelligence (HUMINT), Measurements and Signature Intelligence (MASINT), Signals Intelligence (SIGINT) and Imagery Intelligence (IMINT).

The proposed model also emphasises the importance of the communication protocol for successfully managing any disasters or large incidents. NICOC reports to Cabinet, JCPS Cluster engages the JCPS DG's Cluster because the primary responsibility lies with political leaders rather than intelligence services.

The proposed model also emphasises the importance of cyber security as cyberspace is an ever-expanding global digital network that links many aspects of life, including social, business and military communications. The Internet has collapsed boundaries and empowered individuals in previously unimaginable ways. While new technologies allow for enormous gains in efficiency, productivity and communication they also create new vulnerabilities and threats. Thus, the digital tools are vulnerable to infiltration by groups seeking to compromise the security of computerised systems, thus forcing the country into a crisis which can create major catastrophes in the communities. Cyberspace is rapidly becoming both the new battleground for conflicts between the states and the next frontiers that

need to be secured in the name of national security (Costigan & Perry, 2012:3).

There is no dispute that NATJOINTS and PROVJOINTS roles and responsibilities in disaster management structures and the range of their tasks have increased in complexity. The command system at strategic and operational levels should create circumstances conducive to achieving the objectives outlined in the proposed model.

The House of Traditional Leaders is also linked to the local sphere of government in the proposed model. The Disaster Management Bill, 2015 seeks to amend section 51 of the Act to make provision for the National House of Traditional Leaders as established by section 2 of the National House of Traditional Leaders Act, 2009 (Act No. 22 of 2009) to recommend traditional leaders to serve on the Municipal Disaster Management Advisory Forums. The proposed model emphasises the importance of traditional knowledge practices which provide a valuable framework for disaster management.

The thorough trans-dimensional gathering of data hidden in the interconnected cultural relationships in the traditional community relying on oral tradition and collective memory, breaking out structures to even unseen dimensions, constitutes an important component of indigenous knowledge in the traditional communities that may reveal the causes, and the consequences of disasters.

For the proposed model to be of value, traditional knowledge must be accepted as legitimate and reconcilable with other knowledge claims in society and formally considered as part of a decision-making process (Velthuisen, 2007:271).

The model proposes that the disaster management committees be decentralised to function inside the affected communities on the periphery of society. The proposed model shows that disaster management structures activate intervention. Trans-dimensional and holistic perspectives into the causes, progress and consequences of

disasters are brought about by the disaster management centres and enhanced in the VOC and Cluster JOINTS at the community level.

The proposed model is driven by global, continental, regional, national and local legal frameworks, policies, strategies including contingency plans.

## **6.15 CONCLUSION**

The model of cooperative governance for the development of a disaster management strategy is the culmination of the research of this study. This model presented, focused on the five (5) phases as identified and grounded in the data through the research. Although this model has not yet been tested, international triangulation indicates that the model is true, generic and applicable to public sector entities. As far as possible the model aims to address the generic issues associated with cooperative governance in disaster management planning. This chapter provided an explanation of the different phases of the model. The discussion of the assessment phase emphasised the importance of proper assessment of different environments. Through the assessment, the cooperative governance planner obtains invaluable information on the environments in which the planning should take place.

The execution phase would take effect once a trigger event occurs, or when a threshold is reached. Review and rehearsal of the plan remains one of the most important aspects of cooperative governance planning. Through exercises and community awareness programmes, the cooperation can be tested and improved. The last phase of the model, namely updating of the strategies, points to the continuous updating of the strategies through pre-planning.

The last chapter deals with the conclusion and provides some recommendations.

## **CHAPTER 7: CONCLUSIONS AND RECOMMENDATIONS**

### **7.1 INTRODUCTION**

The disaster management's ability to successfully mitigate and prevent risk will require a cooperative governance mechanism that is able to address the various challenges of the threat to disasters. However, it is of the essence to note that disaster management is not merely a disaster management centre's concern. The response to disasters in society often emanates from grass-root levels, which may offer a solution in conjunction with efforts from the government structures.

The study analysed the importance of cooperative governance in disaster management in the municipalities across RSA. Against this background, the research examined the present state of disaster management in the three spheres of government by studying the existence of disaster management centres in all three spheres. The study also investigated whether the policy documents have been drafted by these spheres as required by the *Act*.

### **7.2 FINDINGS FROM THE LITERATURE REVIEW**

The RSA is considered to be one of the more liberal developing democracies in the global hierarchical political system. This is attributed to its approach to international relations, its economic standing in the global arena and respect for human rights.

However, despite its international standing, the country is not devoid of impending challenges.

This study has illustrated that although catastrophic disasters are not a direct threat to the RSA's fledgling democracy; elements within society provide an environment conducive to rudiments for the onset or slow onset of disasters and the related security apprehensions. Experts in



disaster risk management aptly pointed out that socioeconomic disparity provides an important avenue for disasters. South Africa is plagued with the problem of large socioeconomic inequalities stemming to a great extent from the apartheid regime and influx of immigrants from African states, which becomes manifest in unemployment and poverty.

Since the turn of the century a significant international drive has evolved towards the reduction of disaster risks. Due to the extreme nature of disasters, the reduction of the risks associated with these events can only be meaningfully addressed through collective actions. In essence, the protection of humans against disasters has almost become a human right. The role of the state as a key player therefore becomes increasingly important (Van Niekerk, 2011:3).

Britton (2006:10-11) is of the opinion that effective disaster risk reduction policy and legislation must be robust, able to link to various legislation, its implementation must be funded, it must be based on comprehensive and up-to-date information on the national disaster risk reduction priorities, and must have provisions for accountability.

### **7.3 CONCLUSIONS DRAWN FROM THE RESULTS OF THE QUALITATIVE AND QUANTITATIVE STUDY**

A dual quantitative/qualitative research design was used to test and obtain the perceptions and attitude of government officials working in the field of disaster management. Qualitative research takes into consideration the fact that research takes place within a specific context. Triangulation in the research was achieved through cross-reference with numerous recent research findings commissioned by the South African National Disaster Management Centre. The analysis of the data does not paint a rosy picture.

Previous sections have shown that the majority of municipalities in South Africa do not take disaster risk reduction seriously.

This is not only extremely worrisome with regard to disaster risk reduction, but it has also emphasized the lack of adequate direct preparedness measures. However, the emphasis should be on the need to ensure that disaster risk reduction becomes a priority.

## **7.4 RECOMMENDATIONS**

This study, within the ambit of its research findings, recommends the following elements and structure of an effective cooperative governance mechanism:

### **7.4.1 The basic elements of cooperative governance in South Africa: integration, coordination, risk assessment and the community**

One of the key arguments as articulated by the respondents has been the motivation for increased integration and coordination between existing structures concerned with disaster management. The approach should advocate greater communication between national, provincial, metropolitan, district disaster management centres and local municipalities, including the community.

In conjunction with this statement, the summation of international strategies on dealing with disasters also advocates an integrated approach amongst the relevant departments to curb the threats of disasters.

It can also be ascertained that other effective elements to counter disasters were predicated on the increased role of disaster management law enforcement and the placement of effective legislation.

Taking into account these varying elements, the latest two elements, namely legislation and international cooperatives, are already features of the RSA's attempts to curb disasters. However, the increased role of the enforcement of disaster management standards is still a debated issue. Disaster management initiatives remain fragmented across

different departments in the RSA and this provides an important basis for the importance of integration and coordination of efforts.

#### **7.4.2 Executive authorization**

The disaster management strategy will require executive authorization through presidential and cabinet orders to direct an integrated interdepartmental approach to disasters. These take the form of additions or amendments to existing legal frameworks and supporting policies which ensure the obligatory interaction of the relevant stakeholders.

These policy formulations and regulations would form the basic tenets of executive authorization for advocating that disaster management becomes and is perceived as a funded mandate by government.

Hence, the study recommends that the national government should establish funding mechanisms for the implementation of the *Act* and the *NDMF*.

#### **7.4.3 Uniformity for the implementation of the government policies**

The empirical research established that municipalities have legislation to implement the *Act* but its implementation is often ignored or neglected. The National Guidelines for provinces, metropolitan and district municipalities in 2008 have been drafted to standardize the implementation process.

The study makes the following recommendations to the National Disaster Management Centre to fulfil its mandate to promote an integrated and coordinated system of disaster management, with special emphasis on prevention and mitigation, by national, provincial and municipal spheres of government, organs of state, statutory functionaries, other role-players in disaster management and communities.

Hence, the study recommends that the national government should establish funding mechanisms for the implementation of the *Act* and the *NDMF*.

#### **7.4.4 Community participation**

It is important that members of the communities know exactly how the municipalities operate. Section 16 (1) the *Municipal Systems Act* stipulates that a municipality must develop formal representative government with a system of participatory governance, and for this purpose must encourage and create conditions for the local community to participate in the affairs of the municipality. It is thus suggested that community involvement in the Municipal Disaster Management Advisory Forum activities be practically and effectively implemented.

#### **7.4.5 Recommendation for further research**

The study also recommends further research on the organizational strengthening and re-engineering of disaster risk reduction integration in an effort to improve and enhance service delivery with regard to disaster management in the municipalities.

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