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De Freitas, Manuel Simão França

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ANAYSIS OF THE PUBLIC PARTICIPATION PROCESS IN THE GAUTENG ETOLLS INITIATIVE

MEMO OF CORRECTIONS

Manuel Simão França de Freitas

Student Number: 762237

Supervisor: Associate Professor David Everatt

University of Witwatersrand School of Governance

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Cell: 082 788-6824

Email: manny@democratic-alliance.co.za

1. Introduction

Please find my memo of corrections which attempts to respond to adjudicator reports pertaining to this thesis.

This study analyses the public participation processes led by SANRAL (South African National Roads Agency Limited) within the Gauteng Freeway Improvement Project (GFIP). The public appeared to have been against this project from the beginning claiming that they were not properly consulted on this project. The term public is defined by the Merriam-Webster dictionary "as a group of people having common interests or characteristics". The common interest in this study was the etolls initiative.

2. Qualitative Analysis

Some research has already been undertaken when discussing the etolls initiative. Most of such research has included the lobby group OUTA (Opposition to Urban Tolling Alliance, subsequently renamed the Organisation Undoing Tax Abuse). This study purposefully excluded OUTA because of the large number of research work that already includes this organisation. The potential existed that the influence and position of OUTA may have disproportionately affected and influenced the research. Historically research on this subject has also excluded some stakeholders and organisations that were in some way or another involved with the etolls initiative. It was for this reason that a broad spectrum of such stakeholders was included in this research.

3. Interviews conducted

A total of eight representatives of various stakeholders were selected to be interviewed for this research with the objective to obtain a wide and varied selection of opinions. Included in this research was SANRAL as the government entity responsible for the project. A company that worked closely with SANRAL on this project was Electronic Toll Collections (ETC). ETC was appointed by SANRAL to collect etoll payments from the public. Another stakeholder that was involved with the initiative was a non-governmental, non-profit organisation, Justice Project South Africa (JPSA). JPSA has an objective of improving road traffic laws, road safety and its enforcement.

To ensure a diversity of views in the interviews business organisation, the Retail Motor Industry (RMI) Organisation which represents the motor industry with a membership of 8200 was included. The Road Freight Association (RFA) was also included as they represent mainly road freight operators of all descriptions. To include the views of the consumer, the South African National Consumer Union (SANCU) was interviewed.

The lobby interest group, the Automobile Association (AA) was also interviewed so that the views of vehicle users were specifically taken into account. This interview spectrum ensured that there was a cross-section and variety of interviewees that focused on different aspects and interest groups that had an interest in this project. Only interest groups were interviewed as each of them represented specific constituencies and spoke on their behalf as opposed to individual persons who would have represented only themselves.

4. Data generated from interviews conducted

The attached annexure document categorises thematically the data generated from the interviews undertaken. The annexure provides the responses by interviewees

(who are listed by name and the organisation they respectively represented) to the questions posed to them. Next to each response is the author's comments in context with responses by other interviewees and the conclusions reached as a result. This analysis document then formed the basis of the findings and conclusions and recommendations presented in the thesis document.

The data generated was categorised thematically enquiring into what the different strategies and tactics for securing public participation were used, what were the public responses at each stage of the participation process, what were the different strategies and tactics for securing public acceptance and what other factors contributed to levels of public support for the project.

The interviews revealed that SANRAL treated the public participation process and anything related to it as nothing more than a legal requirement and a tick-box exercise. SANRAL incorrectly presumed that there would be minimal opposition by the people of Gauteng to the etolls initiative. One of the interviewees posited that certain classes of society had historically provided little opposition during the apartheid years.

From inception of the project, the provision of information to the public was minimal, and was at best superficial, despite requests from stakeholders for this information. As a result of this, the distance in opinion and cooperation between SANRAL and the public increased. This in turn directly affected the lack of acceptability of the etolls project by the public. The fact that SANRAL chose not to consider alternative proposals of any description widened even further the rift between SANRAL and communities. Instead of SANRAL treating communities and the public at large as partners in the project, SANRAL instead treated them as adversaries. This created

the ideal environment for stakeholder opposition, resistance and objections to the project.

According to interviewees representing SANRAL, frustrations were expressed at the change of heart by some members of the public, that according to SANRAL, initially supported the project but did an about turn later on. However, other interviewees confirmed that certain change of heart may have taken place after information, previously unavailable to the public, when made available had convinced members of the public that the project would be unfavourable.

SANRAL chose to not consider the different audiences they were speaking to and the fact that the information provided should've been communicated in such a manner as to cater the respective public audiences. As a result of the standardisation of communication methodologies used by SANRAL, many audiences were not made to feel included. This then lacked the buy-in from communities which led to opposition to the project. The central communications strategy performed by SANRAL were the public meetings which proved to have been badly attended. In addition, only superficial or incomplete information was imparted at these meetings. This created the perception that the public meetings were not fruitful and useful. This was reinforced by the fact that alternatives and suggestions made by members of the public were not considered. No other opportunities for interaction with stakeholders were created by SANRAL, this did not bode well for the project. A great criticism by some of the interviewees was the fact that some SANRAL officials were not generally available at various opportunities and interactions with the public, this included opportunities provided by SANRAL itself.

From the interviews it was evident that SANRAL treated important social partners, such as the media, as adversarials instead of partners that had a potential to assist in making the public participation process the best possible. As a result this had a negative impact on the project and the public participation process in particular.

Despite the public participation meetings and the high media attention to the etolls project, it became evident in the eyes of the public that this project lacked transparency. This was reinforced when requested detailed information about this project by the public was not forthcoming. This immediately made stakeholders suspicious and mistrusting of the project.

The data derived from the interviews showed that there was no uniform or universal support or agreement about this project by elements of government. In fact, some transport ministers were against this project yet the project had obtained cabinet approval and continued irrespective. As the project evolved and the opposition against this project from all communities became evident, government pushed on with the project, choosing not to revaluate or design the project. Had government chosen the latter path, or a similar path to that, the outcome of the project may well have been considerably different and possibly more acceptable to the public. The increased opposition by the public was matched with pockets of representatives of government also vocalising objections to the etolls initiative. In fact, the etolls issue was a major issue in the 2014 election campaign when most opposition parties took the matter up. The contradicting and opposing messages about etolls from politicians from the governing party not only created confusion but also confirmed that lack of all-round government support for this initiative.

So toxic was this project that any potential partnerships by other government entities with SANRAL was eliminated as other entities did not want to be painted with the same negative brush that SANRAL was. Attempts by SANRAL to improve its image and that of etolls came to naught. Even the much respected and admired Public Protector at the time, Thuli Madonsela who was requested by SANRAL to investigate etolls came to naught.

The interviews also highlighted some positive aspects of the etolls project. The technology installed and used in this project was world-class. The technology used is not limited to only electronic tolling but can be used in a variety of other applications such as vehicle regulation enforcement. However, the many good points to the project were drowned out by the negative publicity and perception that had been created. As a result, most members of the public were unaware of the good that etolls could bring.

The interviews revealed that SANRAL provided no explanation or justification as to why the public needed to pay for etolls without the consideration of other potential methods of payment for this initiative. Since the completion of phase 1 of the etolls initiative it appears that nothing has been done to rebuild trust between SANRAL and the public on this issue. The only time that one hears about this project is usually a crude instruction by a representative of government instructing the public to pay any outstanding monies owed for etolls. The opportunities to discuss this project further with the public at large appear to have been missed by government.

5. Proposals made to improve public participation processes

The study proposed concrete methodologies about how communities could be better consulted by using existing legally-required structures, namely the ward committee

system. All wards in all municipalities in all provinces are required to have full constituted ward committees. Ward committees therefore already exist in each ward ensuring that the voice of citizens is heard at the lowest level. Ward committees could, with relatively little effort and cost, be used to consult with local communities at the lowest level. Without pre-empting the outcome of these consultation exercises ward committees could be used as facilitators for the collection of opinions from local communities. It is local communities that, because of their lived experiences within specific communities, are able to provide opinion of the project within the context of their specific communities. Local community members are experts about what is needed and best for their communities. The collection and collation of input from all local communities would provide accurate information about what communities feel and the project and if adaptions need to have been made to make the project acceptable for particular communities. Such ward committee-driven public participation processes with data provided by all communities would increase acceptability by the communities consulted.

Following a ground up ward committee-driven process would meet the requirements discussed in the Arnstein model as well as Goodwin's model which shows that a project becomes directly proportionally acceptable to the public as it is consulted and encouraged to participate in the public participation process.