

**PUBLIC PARTICIPATION IN THE INFORMAL TRADING BY-LAWS
AMENDMENT: THE CASE OF JOHANNESBURG INNER CITY**

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Submitted to the University of the Witwatersrand, Johannesburg, in the school of Architecture
and Planning in 2010

Declaration

I declare that this research report is my own work. It is submitted in the University of the Witwatersrand, Johannesburg for the degree of Master of Science in Development Planning in 2010. It has not been submitted before for any other degree in any University.

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(Signature of candidate)

.....day of.....year.....

Abstract

In the South African context, public participation is highly recognised by all the developmental policies, legislations and the Constitution of the Republic. However, in some developmental sectors the implementation of these policies and legislations is still questionable. Informal trading is one of the sectors where public participation is lacking, (Benit-Gbaffou, 2008). Through the protests in some cities including the City of Johannesburg, informal traders have voiced their dissatisfaction caused by the lack of public participation in decisions making processes.

The aim of this research is to find out how participatory was the process of informal trading by-laws amendment by the City of Johannesburg between 2008 and 2009. Both qualitative and quantitative research methods were used to extract and analyse the information needed to answer the research question. The use of both of these methods helped to strengthen the overall study by minimising the weaknesses associated with each method as argued by Todd (1979) and Croswell (2009).

Informal traders, city officials and the informal traders' organisations were used as the main participants for this research. Pointing out the challenges facing public participation in the process of informal trading by-laws formulation will assist and encourage the city officials to consider marginalised voices of the public; in decisions making processes.

Acknowledgements

This work was never a solo effort. I would like to thank all those who supported throughout the course of this research project. Although I can not mention them all, I would like to thank Professor Aly Karam from Wits School of Planning and Dr. Claire Benit-Gbaffou, without their support this work would be impossible.

I would also like to thank my family for their emotional and financial support they gave me throughout the years of studies. I dedicate this piece of work to my mother, Rosalia Khoaeane and my son, Luyanda Mngoma. The faith they have on me is the reason I will never give in life.

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CHAPTER 1

THE RESEARCH INTRODUCTORY CHAPTER

Public participation in decisions-making processes is the cornerstone of democracy (Burke, 1968). In the post-apartheid South African context planning processes are still lacking this democratic value (public participation) although it is recognised in all the policies and by the Constitution of the Republic. This deficiency has been raised by public communities through protests that have taken place country-wide, including protests by informal traders. On the September 2002, a local newspaper (Sowetan) reported that a strike undertaken by informal traders in the City of Johannesburg (CoJ) was occasioned by the lack of public participation in the formulation of informal trading by-laws. Banit-Gbaffou (2008) has also pointed out the lack of public participation in the CoJ decision-making processes with regard to informal trading.

Public participation in planning processes is mandated by the South African Constitution (1996) and many other legislations including Municipal Systems Act (2000) which states that “community should be regularly consulted in its developmental needs and priorities”. This research aims to reveal the extent to which informal trading by-laws amendment by the CoJ between 2008 and 2009 was a participatory process.

1. Definitions

This section provides definitions of terms used in this research. It also provides definitions for the main concepts of the research, which are public participation and informal trading.

1.1 Public Participation

Public participation is an elusive term that can be defined differently depending on the context and level within which it applies (Davids et al, 2009). This concept is not confined to issues of service delivery and policy formulation, but also maintaining good order at local government level (Nyalunga, 2006).

According to the African Charter for Popular Participation in Development and Transformation (ACPPDT) of 1990, as cited in Theron (2009:15), public participation is “the empowerment of people to effectively involve themselves in creating the structures and in designing policies and

programmes that serve the interests of all as well as to effectively contribute to the development processes and share equity in its benefits.” The International Labour Organization (ILO) and the World Bank view public participation as an active process in which the participants take initiatives and action stimulated by their own thinking and deliberation, and over which they can exert effective control (Davids et al, 2009).

Although there are numerous definitions of the concept ‘public participation,’ in this research, this idea is used to refer to the involvement of the informal traders in the process of policy formulation by local government. The research employs this concept to specifically examine the participation of informal traders in the formulation of informal trading by-laws.

Other terms like “community participation” and “citizen participation” can be used interchangeably with the concept of public participation in this research.

1.2 Informal Economy

There is no single definition of the term informal economy. The definitions for this sector varies according to the “type of activity, size, regulatory requirements and legal status” (Naidoo, 2002, cited in Ligthelm (2005, 200)). According to Rogerson and Preston-White (1991), the term informal economy refers to a process of income generating that is unregulated by the institutions of society in a legal and social environment in which similar activities are regulated. Since these activities are usually unregistered, they do not pay tax.

Different schools of thought including the Dualist school, Structuralist school, and the Legalist school define informal economy in diverse ways, based on the view of each school. Dualist school views informal economy as the marginal activities that provide income for the poor in times of crises (Hart, 1973). This school of thought holds that for a comprehensive picture of informal trading, it is necessary to consider this form of trading from both a formal and informal perspective.

On the contrary, the Structuralist school of thought argues that the informal economy should be seen as subordinated economic units or enterprises and workers that serve to reduce input and labour costs and thereby, increase the competitiveness of large capitalist firms (Moser 1978). Lastly is the legalist school of thought which views the informal economy as an activity by

micro-entrepreneurs who choose to operate informally to avoid costs, time and effort of formal registration (de Sato, 1989). Although these definitions and perceptions about informal economy may not all have the direct link to what is meant by informal economy in this research, in developmental studies it is imperative to explore these perceptions and definitions because they influence the way politicians and the city authorities make decisions.

However, in this research, the term informal economy is used to refer to the economic activities that do not pay tax. Although the scop of this research does not allow the exploration and exemption of the causes of informal economy, in the South African context informal economy, particularly informal trading is perpetuated by the high rate of unemployment (Skinner and Lund, 2004).

1.3 Informal Trading

In this research the term informal trading is used to refer to the economic activity undertaken by entrepreneurs who sell legal goods and services within a space deemed to be public or private property, within the informal economy (City of Cape Town, 2003). As stipulated by the City of Johannesburg, informal trading includes the following forms of trading without having a license, (City of Johannesburg, 2009):

- (a) street trading, which comprises the selling of goods or supply of services for reward on public roads;
- (b) selling of goods in Linear Market;
- (c) sale of goods or services in a public place;
- (d) mobile trading such as from caravans, and light motor vehicles;
- (e) selling of goods in stalls or kiosks; and
- (f) selling of goods at special events.

1.4 Informal Trader

Means a “person who carries on the business of trading in designated informal trading areas and includes any employee of such person...” (City of Johannesburg informal trading and street trading by-laws, 2008)

Informal traders in the City of Johannesburg are divided into two. There are informal traders who serve as block leaders or committee members. Committee members and block leaders do the same job of leading other informal traders and representing them in meetings and other activities. The difference is that, block leaders are operating outside the Metro Mall Markets and the block leaders operate outside the markets (in open spaces and along the streets). In this research, the term “ordinary informal traders” is used to refer to informal traders who are neither block leaders nor committee members.

1.1.5 By-Laws

In this report, the term by-laws is solely used to refer to the City of Johannesburg’s current (2008-2009) informal trading by-laws

1.1.6 Meetings

In this report the term meetings is used to refer to the meetings discussing informal trading by-laws amendment held by the City of Johannesburg with the informal traders between 2008 to 2009, unless specified.

1.2 RESEARCH PROBLEM STATEMENT

While informal trading forms a fundamental component of labour market in most cities, especially in developing countries (Van Rooyen and Malan, 2007), it still lacks the recognition and support by city authorities. Many people in urban areas have turned to the informal sector for their livelihoods. Statistics in South Africa show that about three million of the population survive by informal trading, and a large percentage of these informal traders operate in big cities such as the City of Johannesburg, (Stats SA, 2008). In 2007, it was estimated that informal traders within the City of Johannesburg (CoJ) were between 36000 to 85000, and only about

5000 of these informal traders were registered with the Metropolitan Trading Company (MTC), (Van Rooyen and Malan, 2007).

Although informal trading serves as a source of income for many urban poor (Rogerson, 2004) in developing countries including South Africa, informal traders remain vulnerable to losing their source of income since they usually operate under unfavourable conditions. Among the restrictive and unfavourable conditions experienced by informal traders are the by-laws which authorise the act of evicting them and confiscating their stock by city authorities.

Although informal trading cannot be left unregulated (CoJ's Informal Trading Policy, n.d), the adoption of the informal trading by-laws in South Africa has resulted in the frustration of informal traders. Their displeasure is seen through the number of protests by informal traders fighting for their survival. Among the concerns expressed by informal traders in these protests is their right to participate in the process of formulating informal trading by-laws, (*Sowetan*, 26 September, 2002).

The CoJ has also been experiencing a number of protests by informal traders, lamenting about different issues which include the lack of consultation in the process of formulating by-laws, confiscation of their stock by the Metro Police and lack of land for trading sites amongst other issues (South African Informal Traders Forum Mass Action Memorandum, 2009).

It has also been pointed that the by-laws regulating informal trading in the CoJ are harsh and too restrictive to informal traders and are associated with punitive measures. Despite all these unfavourable conditions, informal traders have not stopped to do their business. The CoJ has estimated that out of 10 000 informal traders operating in the inner city, 70 percent of them operate in violation of the city informal trading by-laws. This high rate of by-laws violation can be an indication of dissatisfaction of the informal traders caused by the lack of consultation in decisions making, (ibid.)

Current City of Johannesburg's by-laws have created a conflict between the city authorities and the informal traders. Since 2002, informal traders in the CoJ have voiced concern about the City authorities saying that they undermine their constitutional right to participate in the formulation of city by-laws, particularly on issues that affect their survival strategies. In 2002, informal traders aired their grievances in the newspapers arguing that city authorities had adopted a closed

–door policy in formulating by-laws and ignored their needs by enforcing these by-laws that tended to subject informal traders to inhuman treatment (*Sowetan*, 26 September, 2002). According to the informal traders’ organisations, the CoJ was adopting these punitive measures as part of preparations for the 2010 World Cup tournament to be held in South Africa. Ballard et al (2007) have also pointed out that the government’s neglect of proper participatory democracy is aimed at avoiding the masses’ concerns, and to protect the interests of multi-national companies.

In the 2008 informal trading by-laws amendment in the CoJ, it was noted that some informal traders did not participate. This was raised in a meeting held at the Johannesburg Civic Centre on February 2009 by the deputy director of Johannesburg City’s Informal Trading Programme who complained about the delay of submissions for the first drafts of the informal trading by-laws amendment (meeting observed by researcher). According to the City Council, informal traders had to put their comments on the first draft and resubmit them by the end of November 2008.

Although this meeting (held on the February 2009) in Johannesburg Civic Centre was called to consolidate the ‘unsuccessful’ first round of public participation, it was evident that most informal traders were still not part of the process. This raised the question of whether informal traders chose not to participate or they were not well-informed about the process. According to Moosa (2008), Johannesburg city authorities have a tendency of sidelining marginal stakeholders when they hold public meetings. The Public Participation Report revealed for example, that for the meeting of Inner City Distribution System (ICDS), “invitations were not properly managed” (Moosa, 2008:81). The ICDS is part of the first phase of the City-wide roll-out of the Bus Rapid Transit (BRT).

Research reveals that the lack of public participation in the City of Johannesburg, especially on issues affecting informal trading, has denied the informal traders the opportunity to improve their economic conditions. A study conducted by Mapetla (2007:) revealed that 80% of the informal traders operating in the Metro Mall Market (in Bree Street) believe that their economic situation has declined dramatically since they were moved from their trading areas to the Market. One of the claims as highlighted by Mapetla is that the Inner City Regeneration programmes did not accommodate the poor and their interests.

The lack of collaboration between the informal traders and the City Authorities undermines opportunities for informal traders to grow their businesses (Mapetla, 2007). According to the African Cities Network, the city of Johannesburg should facilitate processes that legalize the informal businesses without imposing legal controls and regulations that impede their growth and development (ibid). This set a fertile ground for this research to explore the extent to which public participation has been considered in the CoJ's by-laws reformation.

While the infringement of by-laws by informal traders has been met with harsh measures from the Johannesburg Metro Police (JMP), it is critical not to over generalise the cause of these infringements. Having by-laws which are restrictive to what poor street survivalists see as an opportunity to make ends meet, by-laws infringement can be seen as a manifestation of protest against City Council's decisions. Non-compliance with government policies is a common response by poor people trying to use available urban space to their favour. In other countries the same problem has prevailed as Bayat (1997: 54) points out that, "government policies halting informal sector practices have failed as the poor have tended to respond by on-the-spot resistance, legal battles or simply by quiet non-compliance". However, the lack of information and access to by-laws can also cause non-compliance with by-laws. Access to information, provision of space for democratic interaction between the public and City Authorities, and the openness of these City Authorities to engage civil society's views in their plans have the potential to yield valuable by-laws that everyone will respect and comply with.

Informal trading by-laws' infringement therefore becomes the question of how satisfied the needs of the poor street survivalists are, and how democratic the public participation process in local government is. A good question to ask in this regard would be whether public participation is done to address the concerns of all the affected parties, which in this case is more about the poor people surviving by informal trading; or it is done to push forward the views of powerful individuals?

Recognising that informal trading is a 'fluid' activity where traders can frequently change positions in search of busier sites, while others are casual traders, invitations to community participation meetings cannot be left to informal traders' organisations only. If the City Council only invites informal traders' organisations because they have power to expose any injustice, this may disadvantage the unrepresented groups. De Villiers (2001: 32) argues that "while public

participation is frequently viewed as a form of empowerment, the danger is that only the already empowered may be able to enjoy its benefits”. It was observed by the researcher that in the community hearing meeting held at the Johannesburg Civic Centre on the February 2009 whose focus was informal trading reformulation, only informal traders’ organisations and a few informal traders attended the meeting as well as COSATU, invited by the South African National Traders Association (SANTRA) to organise traders.

Even though advertisements and invitations for public meetings are useful for community participation, more effective strategies need to be employed to encounter constraints inhibiting underprivileged people from participating in the decision making process (De Villiers, 2001). Poor people face many constraints that hamper their ability to participate in public meetings which directly or indirectly affect their lives. Among these constraints is time, language and access to information. The traders may feel that their time is better spent doing business rather than attending meetings. Some of the traders may feel excluded if a language they do not understand is used in meetings. At the same time, if information is not widely disseminated, the possibility is that a significant proportion may not even get to know about meetings. De Villiers (2001:159) posits that “rights to legal access and participation should be accompanied by dedicated strategies and programmes aimed at involving the broadest possible spectrum of society”. The extent to which local authorities seek to uplift those who are the victims of the mentioned constraints may determine the effectiveness of public participation.

1.3 Rationale

There are several reasons for undertaking this research on informal trading by-laws amendment. First, is the high rate of informal trading by-laws infringement which puts informal traders in danger of having their goods confiscated (www.joburg.org.za). This alarming rate of by-laws infringement shows that there might be a lack of coordination between the local government and the informal traders in terms of making decisions.

Second is the number of protests by the informal traders that have been taking place in some South African cities. These protests include the one by traders in the Early Morning Market in Durban; in this protest informal traders were complaining about city officials that they take decisions without consulting them, (www.flickr.com). The CoJ has also been experiencing such

protests, and to mention one among many is the South African Informal Traders Forum Mass Action which took place on the August 2009. The consistent grievance in these protests was that city authorities make informal trading by-laws without consulting informal traders.

The report on the research conducted by Benit- Gboffou (2008:i) and other researchers on participatory processes in South African local governments has revealed that, “institutional participatory mechanisms currently in place in South African cities do not work properly in practice”. Since the informal traders also cite the lack of consultation by the City Authorities as the main issue in their agenda, this research aims to find out how participatory the process of informal trading by-laws amendment in the CoJ was.

Findings of this research will help to reveal challenges inhibiting public participation in the process of formulating informal trading by-laws in the CoJ. This will help the city officials to develop new strategies of engaging public communities in their policy-making processes and planning in general.

1.4 Objectives of the Research

Based on the premise that public participation as an important aspect of local democracy (World Bank, 2000), helps to gather information necessary for policy makers to address the needs of the public (Ballard, 2008), this research aims to:

- Reveal the extent to which informal trading by-laws formulation was a participatory process.
- highlight the different levels of public participation that can be employed in local government processes

1.5 Primary Research Question

The City of Johannesburg considered reviewing informal trading by-laws in 2008. Since public participation in local governments' programmes and policy processes is one of the central visions for developmental governance in South Africa, the research question is:

to what extent was the informal trading by-laws amendment in the city of Johannesburg a participatory process?

1.6 Research Method

To answer the research question, a survey will be conducted with the informal traders operating in the inner city of Johannesburg. The reason for choosing informal traders as the main participants in this research stems from the fact that:

- As the most affected party, informal traders should be the first participants to be considered with regard to informal trading by-laws formation.
- Informal traders as the main group affected by the informal trading by-laws are more likely to provide reliable information about whether they were allowed to exercise their democratic right to participate in the process of informal trading by-laws amendment.
- Through the number of protests by informal traders, it has been observed that one of the issues worrying informal traders is the absence of their voice in decision making processes. So in assessing whether the current process of by-laws amendment was participatory or not, informal traders themselves are the best source of information.

The researcher will employ both qualitative and quantitative research methods. Todd (1979) argues that qualitative and quantitative research methods can be viewed as complementary rather than as rival camps, and this will help to minimise the weaknesses found in each method. Creswell (2009, 4) also argues that “the use of both qualitative and quantitative approaches is more than simply collecting and analysing both kinds of data, it also involves the use of both approaches tandem so that the overall strength of the study is enhanced”.

In using both qualitative and quantitative methods, the researcher will conduct qualitative interviews with the purpose of exploring the responses. In data analysis, the both qualitative and quantitative methods will feature since while providing the interpretations of the responses, the researcher will also provide the data in the form of percentages to show how many responses were positive or negative from the selected sample.

Open-ended interviews will be conducted with informal traders. Questions for these interviews are provided in appendix 4.

1.7 Sampling

Due to the complexity of informal trading in the CoJ, the researcher will not cover the whole area of the City. Judgement sampling technique will be used to choose the area to be covered. In doing this, the researcher will consider the extent the selected area can represent the entire area of focus based on some judgements which will be detailed in chapter three.

1.8 Ethical Issues

In undertaking this research project, the researcher is concerned about three key issues that underline ethical issues in a research project. These issues include protecting research participants (subjects), considering standards of research behaviour and taking into account the risk of discrimination (Research Mindedness).

In protecting research participants, the researcher will make sure that participants are aware that they are participating in a research project. They will also be fully informed about what the research is all about.

In maintaining the standards of research behaviour, the researcher will make sure that all the promises of confidentiality made to the participants are kept. Lastly, the researcher will attempt to avoid any kind of discrimination while conducting interviews. These discriminations can result from avoiding participants who speak languages that the researcher is not comfortable with e.g. non English speakers. So to avoid such discrimination, the researcher will allow the participants to speak the language they are comfortable with. The researcher also got the

approval from the School of Architecture and Planning at the University of the Witwatersrand before he went out to conduct surveys.

Overview Structure

This section provides the overview structure of the research report. It clarifies the content of every chapter by giving the gist of what each chapter is all about.

Chapter two provides literature review on public participation and the informal economy. It will start by giving definitions of both these concepts, drawing from different scholars. Secondly, it will look at the theoretical perspective of public participation and informal economy, drawing from both international and local understanding of these concepts.

The researcher will focus more on informal trading as it forms a part of the informal economy. The link between informal trading and public participation will be drawn using the South African Constitution (1996) and other policies and legislations which encourage the consideration of public participation in the policy making process. The dynamics associated with public participation processes in South African cities as expressed by members of the public through the protests will be reviewed.

Lastly, this chapter will formulate the theoretical and conceptual framework using the typologies and conceptions of public participation as propounded by Arnstein (1969); Oakly and Marsden (1991) and Pretty et al. (1994). This theoretical framework will inform the formulation of interview questions with a view to establish whether the informal trading by-laws amendment in the City of Johannesburg was a participatory process or not.

The third chapter discusses the study area. It will provide the historical background of the informal traders in the study area, and the current environment within which the informal traders operate. This chapter will further highlight how informal traders are organised, including the informal traders' associations that exist in the area. Lastly, this chapter will present the organisational structure that is used by the CoJ as a mechanism of public participation to incorporate informal traders in policy making processes.

Chapter four will present the data. It will summarise and label data collected from the informal traders in the City of Johannesburg. Labelling data will help the researcher to easily identify the

responses from different groups. Moreover, by coding data, the researcher will be able to easily identify data relevant to certain themes covered in literature review. Coding data also helps the researcher to manage data (ibid.).

The fifth chapter is a methodology chapter explaining the strategies used to collect data, analysing findings and highlighting the methodological problems. It also provides the solutions taken by the researcher to these problems and highlights shortcomings.

Chapter six is a conclusion chapter divided into two parts. The first part provides the interpretation of the research findings. The second part will provide recommendations and highlight areas of further research

1.9 Conclusion

This chapter started by highlighting the importance of public participation in decision-making processes as a cornerstone of democracy (Burke, 1968). It further highlighted how the South African Constitution of 1996 stresses the need for public participation. A problem statement capsulating some problems facing informal traders on issues of public participation in the CoJ was drawn. This chapter also provided objectives of the research and the research method to achieve these objectives.

CHAPTER TWO

PUBLIC PARTICIPATION AND INFORMAL TRADING

2.1 INTRODUCTION

This chapter is the literature review and covers the concepts of public participation and informal trading. These two concepts underpin the area of this study. The main aim of this chapter is to provide a comprehensive review of other researchers' findings and perceptions on the nature and significance of the informal trading. It also aims to highlight the role of public participation in local governments planning processes to harness the success of informal trading sector.

By unpacking these two concepts, the researcher will be able to understand the extent to which public participation process can be used to empower the practitioners of the informal economy, especially informal trading, to address the challenge of job creation and poverty alleviation. Rogerson (2004) points out that the informal economy has become an axis of both economic growth and survival. This shows the necessity for local governments to cooperatively work with the informal traders if they are to successfully address problems of poverty and unemployment. Public participation as a tool that compels government interventions to consider the 'voice' of civil society (Theron, 2009), is very important for formulating public policies that accommodate and benefit different groups including survivalist informal traders.

2.2 Public Participation

The concept of public participation has become a buzz word in democratic South Africa since it is articulated in most policy documents which include the Constitution of the Republic of South Africa (RSA) (1996), White paper on Local Government (1998) and others as detailed in section 2.5. Davids et al. (2009) argue that although everyone advocates this term, few put it into practice. Since the concept of public participation forms the backbone of this research, in this section different literature on public participation will be reviewed with the aim of highlighting the key elements that inform the best practice of public participation.

2.2.1 Key elements and the Principles of Public Participation

Researchers like Arnstein (1969), Oakly and Marsden (1984), and Pretty et al. (1994) have developed typologies of public participation highlighting its different conceptions, modes and levels. These typologies provide different levels of public participation ranging from the strong public participation characterized by bottom-up decision making process to the weak public participation characterized by the top-down decision making process. In assessing the extent decision-making and planning processes are participatory; these typologies can be used as an instrument or yardstick. In table 1 below I (the researcher) summerise these typologies.

Table 1: Typologies of public participation

Arnstein's levels of public participation	Oakley and Marsden's modes of public participation	Pretty et al.'s conceptions of public participation
Public control: the public has the degree of power necessary to govern a programme or institution without the influence of the public.		Self-mobilization: this is a bottom-up approach where people take initiatives independent of external institutions.
Delegated power: the public acquires the dominant decision-making authority over a particular programme.		
Partnership: power becomes distributed through negotiations between the public and those in power.	Authentic public participation: public participation is an active process by which the public influence the direction and execution of decisions.	Interactive participation: people participate in joint analysis. Participation is seen as a right, not just a means to achieve project goals.
Placation: few handpicked members of the public are appointed to committees while tokenism is still the motivation for the powerful.	Incremental mode: public participation is concerned with organized efforts to increase control over resources and regulative institutions in given social situations for groups excluded from such control.	Functional participation: people participate in a group context to meet predetermined objectives related to the programme/ project.
Consultation: the public is free to give opinions on the relevant issues, but the powerful offer no insurance that these opinions will be considered.	Manipulative mode: public participation includes public involvement in decision making processes, implementing programmes/ projects, evaluation and sharing the benefits.	Participation for material incentives: people participate by providing resources in return for food or cash.
Informing: Top-down flow of information in which the public is informed of their rights, responsibilities and options.	Anti-participatory mode: public participation is considered a voluntary contribution by the public to a programme/ project, but public is not expected to take part in shaping it.	Participation by consultation: people participate by being consulted by professionals. The professionals define the problems and solutions and may modify this in the light of public's responses. This process does not include any share in decision-making by the public.
Therapy: the public's attitudes are shaped to conform to those in power.		Participation in information giving: people participate by answering questions posed in questionnaires or telephone interviews.
Manipulation: the public is part of powerless committees and the notion of public participation is a public relations vehicle for the powerful.		Passive participation: people participate by being told what is going to happen or has already happened.

Although the three typologies of public participation summarised in table 1 above present slightly different models and conceptions of public participation, level three from the top of the table provides the most democratic way of public participation. Arnstein (1969) perceives this level as partnership where all the stakeholders have equal power to influence the final decisions. Oakly and Marsden (1991) view this level as authentic public participation. They also stress the need for all stakeholders to be in the position to influence the direction of decisions. Furthermore, Pretty et al. (1994) endorse this democratic way of public participation and they name it as interactive participation. In a democratic society like South Africa, one would expect that the public policy making process reflects these values of public participation.

Davids et al. (2005) argue that there are three levels of public participation; these include participation through informing the participants, consulting participants and empowering participants. These levels of public participation can be reflected by the practice of public participation as identified by the International Association for Public Participation (IAPP) in 2002 which state that (Theron, 2009:114)

- The public should have a say in decisions about actions that affect their lives
- Public participation includes the premise that the public's contribution will influence the decisions to be taken
- The public participation process communicates the interests and meets the process needs of all participants
- The public participation process seeks out and facilitates the involvement of those partially affected
- The public participation process involves participants in defining how they participate
- The public participation process communicates to participants how their inputs affected the decision
- The public participation process provides participants with the information they need to participate in a meaningful way

Hampton (1977) cited in Burke (1981) argues that public participation should seek to serve two main purposes which are:

- The improvement of the planning process by dispersing and collecting information to and from the public. This adds to the planners' data base and enables local authorities to gain support for the planning concept of meeting certain community needs, and
- Enhancing the role of the public by encouraging individuals or groups of individuals to play a more active role in the formulation of public policy.

This section has discussed the key elements of public participation in theoretical manner and the next section will be looking at how in practice public participation is carried out. It will draw from both local and international experience, highlighting different approaches for public participation.

2.2.2 Public Participation in Practice

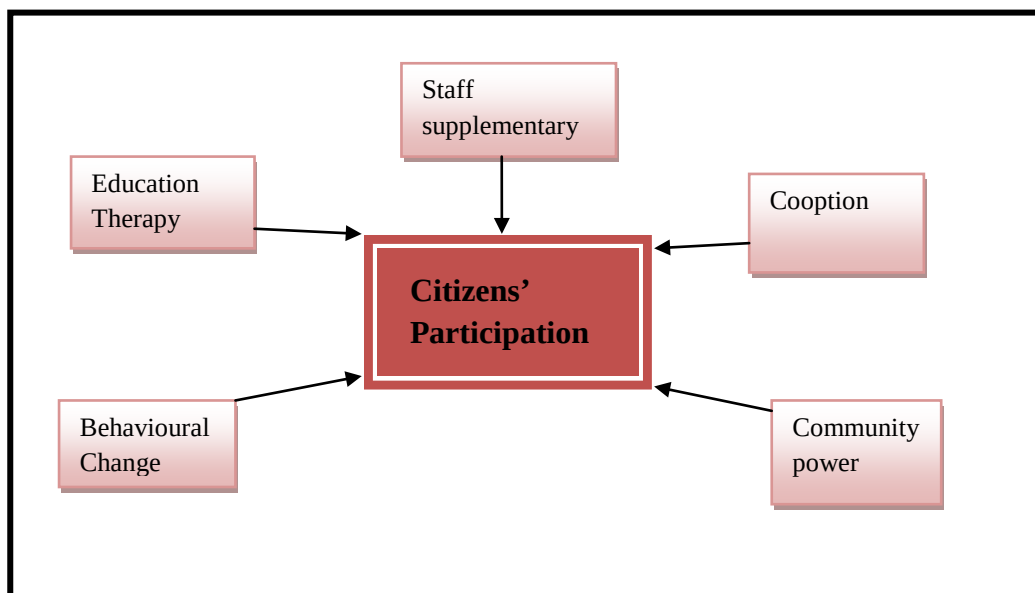
Burke (1968), Thulare (2004), Dewar (2005), Nyalunga (2006), Rooyen and Malan (2007), Benit-Gbaffou, (2008, 2009), Skinner (2008) and many other researchers have contributed to the literature on the application of public participation and the problems associated with its implementation. Some of these researchers have specifically studied the ability of the informal traders to practice their citizens' rights in influencing policies that affect their survival strategies. This section will start by highlighting Burke's (1968) strategies of public participation, and then it will look at the problems associated with the application of this concept (public participation).

Burke (1968) writing from an American context argues that while citizen participation is important in decision-making as part of our democratic heritage, there can be a potential conflict between participatory democracy and professional expertise. This conflict stems from the fact that while citizen participation supporters strongly argue that citizens should have a share in decisions affecting their lives and livelihoods, and that anything less is a betrayal of democratic

tradition, it also can be argued that citizens cannot participate in all decision making functions, especially those that need high technical competency (ibid).

This conflict rising from the demand both for participatory democracy and technical expertise in decision making processes can be mitigated by making accommodations for both. These accommodations need the city authorities, officials, mayors or anyone in charge to adopt a relevant strategy of citizen participation. Burke (1968: 287-293) offers five possible citizen participation strategies that city authorities can employ in their planning processes. He argues that while there can be many problems in an attempt to encourage citizen participation, some dilemmas can be avoided by adopting a strategy of participation specifically designed to fit the role of that particular society or organisation. Figure 1 below provides these strategies.

Figure 1: Burke's (1968) five strategies of citizen participation



- **Education therapy:** In this strategy of citizen participation, the focus is put on education. Citizens or public communities are trained to value and appreciate cooperation as a problem solving method, and to learn how democracy works. This strategy also involves the process of encouraging people to make their own decisions on what is good for them. By employing this strategy, confidence and self-reliance for public communities can be developed. Burke (1968) asserts that this strategy also

increases the sense of responsibility for the decisions and the policies taken by the public.

- **Behavioural change:** This strategy is practiced through community organisations. It is based on two major premises. First, it is the belief that individuals can be easily influenced by the groups to which they belong than by city officials. Secondly, it is the conception that individuals and groups resist decisions which are imposed on them, and that they are more likely to develop commitment to decisions and policies that they have been a part in discovering.

When using this strategy the city officials or any planners' board should work with the groups or organisations existing in the community to change individuals' behaviour in order to engender common interests. Burke (1968) argues that the effectiveness of this strategy depends upon the existence of some conditions which include making sure that:

“Participants have a strong sense of identification with the group, and that they feel assured that their contributions and activities are meaningful both to themselves and to the group (ibid: 289)”.

For the success of this strategy, it is also important that all parties are actively involved in decision-making and are satisfied.

Communication channels should also be encouraged and created to make sure that stakeholders can share information within the group. If these groups or community organisations show these characteristics, they can become medium and agents of behavioural change.

- **Staff Supplement Strategy:** This strategy is concerned with involving volunteered public community members as part of the organisations' staff. It is used to “supplement the expertise of the planning agency's staff with the expertise of particular citizens” (Burke, 1968: 290). The organisation employing this strategy encourages its own staff to be experts in knowing how to involve and work with citizens or public communities in planning and policy making processes. In this strategy, only a few selected members of the public community are involved in the planning and policy making process.

- **Cooptation:** In this strategy, the organisation undertaking citizens' participation involves citizens in an organisation in order to prevent obstruction towards achieving its goals. In this case "citizens are not seen as means to achieve better planning goals, rather they are seen as potential elements of obstruction and frustration" (ibid: 291). Therefore cooptation is done to neutralise the influence and power the citizens possess.
- **Community power:** This strategy is designed to exploit the community by capturing influential individuals into the organisation and use them to achieve organisations' objectives. The organisation needs to keep these individuals satisfied in order to sustain itself. This strategy is similar to cooptation but it is more informal.

Some elements of Burke's strategies of citizens' participation can be employed by local governments in their planning and decision-making processes to achieve participatory planning. Looking at the elements of educational therapy strategy, it appears that to make public participatory process effective, public communities need to be empowered with all necessary skills they need.

Behavioural change strategy also highlights crucial points that need to be considered to make public communities committed to the decisions and policies taken for development planning. Although in practical terms Burke's (1968) strategies of citizens' participation cannot be easily separated, since some of the elements appear in more than one strategy, it is important that those faced with the activity of participatory planning do not separate these strategies. It should also be noted that some of Burke's strategies of citizens' participation reflect elements of dictatorship which are not favourable for democratic public participation.

Many democratic states including South Africa have employed public participation as one of the important elements for good governance, (Nyalunga, 2006). In the South African context, public participation is recognised by the Constitution of the RSA (1996) and other legislative documents in the country.

Although the South African Constitution of 1996 and many other legislative documents stress the importance of public participation in government processes, the delivery still has not benefited the poor majority (Benit-Gbaffou, 2009). The scholar just mentioned argues that the

lack of critical approaches to public participation has limited marginalized groups from utilising public deliberation to influence decisions that affect their lives.

While public participation is highly recommended at the top structures of governments, the participatory mechanisms put in place do not function properly (Benit-Gbaffou. 2008). These institutional mechanisms include ward committees, development forums, and integrated development processes. The inefficiency of these institutional mechanisms has been identified as one of the factors that affect proper public participation. Issues of power, skills and knowledge, gender, social and political marginalization have also been raised as some of the hindrances to public participation (Arnstein, 1969; Foucault, 1982; Plummer, 1999; Hickey and Mohan, 2004; Benit-Gbaffou, 2008).

Power distribution among the stakeholders determines their ability to participate in decision making processes. According to Arnstein (1969), public participation is more about sharing power and making sure that those who have no economic, political or any other kind of power get accommodated in the processes of determining goals and policies on matters that affect their lives. He argues that participation without redistribution of power is an empty and frustrating process for the powerless. It allows power holders to claim that all sides were considered whilst benefiting only certain powerful sectors. Lund and Skinner (2004) discovered that in the meetings held in Durban where informal and formal economy activists were present, power dynamics resulted in the voices of informal traders being silenced.

Foucault (1982) sees power as “the network of social boundaries that limit fields of possible action”. In this theory of power relations, city authorities or anyone who conducts public participation need to be cautious about selecting the venue for public meetings. This power relation theory also suggests that the public should be given power to define the space where they think they would feel comfortable to voice their views. Hickey and Mohan (2004: 34) argue that “if we are to assess the transformative possibility of political space which determines who has power, we need to look more closely at three different continuums of power” which look at:

- How spaces are created;
- The places and levels of engagement, and

- The degree of visibility of power within them.

According to Hickey and Mohan's (2004) perspective, each of the above elements involves dynamics of power that influence which actors, voices and identities may freely participate in decision making processes.

Knowledge and skills existing in the community also determine the extent to which the public can effectively participate in government programmes and decision making processes (Plummer, 2000). This is grounded on the findings that the extent public community understands participatory processes and government procedures is affected by their level of education and knowledge. This implies that dedicated public participation processes should teach stakeholders about participation. This may include the process of explaining the benefits and consequences of being or not being a part of public decision making process, and teaching them other participatory skills.

Gender has also been singled out as one of the significant factors influencing public participation. Plummer (2000) argues that social inequalities along gender lines may disadvantage women. Additionally, women and men may have different views on some issues since they interact with the world differently (ibid.). In this sense, the dedicated public participation processes would consider the issue of gender representation and make sure that both are represented.

Based on a study done on the South African informal economy, Lund and Skinner (1999) assert that while informal traders' organizations are important for public participation in local government decision-making processes, their weaknesses and opportunistic behaviour make their legitimacy questionable. This presents one of the challenges facing public participation since Nyalunga (2006) on his work done on public participation in the South African context further argues that, public participation is still faced with numerous challenges including the conflation of civic and political issues which can nevertheless be overcome by separating the two. He also argues that the roles and responsibilities of stakeholders involved in development and participatory processes need to be defined for the following purposes (Nyalunga, 2006: 42)

- For clear communication channels between municipalities and community based structures

- To transform the relationship of mistrust that may exist between participatory agents
- To facilitate a flow of information
- Encourage municipality outreach programmes
- For capacitating municipalities and stakeholders working on issues of community-consultation
- To make IDP representatives forums proactive and accessible to people
- To educate people and address apathy
- To build networks with stakeholders and practitioners

Having reviewed literature on public participation, it appears that the most democratic way of public participation is when all stakeholders possess the equal opportunities to influence the decisions that directly or indirectly affect their lives. The process of decisions making should allow distribution of power among different stakeholders through negotiations (Arnstein, 1969).

The following section will look at the informal economy. This section will develop the link between public participation and informal economy, showing the importance of public participation as a tool for supporting and promoting informal trading.

2.3 INFORMAL ECONOMY

This section looks at the scale and the role of informal trading in serving the needs of the unemployed and poor. It provides the background of the informal economy, paying more attention to informal trading. It also links informal trading with local economic development (LED), showing the importance of informal trading in addressing the goals of LED which in the South African context are to create job opportunities and to alleviate poverty (Department of Provincial and Local Government, 2000).

2.3.1 Background of the Informal Economy in South Africa

The informal sector in the South African context emerged alongside industrial growth as migrant labourers came in large numbers into big cities (Bozzoli, 1991). The informal economy dates

back to the 1920s. It played a vital role in sustaining the poor, underemployed and unemployed, and these were mainly black women who could not be absorbed into the formal economy due to racial and gender related discrimination (Beavon, 1981; Rogerson and Preston-White, 1991).

Among the women coming from the different places of the country to the cities in search of a better standard of living, included the Phokeng women. These women relied mainly on domestic work and self employment, “selling fruits and washing laundry” to survive as they arrived in Pretoria and Johannesburg by the beginning of twentieth century (Bozzoli, 1991: 169). Indians have also used informal trading as the main strategy to accumulate income under the racially segregated South African system since their arrival in the country (Cachalia, 1983). The injustices of that time which only allowed Whites to benefit from the prevailing economic system made Indians rely on hawking and petty trading for survival (ibid).

Although the informal sector has remained the main survival strategy for the poor since the early twentieth century, history reveals how restrictive government legislations have played a role to sideline this sector from sharing the economic growth enjoyed by the formal economy. Among the barriers imposed by government to informal traders from freely doing their business was Section 30 of the Black Consolidation Act No. 25 of 1945 which stipulates that:

“ No person or persons shall carry on any business within a location or native village in any other place than a site rented by a council to such person or persons for trading or business purposes” (Beavon, 1981: 25).

This Act constrained many poor people’s business activities that featured in the South African cities of the 1950s. These activities and trades included retail distribution (street trading, caterers, clothing sellers); personal services (shoe repairs, hairdressers); security services (night-watchman); coffee carts and many others (Beavon and Rogerson, 1980). The tables of fruits and vegetables along Diagonal Street (Johannesburg) in the 1940s, manned by Indians, are some of the prevalent forms of street trading of the time. Figure 2 below shows some of these activities.

Figure 2: Indians practicing street trading in Diagonal Street (Johannesburg) by 1940s



Source: Cachalia (1983: 14)

The shutdown of the coffee-cart traders by the early 1970s (Beavon, 1981; Hart, 1991) is one of the examples presenting the attempt by government to eliminate the informal economy, in particular, informal trading. Other informal economic activities survived under severe conditions as Cachalia (1983, 39) observes that “despite the harassment and attempts at increasing control, hawkers continued to sell in the streets of Johannesburg”.

It appears that the lack of accommodative policy has left informal economic activists vulnerable since they over the years had been surviving through the mercy of city authorities and law enforcers as eviction occurs at their will. The democracy realized by South Africans in 1994 has not done much to change these non-conducive environments within which informal traders operate. This is reflected by the struggle and protests of informal traders against economic policies employed by the city authorities. Since 1994 South African cities including the City of Johannesburg have been experiencing several protests by disgruntled informal traders over the

informal trading regulations. Among the contested tools for regulating informal trading are by-laws which are formulated in the absence of public participation (Sowetan, 26 September, 2002).

2.3.2 Understanding the Informal Economy

Understanding the roots of the informal economy, particularly informal trading, is crucial for the development planning processes. In the post-apartheid South African context, local governments received the mandate to “play an active role in economic development, as well as to promote public participation” (Lund and Skinner, 2004: 431). Understanding the causes and the nature of informal trading will help the policy makers to take accommodative decisions.

The perceptions of different researchers create different impressions about the informal economy. Some researchers view the informal economy with positive ‘eyes’ since they see it as “a pool of entrepreneurial talent or a cushion during economic crisis” and others view it as a source of livelihood for the poor (Cohen et al., 2006: 2131). While positive connotations have been attributed to the informal economy, some observers view it in negative terms since they see it as an activity by informal entrepreneurs who deliberately avoid registration and taxation, thereby causing unfair competition for the formal business owners (ibid.). These different views about the informal economy shaped the three schools of thought that inform the debates about the informal economy since the 1970s (ibid). These schools of thought include the dualist school, structuralist school and legalist school as highlighted in section 1.2 of this report.

Skinner (2008) on her work done on street traders in Africa views informal economy from dualist school of thought perspective since he asserts that, a critical factor in increasing the numbers of street traders in Africa is the Structural Adjustment Programmes of the 1980s and 1990s. Privatization and the opening up of African economies to foreign markets are seen as the main causes of the lack of job opportunities since the formal sector could no longer keep up with competition induced by developed countries.

Although the existence of informal economy can be perceived differently by different schools of thought, experience in the South African context shows that racial discriminatory policies which allowed only a smaller portion of the population to benefit from the economic system (Cachalia, 1983), and the conditions of unemployment (Beavon, 1981) are the main driving forces behind informal trading. Rogerson (2005: 5) further asserts that “the informal economy in the City of

Johannesburg has grown up and out of the failures of the formal economy to generate sufficient employment opportunities for the expanding numbers of work seekers, including new migrants from all parts of South Africa and from Sub-Saharan Africa”.

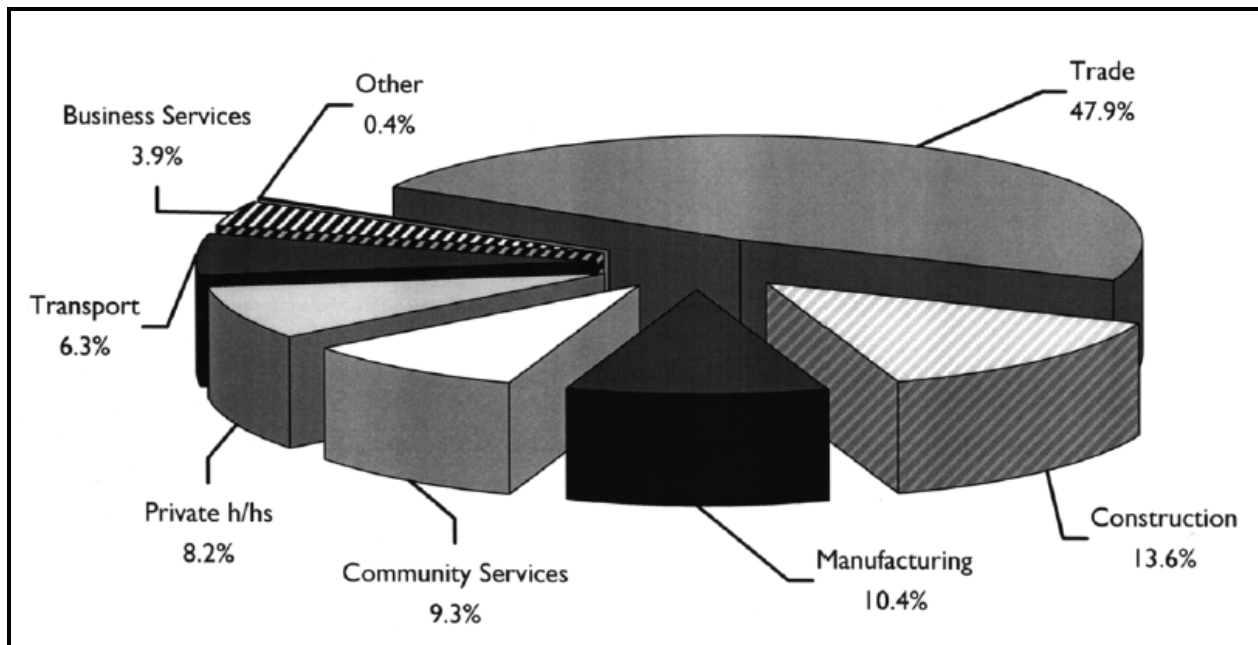
2.3.3 The Significance of Informal Economy

“Up to three million people in South Africa are informal traders” (Stats SA, 2008: n.d)

Although there have been different perceptions about informal economy, the international and local experience shows that this sector has been growing since it started, and it has claimed a significant but overlooked share of the global economy and workforce (Chen et al., 2006). While the term informal economy encompasses two broad groups which are the “self-employed who work in small unregistered enterprises (informal traders) and the wage workers who work in insecure and unprotected jobs” (ibid: 18), as delimited by the scope of this research, the researcher focuses on informal trading.

In Africa, estimates indicate that informal trading accounts for almost two- thirds of the urban employment and grows at an annual rate of 7 percent (Ligthelm, 2005). This shows the role played by informal trade in providing employment and incomes to a significant percentage of people in Africa, particularly in urban areas (Mitullah, 2006). In 2005 about 31 percent of the labour force in South Africa comprised informal employment with informal trading forming a larger component (Skinner and Lund 2004; Valodia, 2007). It also contributed between eight and ten percent of South Africa’s gross domestic product (GDP) in 2005 (Skinner, 2006). Graph 1 below shows the percentage of informal trading in the South African informal economy by 2003. Appendix 2 also provides the trends of escalating numbers of employment in informal enterprises in South Africa between 1997 and 2005, with about fifty percent of these informal enterprise employees involved in informal trading (ibid, 2006).

Graph 1: The percentages of different sectors forming the informal economy in South Africa by 2003



Source: StatsSA, 2004 cited in Skinner and Lund (2004: 435)

The South African metros have about a quarter of their total employment coming from the informal economy, with the City of Johannesburg sitting in the second highest position with 25 percent in 2005 (Skinner, 2006). Informal trading has also prevailed to form a fundamental component of these figures since the City of Johannesburg had about 36 000 informal traders in 2007 (Van Rooyen and Malan, 2007).

The significance of the informal economy, particularly informal trading to provide job opportunities and serve as an axis of both economic growth and survival (Rogerson, 2004) requires local governments to accommodate it in their economic policies. While informal trading plays a critical role in saving the lives of the poor and unemployed, there are still many barriers facing informal traders operating in the cities. Among these barriers are licensing, restrictive by-laws (Valodia, 2007), and the lack of collaboration between city authorities and the informal traders in the process of making informal trading policy (Holmnes et al., 1999).

2.4 PROMOTING LOCAL ECONOMIC DEVELOPMENT BY SUPPORTING INFORMAL ECONOMY

According to Section 153 of the Constitution of RSA (1996), local governments are responsible for promoting local economic development (LED). Local Economic Development (LED) is one of the national government's plans aimed at achieving the objectives of reconstruction and development (Rogerson, 1999). Among the LED core elements are initiatives designed both to promote growing local economies as well as to address poverty alleviation (ibid.).

Considering the significance of the informal economy in creating job opportunities in South Africa, local governments need to support this sector in order to achieve the main goals of LED. It has become more apparent that informal trading is one of the most prominent sectors of informal economy in the country (ILO, 2003) and this shows there is need to develop and promote this sector.

One of the key supportive bases for LED as pointed out by Nel (2005) is the laws which give substance to the principle of developmental local government. Among the responsibilities assigned to local governments is to prioritize the needs of the poor by promoting consultation and participation (ibid.). Working together with local communities to find ways to meet their social and economic needs is one of the critical elements to be considered for developmental local government (The Constitution of RSA, 1996). The following section highlights some of the policies stressing the need of public participation in local government's programmes.

2.5 REVIEW OF THE RELEVANT POLICIES

Post apartheid legislative framework in South Africa emphasizes the importance of public participation as an essential tool for democratic consolidation. This is articulated in the number of legislations among which include the White paper on Reconstruction and Development (1994), the Constitution of the RSA (1996), the White paper on local government (1998), the Municipal Systems Act (2000), and many others.

The Constitution: Public participation in decision-making is encouraged in the 1996 Constitution as it stipulates that, "peoples' needs must be responded to and the public must be encouraged to participate in policy making" (RSA Constitution, 1996: sections 195 (1) e). The

Constitution further asserts that the function of local government is to encourage the involvement of communities and community organizations in local government (section 152).

White Paper on Local Government (1998): This document proposed a new mandate to local governments termed as “developmental local government”. The local governments’ approach to fulfil this mandate is “to work together with local communities to find sustainable ways to meet their needs and improve the quality of their lives” (RSA, DCDPA: section B).

Municipal Structures Act (No 117 of 1998): It requires municipalities to consult with civil society in meeting the needs of local communities.

Local Government Municipal Services Act of 2000: It instructed municipalities to “establish appropriate mechanisms, processes and procedures to enable the local community to participate in the affairs of the municipality” (Constitution of RSA, 2000: section 17.2). According to this act:

A municipality must develop a culture of municipal government that compliments formal representative with a system of participatory governance, and it must for this purpose ...encourage and create conditions for the local community to participate in the affairs of the municipality and contribute to building the capacity of (i) the local community to enable it to participate in the affairs of the municipality and (ii) councillors and staff to foster community participation (RSA Constitution, 2000: section 16.1).

Municipal Systems Act of 2000: This legislation also emphasizes the importance of public participation pointing out that the municipal administration should be responsive to the needs of public communities to participate in municipal affairs.

2.6 HOW THE COJ ADDRESSES THE ISSUE OF PUBLIC PARTICIPATION

The CoJ recognizes the importance of public participation in different sectors as provided in chapter four of the city’s Integrated Development Planning (IDP, 2007). According to this IDP, to promote social and economic development there should be an “effective target of marginalized households as well as substantial involvement of second economy agents in economic planning” (CoJ’s IDP, 2007). It further states that “ordinary people and organized groups must be able to influence decisions-making” (ibid.). In this document, summits, public

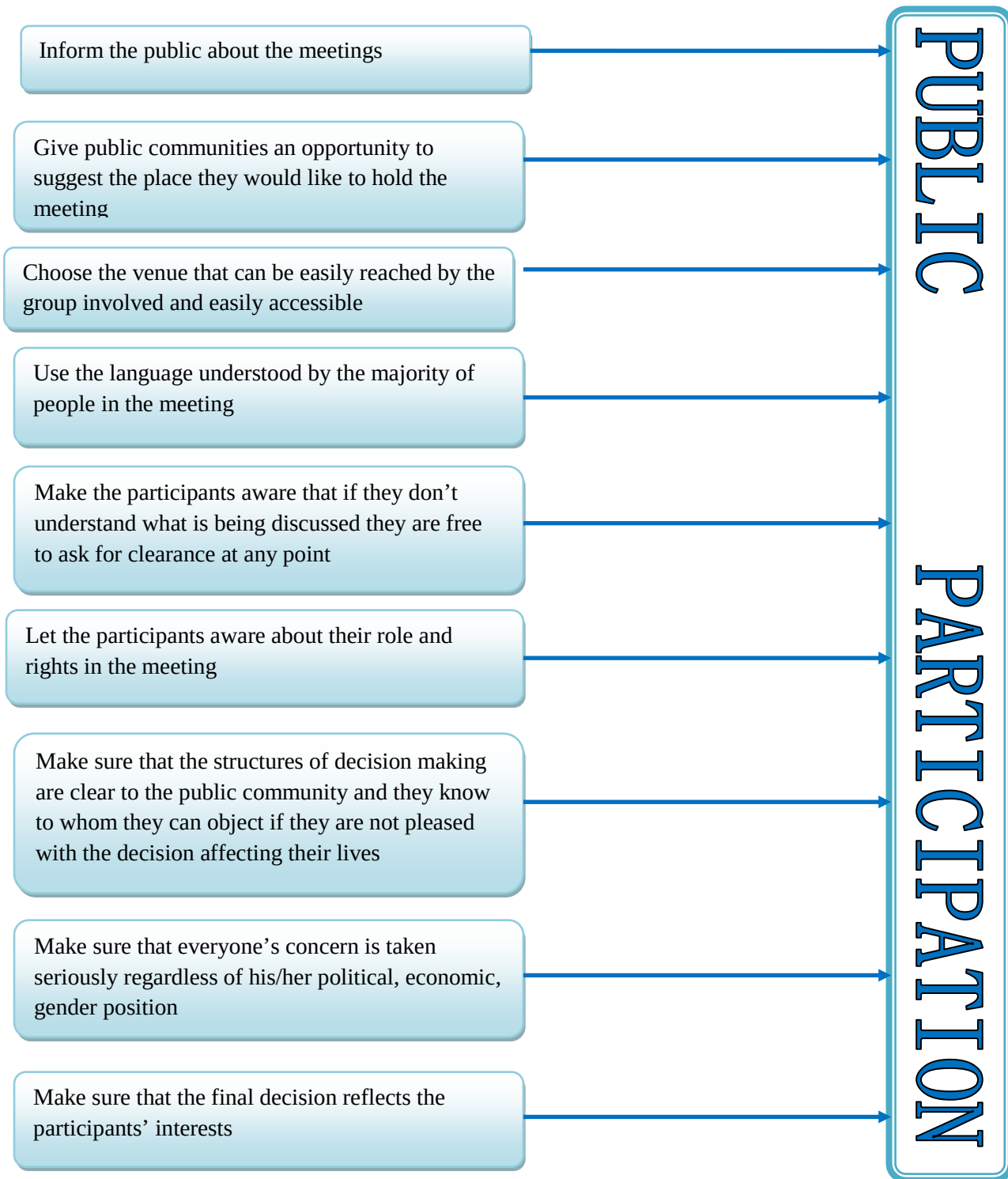
meetings, road shows, and '*izimbizo*' are articulated as the main strategies to foster public participation (ibid.).

The policy on informal trading also recognizes public participation as it singles out the need to “create a well managed informal trading sector which talks to the needs of its stakeholders and is effectively integrated into the economic, spatial and social development goals of the city” (CoJ Informal Trading Policy: 3). These plans for public participation envisaged by the CoJ concur with the national legislations.

Public participation as a statutory tool recognized by the South African legal system to involve civil society in decision making processes is the solution to improve lives of the poor and to hold government accountable. Although there are good legislative systems commanding public participation, it has been indicated that their delivery is failing to benefit the poor majority (Benit-Gbaffou, 2009). The theoretical framework developed in section 2.7 will be used as a yardstick to assess the extent public participation is exercised in the process of informal trading by-laws amendment undertaken by the CoJ in 2008 to 2009.

2.7 CONCEPTUAL FRAMEWORK

INDICATORS FOR PUBLIC PARTICIPATION DRAWN FROM LITERATURE REVIEW



2.8 RESEARCH QUESTIONS

The conceptual framework formulated in section 2.7 highlights the key aspects of public participation. These aspects of public participation are also supported by the South African legal system as shown in section 2.5. The CoJ also values public participation since their 2007 five year development plan (IDP) highlights the importance of allowing ordinary people to influence planning decisions. Given that the informal trading policy of the CoJ also lays emphasis on the importance of promoting public participation in decisions making processes, this research aims to find out how participatory the amendment process of informal trading by-laws undertaken by the CoJ in 2008 to 2009 was. In answering this question the following sub-questions need to be answered.

- a) Was the information about the amendment of informal trading by-laws shared with informal traders?
- b) Did the CoJ create spaces for the informal traders to participate in the process of informal trading by-laws amendment?
- c) Were the informal traders given an opportunity to choose the place where meetings as part of public participation should be held?
- d) Did all the participants have an opportunity to influence the final decisions taken on the new proposed by-laws?
- e) Did the final decisions taken on informal trading by-laws amendment reflect stakeholders' interests?

2.8 CONCLUSION

This chapter reviewed literature on public participation and informal economy, paying more attention on informal trading since it forms the greatest component of informal economy with 47.9% (StatsSA, 2004). It started by highlighting the key elements, principles, and the typologies of public participation. The typologies summerized in table 1: show that public participation have various levels ranging from the level where the public have a degree of power in decisions making to the lowest level where manipulation is the norm. Although there are various levels of

public participation, this chapter highlighted that public participation can be summarised into three levels which include participation through informing the participants, consulting participants and empowering participants (Davids et al, 2005). Partnership between the city authorities, the public and any other stakeholders in decisions making processes is argued to be key factor for a participatory process. Five strategies of public participation that can be employed to accommodate different stakeholders in decisions making processes as argued by Burke (1968) were also discussed. This chapter further highlighted how the CoJ addresses the issue of public participation in their policies, plans and programmes.

The second part of the chapter reviewed literature on informal economy focusing on informal trading. A back ground of informal trading in South Africa was discussed. The chapter also highlighted the importance of supporting informal trading to promote local economic development as required by Section 153 of the Constitution of RSA (1996). Involving informal traders in decision making processes is argued to be one of the responsibilities of local governments as mandated by the Constitution of South Africa (1996), White paper on Local Governments (1998), Municipal Systems Act (1998) and others.

CHAPTER THREE:

DESCRIPTION OF THE STUDY AREA AND DATA GATHERING

3.1 INTRODUCTION

This chapter introduces Johannesburg inner city as the case study of this research. The area designated for conducting interviews is described and shown in the form of a street map in figure 3.3a. The chapter also provides a description of the forms of informal economy prevalent in the area. A general description of the informal traders who participated in this research is also provided. Last, the chapter outlines the reasons for selecting this area within the inner city as an area of focus, and it also provides data gathering techniques.

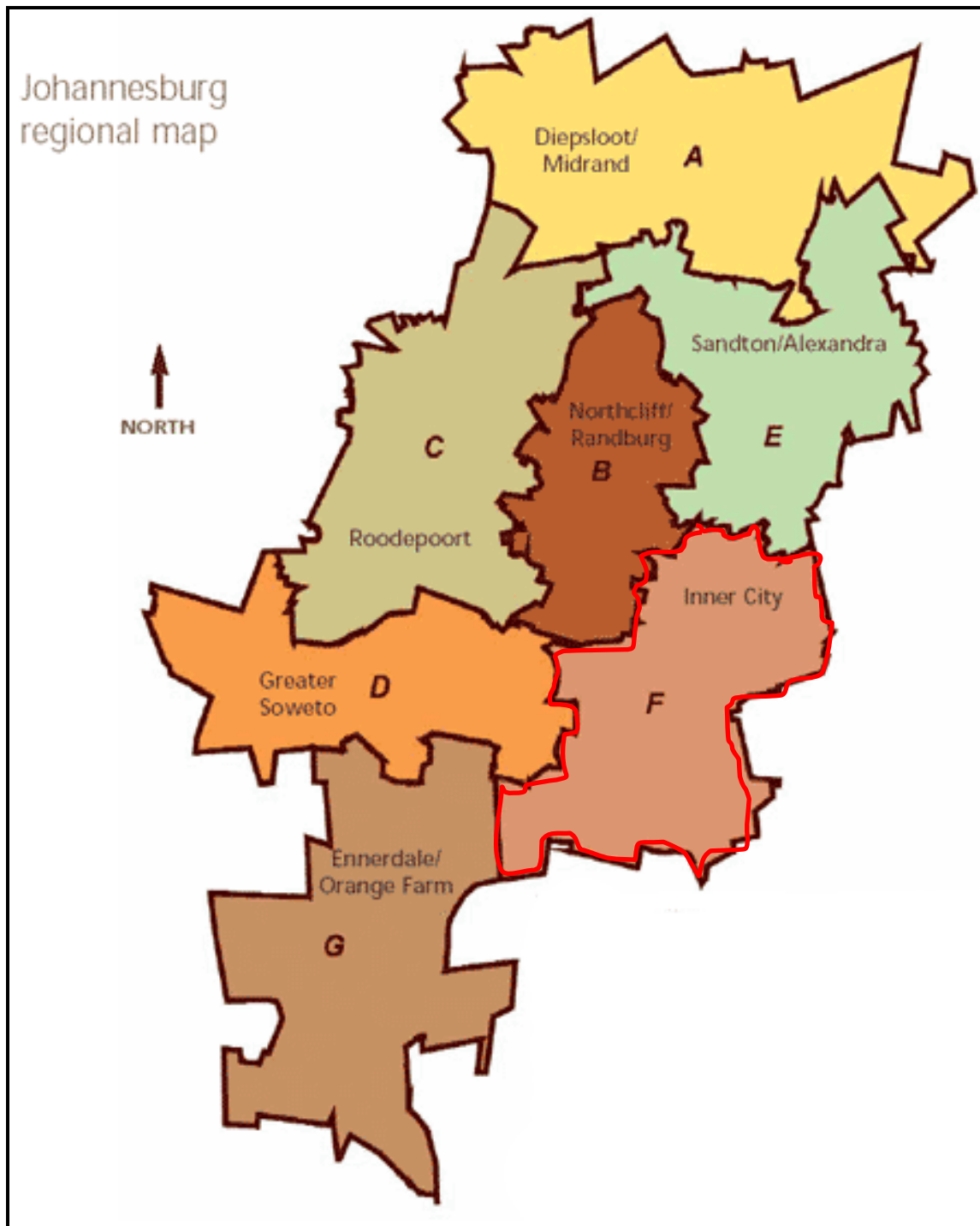
3.2 Johannesburg Inner City

Johannesburg inner city is located in region F as shown in the Johannesburg regional map in figure 3.3a below. The estimated population in this area is about 200, 000 and it is dominated by low-income residents (City of Johannesburg, 2009). Some of these residents especially within the Central Business District use abandoned office buildings for residence purposes.

This area is a historical, symbolic, economic and cultural centre which used to be occupied by a high income group (predominantly White). Following the departure of most of the high income residents who left for the northern suburbs, some of the buildings in the area deteriorated (City of Johannesburg, 2009). Nevertheless, the area continues to be the regional shopping node since it has been estimated that about 800, 000 commuters pass through the area every day (ibid).

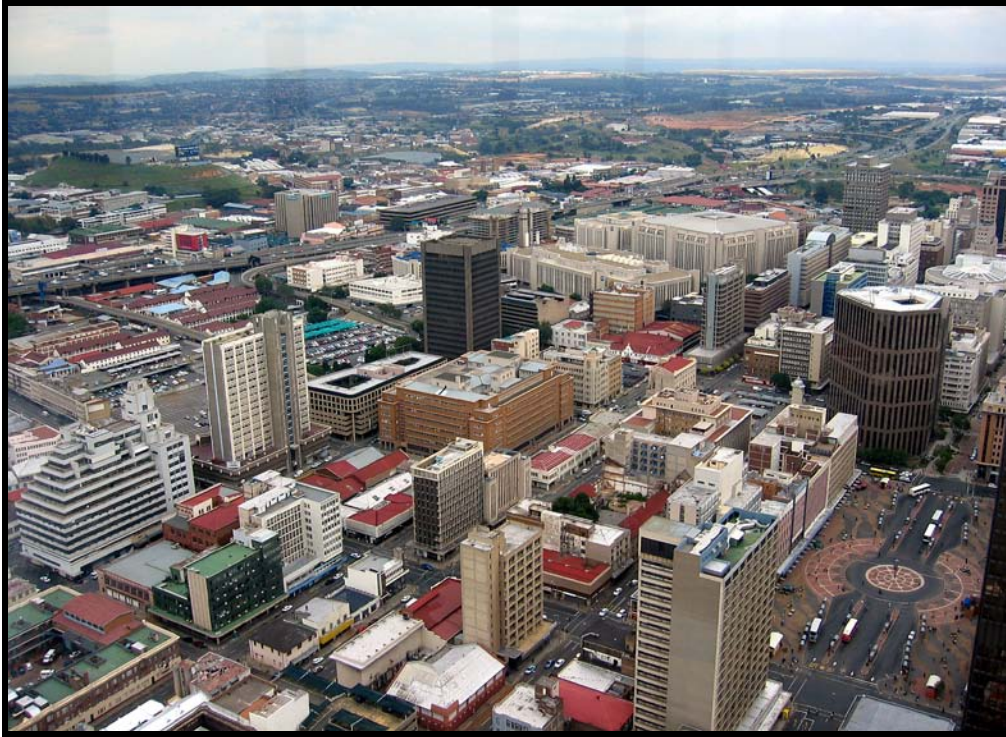
This place is also characterized by big offices like the Gauteng Provincial Legislature offices, historical places like Gandhi Square which serves as a bus terminal, Newtown which was developed as a cultural hub of the city; world class sports facilities like Coca-Cola Park and Johannesburg Stadium, and many other business supportive infrastructures. These amenities in the inner city have made this place a green spot to do business for both formal and informal traders. Informal trading is the most prevalent aspect of the informal economy in the inner city and this fact is evident at almost every corner in the Central Business District through the ubiquitous presence of informal traders.

Figure 3: Johannesburg Regional Map



Source: City of Johannesburg, cited on the September 2009

Figure 4: Johannesburg Inner City



Source: Wikimapia, cited in wikimapia.org/669642/Ghandi-Square on July 2009

Much as the research addresses itself to Johannesburg inner city, due to the scale of this research, data was collected from selected parts of the inner city. The area covered was selected after considering many representative factors regarding informal trading in the inner city and some of these factors are indicated in section 3.4 below.

3.3 DESCRIPTION OF AREA COVERED

The area designated for conducting interviews for this research is shown in appendix 1: below. Colours are used to mark the streets and the small trading markets covered, and these colours also distinguish areas under the supervision of MTC and CJP.

Keys for the map:

Area under CJP management covered = 

Area under MTC management covered = 

Small Market managed by CJP = 

Small Market managed by MTC = 

Figure 5: The area where interviews were conducted



Source: Joburgcentral.co.za/2009/

As shown by the street map in figure 5, the areas where interviews were conducted include Metro Mall block A and block B, Bree Street starting from corner Ntengi Piliso Street up to King George Street, Plain Street, Devilliers Street, Noord Street and two small markets – one in Noord Street and the other in Hoek Street. All informal traders operating in these mentioned areas operate under supervision of the Metro Mall Trading Company (MTC). On the map in figure 5 areas under the supervision of MTC are marked in blue.

Metro Trading Company is a profit driven company initially formed to develop and manage markets at key locations in the inner city of Johannesburg (Metro Trading Company, (.joburg.org)). This profit driven service delivery by MTC can undermine the interests of the informal traders since they are both up for making profit.

Although most areas in the inner city of Johannesburg are managed by MTC, some informal traders operate in these areas without registering as MTC members. Most of the unregistered traders operating in areas managed by MTC are allocated in Wanderers Street and King George Street.

Informal traders operating inside the Metro Mall Market are all registered with MTC and they pay rent of a varying sum depending on the size and the allocation of site. Some of these informal traders have been involved in informal trading since the 1980s. One of the Committee members confirmed that he was operating in that area before Metro Mall market was built there. What was also observable from the informal traders operating inside the Metro Mall markets is that they are old people. Some of these people have hired other people to work for them.

The kind of services offered by informal traders inside the Metro Mall markets varies a lot. Some people sell cooked food and their main customers are taxi drivers from inside the Bree Taxi Rank, other traders and passersby. Some traders sell clothes, vegetables and fruits, and diverse house hold gadgets whilst others fix cell phones. Some of the products sold inside Metro Mall markets are shown in the pictures below.

Figure 6: Fruits and Vegetables stall inside Metro Mall Market



Source: Author, 2009

Figure 7: Clothes stall inside Metro Mall Market



Source: Author, 2009

In other areas managed by MTC outside the Metro Mall markets, it was observed that the same kinds of products are sold. The only difference observed is that people operating outside the markets, especially along Bree Street and Wanderers Street have limited stock as compared to those who operate inside the Metro Mall. It was also observed that this group (operating outside Metro Mall) is dominated by younger people, more so in Wanderers Street where many of the informal traders appeared to be young adults and of foreign origin.

The third group of interviewees are the informal traders operating in the areas managed by the Central Johannesburg Partnership (CJP). Most of these traders operate in the blocks between Bree Street and Jeppe Street and in the small market in Kerk Street as indicated by red colour in figure five. Although there was no clear demarcation indicating place under MTC and CJP management, informal traders in Jeppe Street, Kerk Street, and President Street are managed by CJP. Figure 5 shows areas covered in this research that are managed by CJP, marked in red. The products sold by informal traders under CJP management are not different from those sold in other places. In the Small Market in Kerk Street, the products sold include sleeping blankets, fruits and vegetables, and hair dressing services. Figure 8 and 9 below show some of these products and services.

Figure 8: Sleeping blankets sold in Kerk Street Market



Source: Author, 2009

Figure 9: Hair Dressing Service and Cosmetics Products in Kerk Street Market



Source: Author, 2009

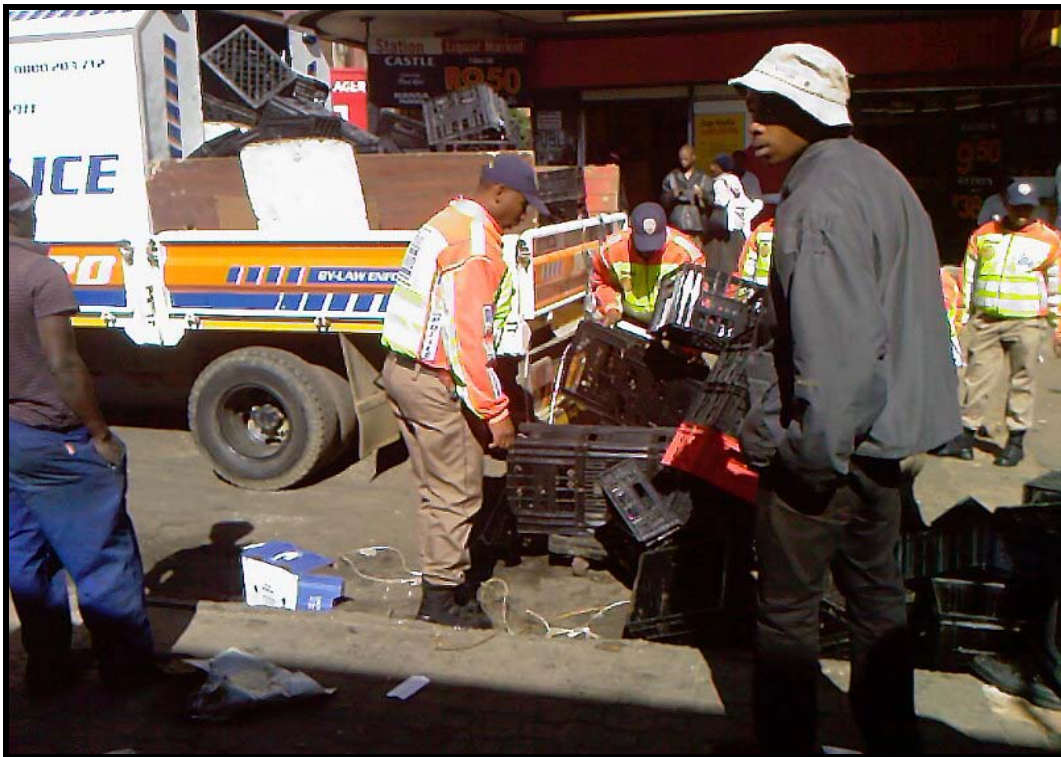
In CJP managed areas it was also observed that informal traders operating in rented places e.g. small markets, have more stock and are able to hire other people to work for them. This was different from those who operate in restricted areas where Metro Police can come anytime and confiscate the stock. People in restricted areas of trading compete for the space and sell similar products next to each other.

Informal traders operating in Johannesburg inner city have block leaders elected by other informal traders to represent them in meetings and decisions making processes. According to informal traders, these block leaders have the responsibility to attend meetings with the city council, MTC or CJP and report back.

3.4 Area Justification

Although the City of Johannesburg's by-laws on street trading cover the whole metropolitan city area, the Central Business District was chosen as the focus area. Among the reasons for focusing the research in this area is that it is one of the top spots for street traders. Secondly, it has been singled out by the city officials as one of the places where street trading by-laws are highly violated (Thale, 2009). Most of the incidences where Metropolitan Police confiscate informal traders' stock take place in the inner city and it is identified as a hot spot for informal trading by-laws infringement (Thale, 2009). The picture in figure 10 below shows one of these incidences:

Figure 10: Metro police in action in Wanderers Street, Johannesburg centre



Source: The Author, 2009

The last factor that influenced the selection of the area is the fact that informal traders in the inner city of Johannesburg are divided into different groups. As pointed out in section 3.3, some informal traders are managed by the Metro Trading Company while others are managed by Central Johannesburg Partnership (CJP), these divisions emanate from the fact that some of the

areas used by informal traders are managed by CJP. Within the places managed by these companies, there are illegal informal traders. In selecting the area of focus, the researcher made sure that all of these traders are represented.

3.5 Research Method

To achieve the objectives of this research as mentioned in section 1.4, qualitative research data gathering technique was used. The reason for selecting this technique is because public participation can be identified by different indicators as shown by the conceptual framework formulated in section 2.7. To test the presence of these indicators in the process of informal trading by-laws amendment undertaken by the city of Johannesburg, surveys were conducted using open ended questions. The researcher also attended meetings with the city council and the informal traders in which informal trading by-laws amendment was discussed.

3.5.1 Data Gathering Technique

In collecting the necessary information for this research, the researcher conducted face to face interviews with the informal traders. The researcher used a prepared questionnaire to interview informal traders. The responses to the questions were recorded next to corresponding questions during the interviews.

The researcher observed that informal traders in the city of Johannesburg have block leaders and committee members. These block leaders and committee members are also informal traders who were elected by other informal traders. In collecting data, the researcher will make sure that both of these groups (ordinary informal traders and the block leaders or committee members) are represented. The reason for considering the coverage of both of these groups is the fact that while they each have a right to participate in government decision making processes, block leaders and committee members might be the ones who attend meetings or public hearings as representatives of other informal traders.

Since there are two identified areas within the research focus area, the researcher will ensure that both of these areas are covered. These areas include the area managed by Metro Trading Company (MTC) and the area managed by Central Johannesburg Partnership (CJP) as labelled in figure 5.

The researcher is also going to meet the Director of the Department of Economic Development from the Johannesburg City Council and the leaders of informal traders' Associations that can be found within the focus area. The main purpose for meeting these additional participants is for the researcher to get all the important information that will help to understand functional structures that may exist within the focus area.

3.6 CONCLUSION

This Chapter provided the description of Johannesburg inner city as a study area of this research. It started by highlighting the prominent features of the area which makes it an attractive place for traders. Figure 3 shows the location of Johannesburg inner city within the Johannesburg region. Figure 3.3a highlighted the streets and markets within the study area that were covered. The chapter also highlighted different activities selling fruites and vegetables, clothes, and hairdressing services. Furthermore, the chapter provided the method that was to be used to research objectives.

CHAPTER FOUR:

DATA PRESENTATION

4.1 INTRODUCTION

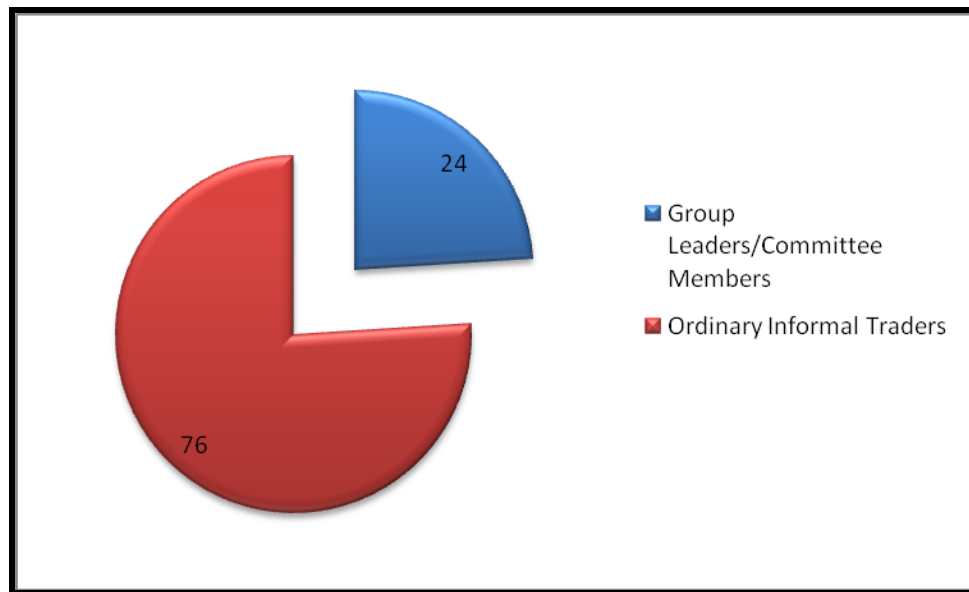
After conducting interviews with informal traders in Johannesburg Central Business District using the questionnaire presented in appendix 4, this chapter presents the research findings. It starts by reiterating the objectives of the research, and then provides a description of the interview process, highlighting the nature of places covered and the kind of people met. Lastly, it provides answers to the research questions.

As discussed in chapter one, the objectives of this research are to reveal the extent to which informal trading by-laws amendment was a participatory process. Using the City of Johannesburg (CoJ) as a case study, the research looks at the process of informal trading by-laws amendment undertaken by the (CoJ) between 2008 and 2009. It also aims to find out how informal traders are organized. By understanding the organizational structure of the informal traders, policy makers can use those existing structures to effectively engage informal traders in local government policy processes. Last, this research aims to highlight the different strategies of public participation that can be employed in local government processes.

4.2 THE INTERVIEWING PROCESS

The interviews as a form of collecting data were conducted with a randomly selected sample of twenty five informal traders some of whom are block leaders, members of the committee representing informal traders and the ordinary informal traders. These committee members are equivalent to group leaders but they operate inside the MTC markets. Graph 2 below shows the proportional percentages of each of these groups in relation to the total sample

Graph 2: The proportional percentage of the group leaders and informal traders



Interviews conducted with the block leaders or committee members representing informal traders were easy since they seemed to understand most of the issues asked. With the informal traders, the researcher experienced some challenges in conducting interviews since some of the issues they were asked seemed to be new to them.

The researcher also found it difficult to conduct interviews according to the prescribed method of selecting interviewees inside the MTC. One of the reasons for this was that informal traders were not willing to participate and they were passing comments such as “we are tired of MTC sending people here for research and promise us things that they never deliver on”. At some points when the researcher was given a chance to explain, he had to show the informal traders his student card to confirm that he was a student, not a worker from MTC and then the interview would continue.

In other places like Wanderers Street, most informal traders are not permanent some of them only had been operating there for few days and did not know what was happening around them. This forced the researcher to concentrate on the block leaders or committee members since they are usually people who have been trading in a particular place for longer periods.

The hindrance to meeting the initially targeted number of participants (30 participants) was due to the fact that foreign informal traders, especially those who seemed to be illegal immigrants were not comfortable to participate in the interviews. Some of them refused to participate, saying that the researcher wanted to spy on them, and others had a language barrier since they could communicate neither in one of the South African languages nor in English.

Interviews were conducted using an open-ended questionnaire (Appendix 4) which was prepared in English. In conducting the interviews, the researcher had to translate some of the questions either into iSiZulu or Southern Sotho since he is competent in these languages. Although there were more languages that participants interchangeably used during the interviews, all the questionnaires were completed using English, iSiZulu and Southern Sotho.

The researcher started interviews with the MTC members operating inside Metro Mall and both block A and block B were covered. Informal traders operating in Metro Mall are mostly people that were trading in the place before the mall was built in 2002. Although these informal traders seemed to know about informal trading by-laws, they are not up to date about what is happening. One of the informal traders operating inside the Metro Mall market responded to the question by saying “we are not much concerned about informal trading by-laws, only people from outside the mall that always complain about Metro Police confiscating their stock”. However, committee members showed an awareness of the by-laws.

One of the reasons for traders inside Metro Mall not to care much about by-laws is because they are located in stalls and in designated areas which are managed by MTC, so they get orders from MTC rather than relying on informal trading by-laws. However, since MTC uses the same informal trading by-laws to monitor traders, by participating in the process of amending these by-laws traders would benefit on some aspects, for instance, informal traders would be able to influence some aspects of the by-laws to work on their favour.

Although committee members representing traders inside Metro Mall knew about informal trading by-laws, most of them did not know whether by-laws are made by MTC or the City Council. This was also observed from many informal traders operating outside the Metro Mall. Informal traders thought that meetings on operational issues that they held with MTC were for

discussing issues of making informal trading by-laws. Nine interviews were conducted with traders inside the Metro Mall, and three of these traders were committee members.

The second site for conducting interviews was outside the Metro Mall. This included Bree Street, Wanderers Street and the Small Market in Noord Street. Some of these traders were still MTC members with some not belonging to either MTC or Central Johannesburg Partnership (CJP). Most of the non-members or unregulated informal traders regard themselves as 'illegal' traders since they rely on running away when Metro Police arrive in their place of trading. While conducting interviews with the outside Metro Mall traders, it appeared that unregulated informal traders mostly those in Wanderers Street do not know what informal trading by-laws are, who the City Council is and who MTC is. These informal traders only know about Metro Police since they always come to enforce by-laws which most of the time result in stock confiscation. Most of these 'illegal' traders are foreigners who cannot demand their stock back since they are illegal immigrants.

The last place to conduct interviews was the southern part of Bree Street as indicated in figure 5. The informal traders in this place fall under Central Johannesburg Partnership (CJP) while others are MTC members and others are the 'illegal' or unregulated traders. Conducting interviews with the unregulated informal traders was not easy since they do not trust anyone who wants to question them about their business. They are very wary of talking to strangers; especially people they think are spies.

4.3 THE RESEARCH DATA

This section provides responses of the participants to the research questions. Data is presented in both quantitative and qualitative method. In some cases the respondents will be quoted directly but graphs and tables will also be used to give a clear picture of how participants responded to some questions.

4.3.1 Organization of the Informal Traders

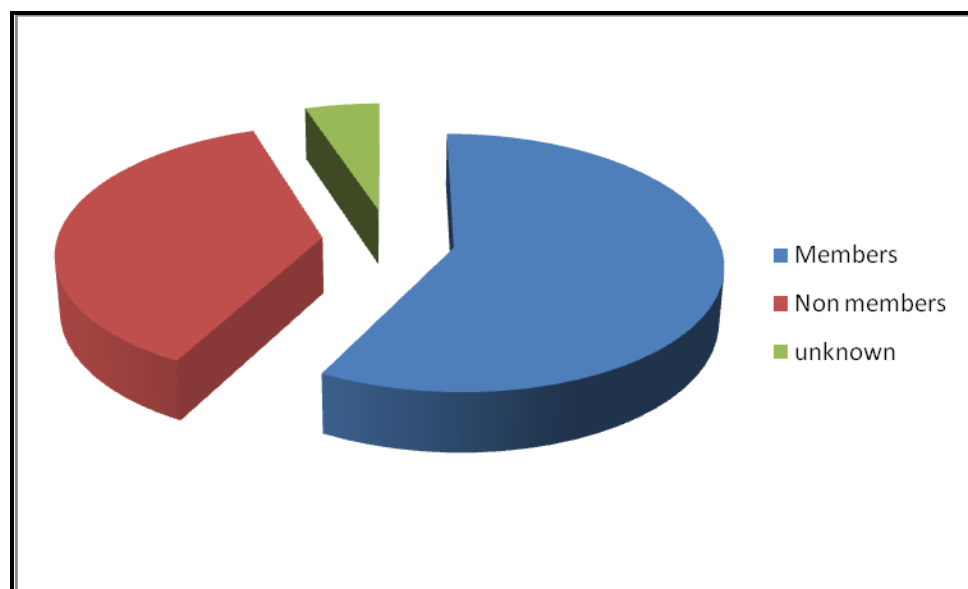
Since informal traders are a large community which needs to be organized in order to meaningfully participate in decision making processes, the researcher was concerned about how they are organized. According to the research findings, some informal traders belong to a

particular group which is led either by a committee elected by the traders or by a block leader who is also elected by the informal traders. These leaders are also informal traders and as such they understand the challenges facing other informal traders.

In the survey, it emerged that the block leaders and the committee members are responsible for representing informal traders in meetings that may be called by MTC, CJP or the City Council. They also help to restore informal trader's stock confiscated by Metro police, and to solve quarrels that may arise among informal traders.

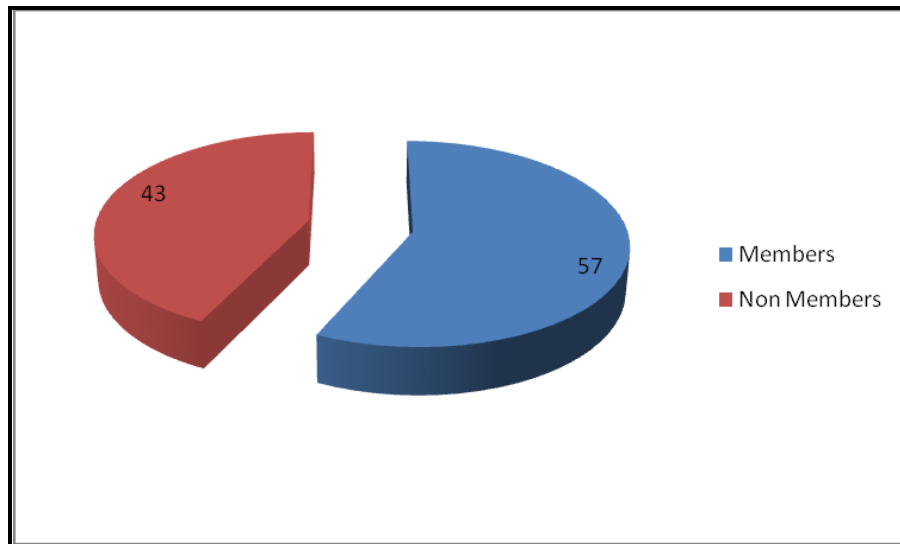
There are also informal traders associations claiming to fight for the rights of informal traders. These associations include the South African National Traders Alliance (SANTRA), Gauteng Hawkers Association (GHA), South African Railway Hawkers Association (SARHA), and One Voice Association. Graph 3 and 4 below show the percentages of the informal traders who are members of associations and those who are not.

Graph 3: Percentage of Ordinary Informal Traders who are members of Associations



This graph shows that 56 percent of the informal traders who participated in this research are members of informal trading associations and 39 percent do not belong to associations. Five percent of this group remained unclassified since they did not answer the question relevant to association membership.

Graph 4: Percentage of Block leaders who are members of Associations



This graph shows that 57 percent of the block leaders belong to the informal associations, and 43 percent do not.

While the informal trading associations represent different interests of informal traders, some of them have shown a common goal of demanding to be heard in the formulation process of informal trading by-laws. The memorandum handed to the Gauteng Premier (Mokonyeni) on the August 2009 by the protesters organized by different informal traders' associations from the City of Johannesburg stated clearly that informal traders were fighting "For the rights and dignity of the informal traders; proper consultation in the development of by-laws of informal traders" (see appendix 3).

From the theoretical framework, we see that it is important that informal traders discuss matters with their leaders before meetings with council. On this matter the responses varied with some informal traders pointing out that their leaders did not give feedback after they had been in the meetings. Some direct quotes about this issue were recorded and they are as follows:

"Our leaders do not communicate back to us; we only see them when someone has died. That is when they come to collect money" (first participant).

“Our group leaders do not report to us maybe they can tell you what happened about informal trading by-laws amendment, we know nothing” (second participant).

In exploring whether the informal traders’ associations were satisfied about the process of informal trading by-laws amendment, the researcher engaged the informal traders on the issue. From the sample interviewed, 52 percent of the informal traders do not belong to any association. The findings below represent the responses from 48 percent of the sample. Due to the promise made with the participants, the name of the associations will not be specified.

Table 2: Information about whether associations were satisfied with by-laws amendment

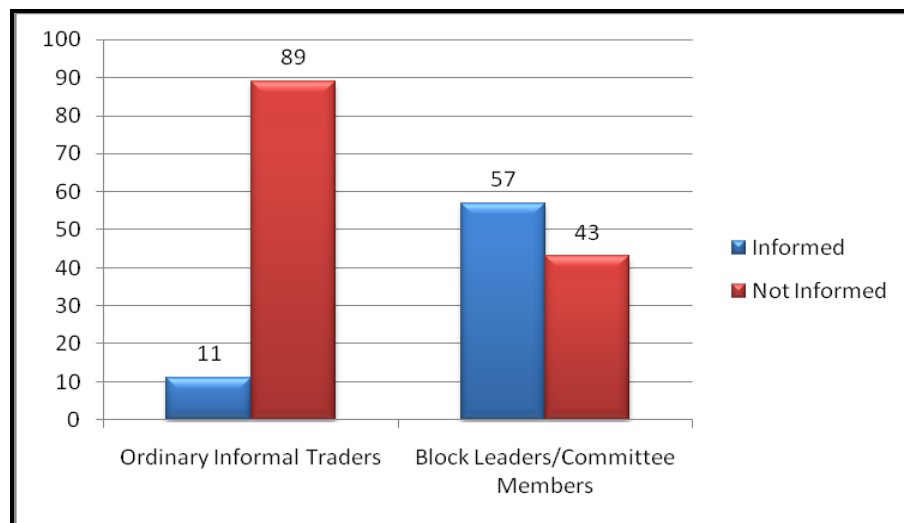
Members from association:	Number of members interviewed	Responses to the question whether his/her association was satisfied about by-laws review	
		Yes	No
A	3	0	3
B	5	1	4
C	1	1	0
D	1	0	1
E	1	0	1
F	1	0	1

According to the findings presented in table 2 above, informal traders’ associations were not satisfied about the process of informal trading by-laws amendment. 83 percent of the informal traders belonging to different associations revealed that their associations were unsatisfied. Some participants pointed at the lack of consultation by the City Council as the main reason for the dissatisfaction of their associations.

4.3.2 Knowledge about Informal trading by-laws Amendment

According to the conceptual framework for proper public participation, the participants need to be informed in advance about meetings, public hearings or any other arrangement. On this issue the responses varied, with the majority of the respondents saying that they did not get such information and some professed total ignorance of by-laws. One of the informal traders argued that “in other streets they pay rent for operating, maybe only those who pay were informed. You know those who pay and those who do not pay get treated differently”. Although this comment was not specific, some informal traders pay rent to MTC for the space they are using. These include those who operate from stalls and those who operate in small markets. Graph 5 below shows the percentage of informal traders who were informed about informal trading by-laws amendment and those who were not informed.

Graph 5: Percentage of the Informal traders who were informed about Informal trading by-laws amendment

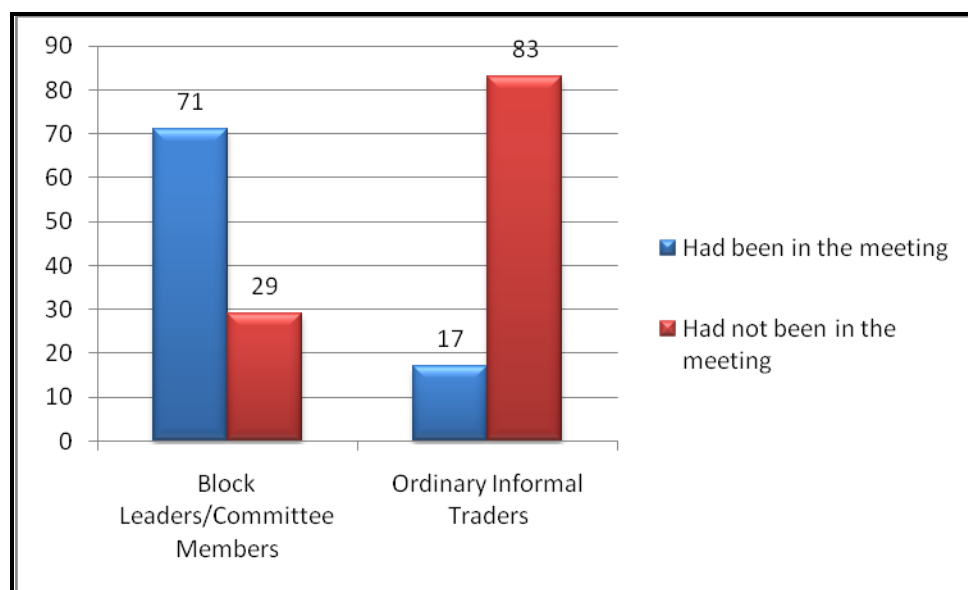


Graph 5 above shows that 89 percent of the ordinary informal traders were not informed about informal traders’ by-laws amendment. Among the block leaders and the committee members, only 57 percent of knew about the informal trading by-laws amendment.

4.3.3 Spaces for Participation

It emerged from the literature review in Chapter 2 that public meetings or public hearings are the prominent forms of public participation. In investigating whether the City of Johannesburg created any space for the informal traders to participate in the process of informal trading by-laws amendment, the question about whether informal traders had been in the meeting with the City Council discussing informal trading by-laws amendment was asked. The responses to this question varied as shown in graph 6 below:

Graph 6: Percentage of the informal traders who have attended the meetings with the City Council



According to the participants' responses as shown in this graph, only 17 percent of the ordinary informal traders interviewed had been in the amendment meetings with the City Council. Although the question specifically focused on the meetings where informal trading by-laws amendment were discussed, ordinary informal traders who had been in the meetings with the City Council could not remember whether the meetings were just discussing informal trading by-laws or the amendment of the laws.

When ordinary informal traders who had not attended meetings with the City Council were asked why they had not, 38 percent of them said that only Metro Trading Company (MTC) held

meetings with them. They also suggested that since they had representatives who are responsible for attending meetings and talk on their behalf, it was not necessary for them to attend meetings.

During the interviews it was observed that most of the informal traders are only concerned about making business. They know very little about the City Council and how it differs from Metro Trading Company (MTC). This made the interviews difficult to conduct because at some point the traders agreed that they had had a meeting with the City Council, but when a follow up question was asked it would be clear that they were sometimes confusing City Council and MTC meetings. So in general, informal traders were not clear about the content of the meetings they had held with the city council.

The second challenge to conducting interviews with ordinary informal traders was that the majority did not know about informal trading by-laws. Among the block leaders or committee members interviewed, 71 percent of them have attended the meetings with the City Council but only 43 percent could confirm that in those meetings informal trading by-laws were discussed. Furthermore, only 29 percent were quite sure that the meetings were about amendment of informal trading by-laws.

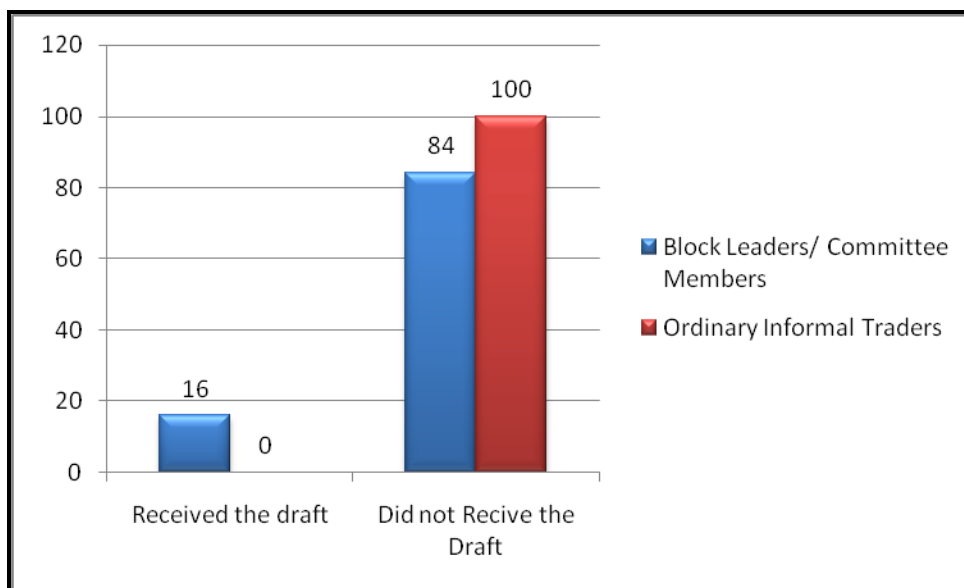
In the interviews, it also emerged that some of the block leaders and committee members are only aware of MTC and CJP because they have never been in meetings with the City Council. With regard to some aspects of the informal trading by-laws that informal traders think should be reviewed, some block leaders think Metro Trading Company (MTC) is the one that has the final say.

According to the Director of the Informal Trading Department from the City of Johannesburg addressing the meeting held in the Civic Centre on February 2009, to make sure that informal traders participate in the informal trading by-laws amendment, the City council had distributed the first draft of the amended by-laws to let informal traders comment on them. In addition to public meetings and community hearings as the common spaces created for public participation, handing out of the first draft of by-laws to the public (informal traders) to have their comments was also done.

The researcher was keen to find out the efficacy of handing out the by-laws draft as a form of public participation. One of the questions seeking to address this issue was whether informal

traders had received those drafts. According to the responses of the informal traders as shown in graph 7, none of the ordinary informal traders had received the first draft for comment. With regard to block leaders and committee members, only 14 percent of the sample interviewed admitted that they had received those drafts. According to one of the block leaders, the first drafts of the amended informal trading by-laws were handed out to the informal traders block leaders and committee members who had attended a meeting with the Director of Informal Trading Department held in Newtown. However, none of those documents were handed back to the City Council for feed back as revealed by informal traders in the interviews.

Graph 7: Percentage of informal traders who received the draft of by-laws to comment on



Responding to the follow up question of why they had not handed back the drafts with their comments or recommendations, some block leaders argued that they had not known then that they had to return them with their comments and recommendations. One of the block leaders commented: “first time we were given those by-laws drafts to comment on, it was promising that we are recognized in the process of reviewing informal trading by-laws. After COSATU and some informal traders’ associations intervened in the process claiming to represent informal traders on the issue, we were never recognized again. From then negotiations were between associations and the City Council.”

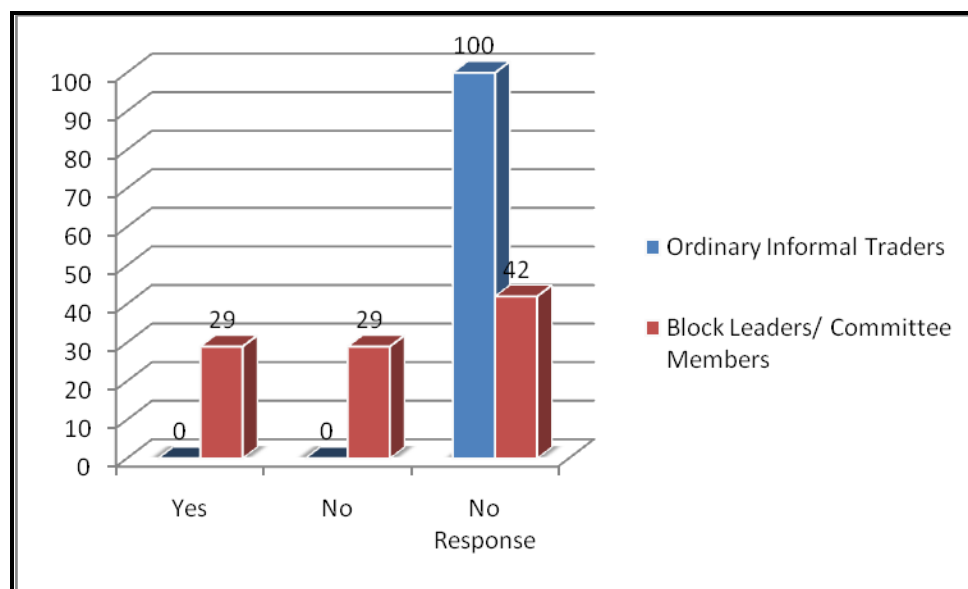
4.3.4 Recognition of Stakeholders' Concerns

Equal opportunity for all stakeholders to get their concerns addressed is one of the crucial elements of public participation (Arnstein, 1969). Responding to the question of whether they (informal traders) were able to voice their concerns in the meetings with the City Council, the responses of the informal traders varied. One senior committee member operating inside the Metropolitan Trading Company (MTC) had this to say:

“Only formal business owners (shops owners) were listened to since they are paying big rent to the City Council. They were complaining about street traders saying that they obstruct the way into their shops and they were encouraging the City Council to improve by-laws enforcement”.

Graph 8: below shows the percentages of the overall responses to the question: Were you able to voice your concerns in the meetings with the city council concerning the amendment of informal trading by-laws?

Graph 8: Percentage of the Overall Responses



Twenty nine percent of the block leaders who participated in the interviews agreed that they could voice their views in the meetings held with the council. Conversely, another twenty nine percent of them lamented that they could not voice their views, and forty two percent did not respond to the question. None of the ordinary informal traders who participated in the interviews responded to this question.

Based on the researcher's observations in the meetings with the city council and the informal traders, there is a lack of constructive dialogue between the city officials and the informal traders. In the meeting held at the Civic Centre on the 10th of February 2009 where informal traders were invited to discuss the proposed new informal trading by-laws, it was observed that the process of negotiation was not constructive. The meeting was more about informal traders criticising the proposed informal trading by-laws and the city officials defending them the by-laws.

4.3.5 Place and Power as a Constraint to Public Participation

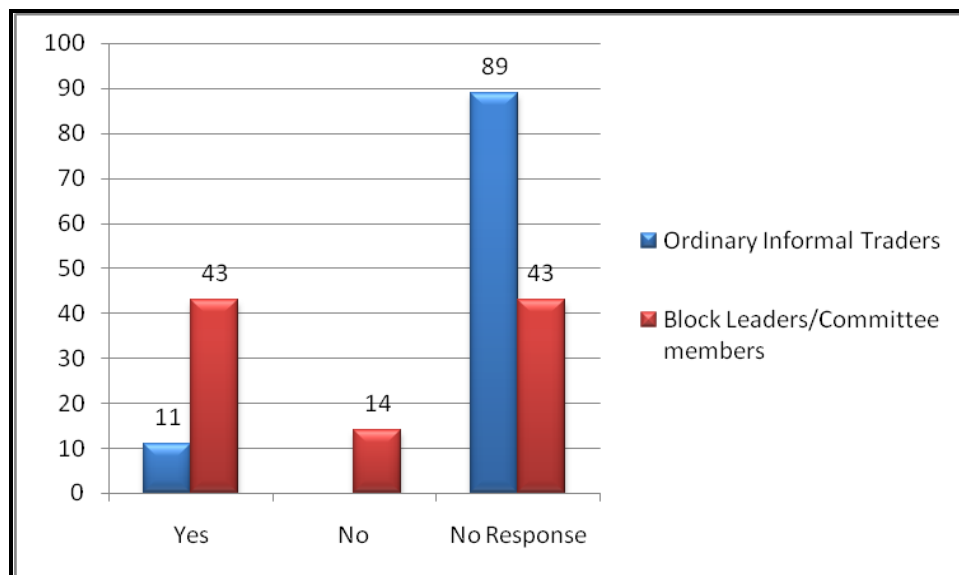
The places where public meetings or public hearings are held in the context of public participation can advantage one group over another. According to Arnstein (1969), places where meetings are conducted may result in particular people having more power over others with regard to decisions making. As highlighted in the theoretical framework, public meetings as part of the public participation process should be held in venues that have been determined by all stakeholders. A question was posed to informal traders to find out if this had been the case.

The responses to this question revealed that the meetings to discuss informal trading by-laws with the Johannesburg City Council took place in venues prescribed by the City Council. One of the respondents commented that "meetings are always set by those in power". According to the respondents, the places where these meetings had been conducted included the Civic Centre, a hall in Newtown (in the centre of Johannesburg CBD) and Park Station (also in the centre of the CBD).

4.3.6 Accessibility of Meeting Venues

When informal traders were asked whether it was easy for them to access the venues chosen for public meetings, the majority (89 percent) of ordinary informal traders did not respond. The reason for this is mainly because ordinary informal traders did not participate in these meetings since they were supposedly represented by their leaders. With regard to the block leaders, 43 percent of them found it easy to access the venues for the meetings and 14 percent found it difficult. Graph 9: below summarizes these findings

Graph 9: Response to the question about the accessibility of meeting venues



4.3.7 Final Decisions Reflecting Participants' Interests

In investigating whether informal traders' interests were considered in the final decisions taken, the researcher included a question about whether informal traders thought their concerns had been addressed in the final draft of the informal trading by-laws. All the participants did not respond to this question. The main reason for this is that none of the informal traders had received the final draft of the amended informal trading by-laws which was published in June 2009. The common remark informal traders made is that, they do not know what is in the new informal trading by-laws document.

Considering that the march organized by different informal traders' organizations held in August 2009 took place after the final draft of the by-laws was released, it is clear that final decisions taken on informal trading by-laws amendment did not accommodate the interests of informal traders. One of the key issues raised in this march was for the city to stop forced removals of informal traders from their working areas. If informal traders are not happy with these removals it means their interests were not accommodated in the by-laws.

4.3.8 Strategies used by Informal Traders in Fighting for their Rights

When informal traders were asked about the strategies they use to force the City Officials to consider their concerns if they are not consulted, they all singled out marching as the main strategy. It also emerged that these marches have not been effective since the issues presented through them do not get addressed.

4.3.9 General Comments

Although the interviews were based on a questionnaire, some participants were eager to express themselves more about their experiences and feelings of being informal traders in the City of Johannesburg. Some of their additional comments were shed more light on the interview questions.

One of the committee members operating inside Metro Mall Market drew a connection between the newly introduced Bus Rapid Transport (BRT) system to the position of informal traders in decision making processes. He argued that,

“BRT affects traders inside Metro Mall; we traders rely on a fixed number of people who come here and buy. The introduction of BRT is going to reduce the number of our customers but the City Council has no plan for us. They were supposed to engage us to this issue since we are also affected and at least move some of the informal traders from here to the centre of those buses.”

Referring to a march held on the August 2009, he further argued that “one of the issues we addressed in our memorandum is that we do not want MTC operating alone. They should make a body for informal traders that will sit in one table with MTC and take decisions”

4.4 CONCLUSIONS

The research findings on key elements of public participation highlighted in the theoretical framework show that:

- Eighty nine percent of the ordinary informal traders were not informed about informal trading by-laws amendment.

- Only fifty seven percent of the block leaders and committee members knew about the amendment of informal trading by-laws.
- Only seventeen percent of the ordinary informal traders had attended the meetings with the City Council where informal trading by-laws amendment was discussed.
- Seventy percent of the block leaders and committee members had been in the meetings with the City Council discussing informal trading by-laws amendment.
- None of the ordinary informal traders received the first draft of the amended informal trading by-laws to comment on.
- Only sixteen percent of block leaders and committee members received the first draft of the amended informal trading by-laws to comment on. However none of these people returned the draft to the City Council.
- None of the ordinary informal traders think City of Johannesburg created an equal opportunity for all stakeholders to voice their views.
- Only 29 percent on the block leaders and committee members think an equal opportunity for all stakeholders to voice their views was created.
- Places to conduct the public meetings or public hearings were unilaterally chosen by those in power.

CHAPTER FIVE

INTERPRETATION AND ANALYSIS OF RESEARCH FINDINGS

5.1 INTRODUCTION

This chapter answers research questions about the participatory level of the amendment process of informal trading by-laws.

5.2 THE RESEARCH QUESTION

This research aims to find out how participatory the amendment process of informal trading by-laws undertaken by the CoJ in 2007 was. To answer this question the following sub questions need to be answered.

- a) Was the information about the amendment of informal trading by-laws shared with informal traders?
- b) Did the CoJ create spaces for the informal traders to participate in the process of informal trading by-laws amendment?
- c) Were the informal traders given an opportunity to choose the place where meetings as part of public participation should be held?
- d) Did all the participants have an opportunity to influence the final decisions taken on the new proposed by-laws?
- e) Did the final decisions taken on informal trading by-laws amendment reflect all stakeholders' interests?

5.2.1 Flow of Information as a Critical Aspect of Public Participation

Burke (1968) and Nyalunga (2006) have pointed out the importance of the flow of information among stakeholders involved in public participation. Communication channels are encouraged to allow flow of information among all stakeholders involved. Based on this argument, in the case of public policy making-process like the amendment of informal trading by-laws, the city authorities would need to use all the available communication channels to communicate with the public. This would also help in making sure that different interest groups are informed about the amendment of informal trading by-laws.

According to the IAPP (2002) the public participation process does not only involve informing the affected parties but also needs the participants to be provided with the crucial information they need to participate meaningfully. This implies that informing the participants about the proposed programme without giving them all the information they need to understand the possibilities involved in shaping the final decision is not sufficient for public participation. Nyalunga (2006: 43) also asserts that “if information is withheld the future of the strategic partnership between the manager and the civil society is bleak; information is power and the lack of it may restrain the alliances from flourishing to full potential”.

The Municipal Systems Act (2000) also stipulates that the municipal manager must ensure that municipal administration is responsive to the needs of the local community to participate in the affairs of the municipality. This requires the dissemination of information for the local community to enable them participate in local government affairs.

In the case of informal trading by-laws amendment by the City of Johannesburg, there was a lack of flow of information. As shown by graph 5 in chapter 4, the overwhelming majority of the ordinary informal traders did not know that by-laws regulating informal trading were to be amended. Among the block leaders and committee members who survive through informal trading, only 57 percent knew that by-laws were going to be amended. This situation where key stakeholders are underrepresented in decision making processes in the CoJ has also been cited by Moosa (2008) in her work done on the implementation of the Bus Rapid Transit (BRT).

5.2.2 Spaces for Public Participation

Undertaking the process of public participation entails creating spaces for the public to identify the problems affecting the community and eventually coming up with possible solutions (Hickey and Mohan, 2004). The forms of these participation spaces created by the city authorities or those in power may differ depending on the relevance of that form to the target group. In the South African context the common method of public participation is through public meetings or public hearings.

The research findings reveal that the City of Johannesburg prioritised public meetings to communicate with the informal traders regarding the amendment of informal trading by-laws. Although informal traders (block leaders and committee members) could not remember the date on which these meetings were held, some of them could remember that in one of these meetings, they were given the first draft of the amended informal trading by-laws to comment on. However, the percentage of block leaders who attended the meeting where this first draft was issued was very low, since it was only 17 percent. This poor attendance by informal traders was also observed by the researcher in one of these meetings which was held in Johannesburg Civic Centre on the 10 of February 2009.

Although CoJ conducted meetings with the informal traders to engage about informal trading by-laws amendment, the extent these meetings engaged public communities in decision making processes needs to be examined. Out of 81 percent of the block leaders and committee members who attended informal trading by-laws amendment, only 43 percent of them could remember that those meetings were specifically about informal trading by-laws. In this 43 percent, only 29 percent are quite sure that the aim of these meetings was to discuss the amendment of informal trading by-laws. These findings may suggest that block leaders who attended the meetings were not part of the discussions or they were not given enough information they need to participate meaningful. Theron (2009) argues that public participation process should provide participants with the information they need to make informed decisions.

In one of the meetings discussing informal trading by-laws amendment, a senior member from the Department of Informal Economy in the CoJ handed out the first draft of the amended by-laws on informal trading. According to the CoJ's authorities, informal traders were supposed to

comment on this first draft and bring it back to be modified. In the other meeting held on the February 2009 in the CoJ's Civic Centre it, was revealed that none of the informal traders had returned those drafts. This situation where professionals or city authorities define the problems and solutions before they set meetings with the public communities is a passive form of participation (Pretty et al, 1994). This process does not include any share in decision making by the public.

Based on the research findings, it appears that only 16 percent of the block leaders and committee members received the first draft of the amended informal trading by-laws to comment on. Considering this minute percentage, even if these block leaders had been able to comment on these 'proposals' and returned them, there was no way that the final draft on informal trading by-laws would address the concerns of informal traders.

5.2.3 Creating Equal Opportunities for Participation

Allowing equal opportunities for all stakeholders to get their concerns heard and eventually addressed is one of the critical elements of public participation (Arnstein, 1969). The call for municipal authorities is to recognize inclusive social dialogue with all concerned sectors of the public in order to promote and consolidate democracy (Nyalunga, 2006).

Participants with economic, political and any other kind of power should not be given higher priority over those who do not have power. With regard to the meetings that were set by the CoJ concerning informal trading by-laws amendment, marginalized groups were not able to use this opportunity to influence the decisions taken. During the survey of this research, one of the informal traders commented that only big businesses (shops owners) were listened to. Considering that shop owners in the city are probably in a better financial position compared to informal traders, it can be argued that the scenario in the meetings where shop owners became dominant in making decisions was an indication of economic power.

Lund and Skinner (2004) have observed the same power dynamics in a research done on the informal economy in Durban. According to their argument, when formal and informal economy activists are present in one meeting, there is a power tussle and often the weaker voices of informal workers are not heard. To promote the spirit of proper public participation, it would

depend on the officials and politicians to create a fair opportunity for informal business activists to articulate their concerns (ibid.).

According to Hickey and Mohan (2004) the visibility of power dynamics determines who can freely participate in decision making processes. Arnstein (1969) argues that participation without redistribution of power is an empty and frustrating process for the powerless. It allows power holders to claim that all sides were considered, when in fact, the process only benefits the powerful.

These findings concur with Benit-Gbaffou's (2008) argument that although South African constitution and many other legislative documents stress the importance of public participation in government processes, delivery has not benefited the poor majority. She further argues that the lack of critical approaches to public participation has limited marginalized groups from using it to influence their lives. This was the case in the process of by-laws amendment since informal traders could not use their legal right of participating in government processes to influence the by-laws.

5.2.4 Defining the Place to Hold Meetings

Research findings in Chapter Four show that in the City of Johannesburg, places where public meetings about amendment of by-laws were held were determined by those in power (city officials). Based on Arnstein's (1969) and Foucault's (1982) argument that states that where meetings are held may determine who can freely participate, informal traders in the City of Johannesburg might have been subjected to this power relation.

Nonetheless, considering meeting venues, it can be argued that they were selected for convenience purposes. Based on the research findings, different venues within the city centre were used for these meetings. This made it easy for the informal traders to reach the venues. Accessibility to the venues for public meetings is one of the crucial aspects determining public participation. If the venues chosen for public meetings are not easily reachable and accessible by public communities, public participation can be hindered.

5.2.5 Final Decision reflecting all Stakeholders' Interests

According to the International Association for Public Participation (IAPP, 2002), one of the requirements for public participation is making sure that decisions taken reflect all participants' interests. Ideally, for democratic policy making processes one would expect this requirement to be met but practically this may be too ambitious. Considering that people will always push forward different agendas informed by different interests, final decisions will always be taken by compromising others' interests. Having said that, in a democratic decision making process, the final decision should reflect the interests of the majority.

If final decisions taken on the informal trading by-laws amendment by the CoJ is claimed to be democratic, it should reflect different stakeholders' interests. Although informal traders could not answer the question on whether their concerns are addressed in the new informal trading by-laws, it has become apparent that there are still challenges faced by informal traders. Some of these challenges include forced removals from working places as articulated in the memorandum for the march protest held in August 2009 (refer to appendix 3)

Most of the informal traders belong to organizations (graph figures 3 and graph 4) dedicated to fight for the rights of the informal traders. In the case of informal trading by-laws amendment, these organizations would be expected to play a critical role as a third party to hold the city authorities accountable in addressing the needs of the informal traders. However, the issue of legitimacy denied these organizations an opportunity to play their role. In the interview the researcher held with the leader of one of the informal traders' organisations, it was revealed that the lack of cooperation of some informal traders make things difficult since informal traders themselves do not speak with one voice.

The division of informal traders since some do not belong to any of the existing informal traders' organisations also undermines the role of informal traders' organisations. This was observed in the meeting held in Johannesburg Civic Centre on the 10th of February 2009. The fact that these organisations may have different views on some issues makes their legitimacy questionable to other informal traders and city authorities.

According to the Department of Economic Development (SMME) in the CoJ, informal traders' organizations are not considered in discussing issues like formulating informal trading by-laws. Although the fact that not all informal traders belong to these organizations and these organizations sometimes have tensions among themselves is used as the main reason to not consider them in decisions making processes, the leaders of informal traders' organisations saw this movement (undermining informal traders' organisations in decisions making) as a political issue. The possibility of political issues being pernicious to proper public participation has been raised by Nyalunga (2006) with reference to South African local government operations.

The exclusion of the informal traders' organizations in decision making processes despite their effort to encourage public participation is perceived by some of these organizations as the manipulation of the informal traders. According to the chairperson of one of these organizations interviewed, city authorities exclude organizations from decision making processes in order to manipulate informal traders because they lack information they need to challenge these decisions.

The issue of legitimacy as an obstruction to civil society's organizations to participate in political and economic decisions taken by local government has also been pointed out by Nyalunga (2006). According to his argument, the fact that these organizations are sometimes deemed illegitimate by the city authorities and politicians means that they are unable to play their role. Based on the research findings, by-laws regulating informal trading in the CoJ are against the will of informal traders. These decisions are articulated in the final document on informal trading by-laws released in May 2009.

5.3 CONCLUSION

This chapter provided an analysis of the research findings. It started by reiterating the research questions, and then analysed the research findings against the theoretical framework. It showed how some crucial elements of public participation were lacking in the process of informal trading by-laws amendment.

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.1 Introduction

This chapter concludes the research and provides recommendations. It starts by highlighting the challenges and constraints facing public participation in the CoJ. Second, it shows how such challenges have affected the process of informal trading by-laws amendment and this is evaluated using information on key indicators of public participation as expatiated by the literature in the second chapter. Lastly, it provides recommendations on how the challenges revealed by research findings can be alleviated to engender proper public participation.

6.2 Challenges Facing the Public Participation Process in by-laws Formulation in the CoJ

Policies and planning tools in the CoJ show that the city management has given public participation high prominence. The informal trading policy and the IDP as reviewed in section 2.4.1 shows that the city management has the good intention of adhering to the national government's demands of public participation. IDP clearly states how the city is intending to accommodate public community's interests in the city's decision making processes. However, the surveys conducted with the informal traders with regard to the informal trading by-laws amendment, have revealed that the implementation of these policies is still faced with many challenges.

The lack of flow of information between the city council and the informal traders is one of the challenges hindering public participation in the CoJ. Although the CoJ tried to involve the public in the process of reviewing the by-laws on informal trading, whatever strategy was used to inform stakeholders did not work. While informal traders had elected block leaders and committee members to represent them, city officials failed to communicate with these representatives. Due to this lack of communication between the city officials and the informal traders, the majority of informal traders were not part of the decisions adopted for the amendment of informal trading by-laws.

Public meetings conducted with the public did not reflect the important features of public participation. Although the attendance of informal traders and their representatives was not impressive, the minority that could make it to the meetings were not able to influence the decisions taken. As observed by the researcher from one of the meetings, there was a tendency by the city officials to call meetings to inform informal traders about predefined problems and solutions.

Power politics between shop owners and the informal traders is also a big challenge. Public meetings were dominated by those with economic power as lamented one of the informal traders in an interview, saying that in the meetings, “only formal business owners (shops owners) were listened to since they are paying big rent to the City Council”. This situation is not favourable for public participation. It may frustrate marginalized groups and eventually result in them not attending public meetings since they may end up regarding them as useless (Arnstein, 1969).

The structures of decision making in the CoJ, especially in the Department of Economic Development, are fuzzy. Informal traders including their block leaders did not understand who was responsible for taking decisions between the city council and the Metropolitan Trading Company (MTC). Decisions on by-laws formulation are taken by the city council, but some informal traders only know MTC, and they believe that informal trading by-laws come from the MTC. This is a harmful condition for public participation since informal traders do not know who they need to object to if they are not satisfied by the decisions taken.

The roles and responsibilities of informal traders’ organizations remain undefined. While these organizations saw themselves as third parties fighting for the informal traders’ rights, the city council did not recognize them in decision making processes.

Informal traders’ organizations are perceived by some of the informal traders as opportunistic. During the survey, one of the informal traders lamented that “I do not belong to any organisation, those people always make empty promises and they eat our money for nothing”. This division between some informal traders and organizations can deepen the doubt about the legitimacy of these organizations. According to Lund and Skinner (1999) the fragility and inconsistency of the informal traders’ organizations makes it difficult to know who they represent and whether the people they claim to represent are really members of the organizations.

While most of the ordinary informal traders put faith in their block leaders to represent them in decisions making, the block leaders themselves lacked the capacity to deliver on such expectations. During the survey it emerged that most block leaders and committee members do not report back to ordinary informal traders after attending meetings with the city management. This lack of coordination among informal traders weakens their ability to participate meaningfully in city council's decision making processes. According to Plummer (2000) informal traders need skills to be able to effectively participate in government programmes or decision-making process. The inability of block leaders and committee members to mobilize other informal traders to participate in government affairs can be attributed to the lack of such skills.

Referring to the theoretical framework drawn up in Chapter Two and to Arnseins'(1969) famous metaphor of a ladder of public participation in planning processes, it can be deduced that the process of amending informal trading by-laws in the CoJ lacked the most prominent features of public participation. According to this ladder of public participation, the situation where public participation processes reflect the interests of the powerful groups and the public remain powerless with their concerns not addressed, is manipulation. Manipulation falls at the lowest level of the public participation ladder, meaning that public participation in planning processes is very weak.

Having assessed the key elements of public participation in the process of informal trading by-laws amendment in the CoJ, it can be concluded that this process failed to account for public participation. Therefore the process of informal trading by-laws amendment was not a participatory process.

6.3 RECOMMENDATIONS

This section provides recommendations on how the challenges facing public participation in decision making processes can be encountered. Each recommendation hopes to address a particular challenge unveiled by this research. Recognizing that challenges facing planning processes can differ with different spheres of governments and with different sectors, these recommendations are more relevant for policy formulation at local government level.

6.3.1 The Lack of Communication between the CoJ and Informal Traders

While the CoJ set public meetings to meet with public communities and the stakeholders involved in informal trading for the by-laws amendment, the message for these invitations was not able to reach all the interested parties. This poor communication between the CoJ and the informal traders suggests that there should be an effective strategy put in place to make sure that such hindrance is overcome in future. Using public notices as means of alerting public communities about set meetings and other agendas seems to be not effective enough. Since informal traders are directly affected by informal trading by-laws, the city officials responsible for the informal economy need to have a special way of communicating with such interest groups.

In the case of special occasions like the formulation of by-laws, it could be better if public notices are accompanied by letters directed to special groups of interest. This would help to inform the participants about what to expect in the meeting and to give them a chance to think about what they would like to present in the meetings. In recognition of the importance of the informal traders' views in the process of informal trading by-laws amendment, in future the CoJ and other local governments should consider distributing letters or notices directly to all stakeholders. The traditional strategies of communication through advertising in local newspapers, putting notices in prominent public places and making announcements on radio stations should also be improved.

The informal traders' organisations and any other groups existing within the informal traders' community need to be recognised and utilised by the city authorities as agents of communication (Burke, 1968). Using these organisations will not only improve the flow of information between the city officials and the informal traders but will also help the informal traders to reach a consensus among themselves before they meet with the city officials for taking final decisions.

6.3.2 Democratization of the Decisions Making Processes

Public participation spaces should have given equal opportunities to all stakeholders or interest groups to have their concerns attended to. Decision making processes in local government are

faced with the problem of unequal power dynamics where marginalized groups have lower chances of getting their concerns addressed. There is also the problem of city officials who come to the meetings with predefined problems and solutions.

To accommodate marginalized groups and those who do not have economic, political or any other kind of power, decision making processes should reflect democratic values. All public community members should be treated equally and they should all be given equal opportunities to address their concerns. Nyalunga (2006: 42) in his article concerned with fostering a conducive atmosphere for public participation asserts that, “citizen participation should not be reduced to participation only by the elite. Organized civil society, business, interest groups and ordinary citizens are critical agents of the participatory process”. Although facilitating negotiations among different interest groups can be far more challenging than anticipated, equipping city officials with negotiation skills can help them to successfully conduct public participation processes. Therefore local governments should promote training programmes in which city officials, informal traders’ representatives and any other prominent members are equipped with leadership and communication skills.

The tendency of city officials to come to public meetings with predefined problems and solutions minimizes the options available for the public. This weakness can be the result of a lack of skills required for public participation processes. This points the need to ensure that municipalities are capacitated on the need for proper public participation. As part of this capacity building, training about participation processes is crucial.

The CoJ should not be only concerned about building public participation capacity with reference to their staff only, but they should also empower block leaders and committee members representing public communities. In the case of informal traders, the CoJ has shown courage in equipping the traders with business skills as part of Small, Micro and Medium Enterprises (SMME) development. This project is known as ‘Grow Your Business’ and is conducted in the University of the Witwatersrand. In this project participants are taught things like managing business, drawing business plans and other business related things.

The CoJ and other local governments should also consider doing a similar project in building leadership skills amongst informal traders’ block leaders. This will respond to the problem of the

block leaders who do cannot organize informal traders they are representing. This will require local governments to improve their budget allocated for public participation.

Decision making environments and other associated issues should be identified so that the processes and outcomes reflected a fair and democratic environment for public participation. The decision-making process should also be clear, well defined and accountable.

6.3.3 Forming Clear Structures of Decision Making

As observed from the findings that the existence of the Metropolitan Trading Company which was formed to oversee everyday operational issues of informal trading has confused informal traders; since it is not clear takes decisions on particular issues, local authorities need to ensure that decision making structures on particular issues are clearly defined and made known to the public. Furthermore, public communities should be aware of the roles and responsibilities of these decisions making structures. In the case of informal trading in the CoJ, the City through the Department of Economic Development makes legislations on informal trading. However, the existence of the Metropolitan Trading Company (MTC) which was formed to oversee everyday operational issues of informal trading has confused informal traders. It is not clear who takes decisions on particular issues.

The CoJ needs to engage informal traders, especially their leaders about the responsibilities of Metropolitan Trading Company, Central Johannesburg Partnership, and any other existing entity in decision making processes. Informal traders' expectations in decision making processes should also be clarified for them so that they know the chances they stand to influence final decisions.

6.3.4 Inclusion of Civil Society Organisations in Decisions Making Processes

Civil society organisations have a key role to play in social decision making processes. In some cases, public communities lack capacity, skills, and information needed for proper public participation. The presence of civil society organisations will help to challenge city authorities, give the authorities information needed for proper planning, provide alternatives on particular issues, and hold the authorities accountable for proper public participation.

In the case of informal trading in the CoJ, informal trading organisations feel sidelined from decision making processes including informal trading by-laws formulation. This has been a matter of concern for some organisations since they feel that city officials sideline them in order to manipulate informal traders.

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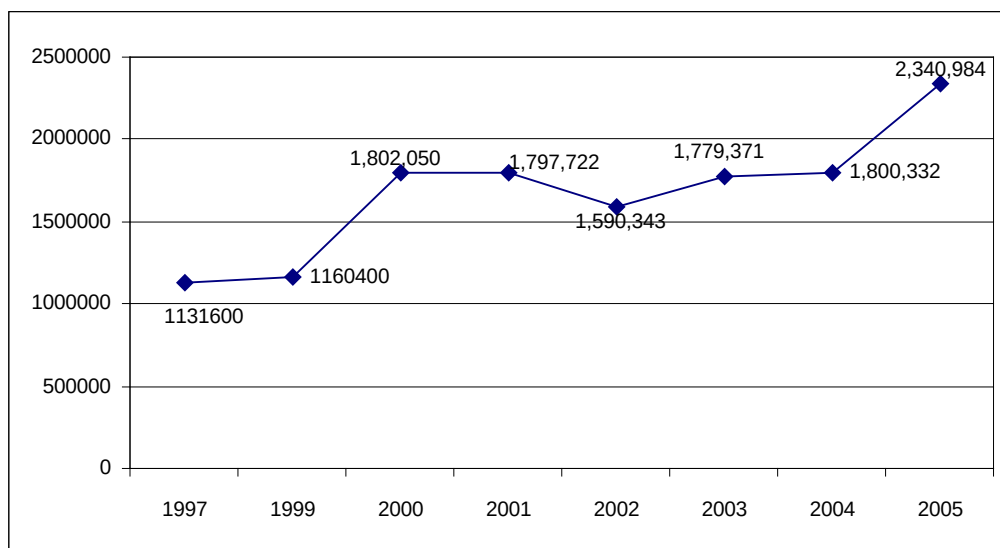
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Appendix 1:

- 1= King George Street
- 2= Bree Street
- 3= Wanderers Street
- 4= Plain Street
- 5= Small Market in Noord Street and Hoek Street
- 7= Joubert Street
- 8= Queen Elizabeth Drive
- 9= Metro Mall block B
- 10= Metro Mall block A
- 11= Von Brandis Street
- 12 = Kerk Street
- 13= Noord Street

Appendix 2:

South African employment in informal enterprises between 1997 and 2005



Source: Skinner (2006)

Appendix 3:

SOUTH AFRICAN INFORMAL TRADERS FORUM MASS ACTION

FOR THE RIGHTS & DIGNITY OF INFORMAL TRADERS!!!

**ALL INFORMAL TRADERS ARE INVITED TO A MASS ACTION TO BE
HELD AS FOLLOWS:**

Date : *05 August 2009*

Venue : *Mary Fitzgerald Square-Newtown (Between Jeppe & Bree Street)*

Time : *10h00*

Mass Action will seek to DEMAND:

- 1) **A STOP TO ILLEGAL IMPOUNDING** of informal traders goods / stock.
- 2) **A STOP TO HARASSMENT** of informal traders.
- 3) **Reasonable RENTAL CHARGES** to informal traders in malls & stalls.
- 4) **Decent TRADING SITES** and **ADEQUATE LAND** for traders.
- 5) **PROPER CONSULTATION** in the development of **BY-LAWS** of informal traders.
- 6) **A STOP TO FORCED REMOVALS** by the city for the so called 2010 project.
- 7) **Measures to stop corruption** of MTC and JMPD be effected.

PHAMBILI NGABATHENGISI! PHAMBILI!!!

Appendix 4: Questionnaire

Date: _____

Time: _____

Gender of the interviewee: _____

Location/ street name _____

Interview

Introduction, Hello, my name is Sbu. I am a student from the University of the Witwatersrand, and I am doing a research on street traders and City by-laws. Can I ask you some questions; it will only take about 20 minutes.

Thanks for agreeing to talk to me. Please be assured that this is a confidential interview and if you feel uncomfortable, we can stop anytime.

1. Which language do you prefer for conducting this interview? _____

2. (a) Are you the owner of this business or do you work for someone? _____

3. (a) I understand that the City of Johannesburg was reviewing the by-laws on street trading, and they started the process last year, were you informed about that? (Yes/No)_____ *if yes, go to 3(b)*

3.(b) How did you hear about the review of by-laws?-_____

4. (a) Have you been to any public meeting for the informal traders with the City Council to discuss the by-laws and participation? (Yes or No)_____ *if Yes*

go to 4(b), if No, Why you have not _____

4. (b) Do you remember when was that meeting held (time and date)? _____

4. (c) Where was the meeting held? _____

4. (d) Was it easy for you to get to the venue at the allocated time? Yes/No
_____, Why? _____

4(e) What was discussed in the meeting? _____

4 (f) What language was used to conduct the meeting? _____

4 (g) Were the discussions happening in the meeting clear for you? Yes/No _____, Why? _____

4 (h) Were you and other informal traders able to voice your concerns in that meeting? (Yes/
No) _____, Why? _____
_____, if Yes, go to 4(j)

4 (j) What were these concerns? And what were the responses to them?-

5. (a) Is there any document related to street/informal trading that you and other informal traders were
given by the City Council to read and comment on? (Yes/No) _____ if Yes go to 5 (b)

5 (b) Were you able to understand what was the document about and express your comments on it?

6. (a) Is there a group or block leader for street traders?_____ *if yes go to 6(b) and 6(c)*

6 (b) Who are they?_____, how were they elected?_____

6 (c) What are their roles and what are the doing for you? _____

THANK YOU, I HAVE FEW MORE QUESTIONS ABOUT INFORMAL TRADING ORGANISATIONS, IT WILL ONLY TAKE A COUPLE OF MINUTES

7 (a) Do you belong to any organisation for informal traders? (Yes/No)_____ *if Yes go to 7(b), and if No go to 7(e)*

7(b) What organisation is it?_____

7(c) Do you pay a membership fee for that organisation? (Yes/No)_____ *if Yes, how much?*

7(d) Was your organisation happy with the decisions taken by the City Council on street trading by-laws? (Yes/No)_____ *if No, Why?*_____

7(e) Why?_____

8. (a)Do you think that City Council allows informal traders to have a say on decisions making process? (Yes/No)_____ *if No go to 8 (b)*

8. (b) Why do you think so? _____

9. (a) Is there any strategy that you and other street traders are using to try to get City Council considering your concerns? (Yes/No)_____ *if Yes, go to 9 (b) and 9(c)*

9 (b) What is that strategy?_____

9 (c) Has that strategy been working (Yes/No)_____ *if Yes,*
*How?*_____